

# COLUMNISTS

## We need wisdom to end terrorism

Our attention remains focused on the terrorist attacks on New York and Washington. I am more conscious than ever of the constant need to bring whatever moral resources we have to the perennial question of warfare. Recent events have shown us that we simply cannot slacken in our efforts to reflect on the moral meaning and legitimacy of warfare.

In its section on avoiding war, the "Catechism of the Catholic Church" lists the criteria of the just-war theory:

- the damage inflicted by the aggressor on the nation or community of nations must be lasting, grave and certain;
- all other means of putting an end to it must have been shown to be impractical or ineffective;
- there must be serious prospects of success;
- the use of arms must not produce evils and disorders graver than the evil to be eliminated. The power of modern means of destruction weighs very heavily in evaluating this condition. (2309)

The catechism states "... strict conditions for legitimate defense by military force require rigorous consideration. The gravity of such a decision makes it subject to rigorous conditions of moral legitimacy." (2308) The criteria of the just-war theory attempt to offer objective means to assess moral legitimacy of military action.

Even though the earliest history of the



the moral life

BY PATRICIA SCHOELLES, SSJ

church seems to indicate that Christians would not take up arms in defense of political entities, from the time of St. Augustine there has been widespread acceptance of the just-war theory among church members. For the greater part of its history, the Catholic Church has maintained a duty by Catholics to fight for their country in a war determined to be justified. In the absence of an "international authority with the necessary competence and power, governments cannot be denied the right of lawful self-defense, once all peace efforts have failed." (2308)

Foremost among concerns about the just-war theory is the stark realization that no country has used it to back away from the brink of war because the war under consideration appeared to be "unjust." Catholics and other Christians have fought on opposing sides of many military actions. These facts alone provoke se-

rious questions about the usefulness of the just-war theory.

More recently, the church seems to accept two positions concerning the morality of warfare. The legitimacy of individual Catholics adopting a pacifist stand regarding warfare has grown increasingly acceptable in official teachings and in practice. This alternative to the just-war position is now embraced by many Catholics and by several other Christian churches. The catechism states that "Public authorities should make equitable provision for those who for reasons of conscience refuse to bear arms; these are nonetheless obliged to serve the human community in some other way." (2311)

Scripture scholars are more and more convinced that one of the distinguishing marks of the ethic preached by Jesus was nonviolence. New Testament statements attributed to Jesus include his injunction to love our enemies, to avoid living by the sword, to be peacemakers. There seems to be a bias against the use of violence at the heart of the communities responsible for composition of the Gospel narratives.

So where does this leave us? We recognize a number of moral traditions may help us. We accept a Savior who embraced nonviolence. We live in a country deliberately attacked by terrorists. We wonder how to apply the just-war theory to defeat covert forces not really repre-

senting a country at all. We are not certain that the use of arms will not "produce evils and disorders graver than the evil to be eliminated." We struggle between outrage over innocent lives destroyed, and the fear of our children having to make war against enemies who show little regard for their own or others' lives.

The moral resources from centuries of Christian deliberation about the morality of waging war are likely to offer us some assistance in understanding the military actions that will eventually be undertaken. The deeper and more lasting solution to terrorism, though, will not come from military action alone. More important than waging "good" wars is forming good policies that will foster the conditions necessary to end terrorism. The ultimate end to terrorism will require wisdom more like that assumed in Pope John Paul's remarks last week that "peace is the result of justice." This is the kind of wisdom that lies behind the words of the American Vernon Jordan: "Broadening the base of freedom and prosperity should be a cornerstone of America's policy, not only because it might shrink the numbers of disaffected who can be recruited for terrorism but because it is the right thing to do, the just thing, the moral thing."

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## How to use, and not use, just-war theory

Catholic commentary on the grave moral issues involved in responding to the attack on the United States on Sept. 11, and in taking effective measures to rid the world of terrorism and its capacity for mass violence, has been burdened by a shift in just-war thinking. The shift began decades ago, but its full import is only now coming into clear focus.

It's important to understand what the just war tradition is, and isn't. The just-war tradition is not an algebra that provides custom-made, clear-cut answers under all circumstances. Rather, it is a kind of ethical calculus, in which moral reasoning and rigorous empirical analysis are meant to work together in order to provide guidance to public authorities responsible for decision-making.

From its beginnings in St. Augustine, just-war thinking has been based on the moral judgment that rightly-constituted public authorities have the moral duty to pursue justice, even at risk to themselves and those for whom they are responsible.

That is why, for example, St. Thomas Aquinas discussed just war under the meaning of "charity," and why the eminent Protestant theologian Paul Ramsey



the catholic difference

BY GEORGE WEIGEL

argued that just-war tradition is an attempt to think through the public meaning of the commandment of love-of-neighbor.

In today's international context, "justice" includes defense of freedom (especially religious freedom), and the defense of a minimum of order in international affairs, the crucial components of the peace that is possible in a fallen world.

The presumption that the pursuit of justice is a moral obligation of statecraft shapes the first set of moral criteria in the just-war tradition, which scholars call the *ius ad bellum* or "war-decision law": Is the cause a just one? Will the war be conducted by a responsible public authority? Is there a "right intention" (which pre-

cludes acts of vengeance or reprisal)? Is the contemplated action "proportionate," appropriate to the goal (or just cause); is the good to be accomplished likely to be greater than the evil suffered if nothing were done, or if the use of armed force were avoided for the sake of other measures? Have other remedies been tried, found wanting or unlikely to be effective? Is there a reasonable chance of success?

It is only when these prior moral questions have been answered that the second set of just-war criteria — what scholars call the *ius in bello* or "war-conduct law" — come into play, logically. The positive answers to the first set of questions create the moral framework for addressing the two great "war-conduct" issues: "proportionality," which requires the use of no more force than necessary to vindicate the just cause; and "discrimination," what we today call "non-combatant immunity."

Under the moral pressures of nuclear war, Catholic attention focused almost exclusively on "war-conduct" questions after World War II. This led to an inversion of the just-war tradition: the claim, in both official and scholarly Catholic commentary, that the just-war tradition "be-

gins with a presumption against violence."

It does not. It did not historically, and it cannot theologically. As one of America's most distinguished just-war theorists, James Turner Johnson, has put it: To effectively reduce the tradition to "war-conduct" questions is to put virtually the entire weight of the tradition on what are inevitably contingent judgments. This error distorts our moral and political vision, as it did when it led many Catholic thinkers to conclude, in the 1980s, that nuclear weapons, not communist regimes, were the primary threat to peace, a conclusion falsified by history in 1989.

That just-war fighting must observe the moral principle of non-combatant immunity goes without saying. That this is the place to begin the moral analysis is theologically muddled and unlikely to lead to wise statecraft.

If "war-conduct" judgments drive the analysis, the moral foundations are knocked out from under the entire edifice.

Weigel is a senior fellow of the Ethics and Public Policy Center in Washington, D.C.

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