

---

RICHARD A. McCORMICK

---

## Nuclear Deterrence and the Problem of Intention: A Review of the Positions

The final form of the bishops' pastoral letter is the precipitate of a complex and very arduous process involving the input and reactions of many publics. Amidst much tugging and pulling for tone and emphasis, amidst the jostling and pressuring of special interest groups, the bishops and their drafting committee had to cling to a single constant: the Gospel's perspectives as they have been appropriated by the Christian community over the centuries in a variety of cultural and national-political circumstances. This appropriation has never been without tensions, especially between resisting the violent to protect the innocent and constraining one's own violence in the process. As various generations attempted to reconcile these apparently—and perhaps really—irreconcilable thrusts, rules of constraint were developed and are often referred to as the just-war theory. Playing a prominent role in these rules was the notion of intention, for example, in the rule about non-combatant immunity. The role of intention seems central in any discussion, not only of war but of deterrence of war. For deterrence *seems* to contain an implied threat, or a conditioned intention to use: if you use, we will. The problem stems from the rather traditional notion that it is wrong to threaten seriously or intend to do what it is morally wrong to do. Thus the person who says he will commit adultery if the weather is not good enough for tennis is an adulterer in moral terms. Unlike earlier drafts, the final version of the pastoral did not enter this question as it accepted or tolerated a nuclear deterrent. Indeed, it is safe to say that other ethical statements and conclusions of the pastoral left some "untidy loose ends." Whatever the case, the

problem of intention will continue to be with us as the pastoral letter provides the basis for continuing public discussion of these matters. Because this is the case and because not a little of the literature prior to the final version of the pastoral touched on this question, it may be helpful to detail some of that literature as an aid to continuing discussion.

I should like to concentrate on some longer studies that have been composed as aids in the teaching-learning process of the church. But before doing so, I should advert to the excellent overview of the issue provided by Michael Mahon, S.J.<sup>1</sup> It is an absolutely first-rate summary of the moral issues: (1) the pure form of deterrence (mutually assured destruction and the problem of intentionality); (2) proposals for limited nuclear war; (3) discussion of first-strike scenarios. On this last point, for example, Mahon clearly and accurately reviews the exchange between Theodore Draper and the authors (McGeorge Bundy, George Kennan, Robert McNamara, Gerard Smith) of a highly publicized *Foreign Affairs* article urging a no-first-use policy.<sup>2</sup> Throughout Mahon expertly reviews the analyses of well-known authors in these discussions (e.g., Michael Walzer, Francis Winters, Francis Meehan, Michael Novak, Paul Ramsey, John Cardinal Krol, Bishop Roger Mahony, William O'Brien, and others).

Mahon's purpose is to lay out the issues, not to adjudicate them; so he exercises admirable restraint. But his personal reflection at the conclusion of the review is well worth the many months he must have labored to construct this overview. Mahon suggests that the nuclear discussion has centered on three principles: proportionality in the use of violence, the immunity from attack that non-combatants should enjoy, and that war should be a last resort. He further suggests that "the principle of right authority is due for a comeback." He means, of course, that the unimpeachable authority for nuclear policy should reside with the prospective victims. It is too serious a matter to be left to governments. The mass movements in Europe and the United States clearly indicate that the victims want to deligitimate the use of nuclear weapons by nation-states. Mahon's concern is shared by others, as will become clear below. If one has time for but a single article, Mahon's is the one to read.

A second writing by theologian Germain Grisez evaluates the present nuclear deterrent in an argument that unfolds like a syllogism.<sup>3</sup> It is always morally wrong to intend, even reluctantly and conditionally,

to kill the innocent. But present deterrent policy involves this murderous intent. Therefore, the present deterrent policy is morally wrong. The minor is established by reference to the *United States Military Statement*, which refers to a focus of nuclear weapons on "Soviet values." But even if the targeting was not aimed at cities, Grisez believes the deaths of millions of innocents is essential to the deterrent and therefore direct (intended). To the objection that it is possible to deter with mere possession—and with no intent to use—he responds that this "might have been helpful had it been offered before the present deterrent policy was adopted."

It had been argued by John Cardinal Krol (September 1979) before the U.S. Senate Committee on Foreign Relations that the deterrent could be tolerated provided the deterrent is used to make progress on arms limitation, reduction, and eventual abolition. Grisez rejects this because it perverts the traditional notion of toleration into a justification for one's own immoral activity. Nor can one argue that choosing to kill innocents is the lesser evil; for "this position requires that one be able to weigh (supposedly 'nonmoral') evils" against one another. This we are unable to do rationally. Rather, this "proportionalist" position calls for a choice before judgment. What we choose to do becomes right.

In his continuing battle with "proportionalists," Grisez does not seem to realize that his arguments bite back. For instance, if the proportionalist must choose before judgment, how is this any different from the non-proportionalist who argues legitimate national self-defense against an aggressor? Does such a person not have to weigh political freedom against the loss of human life in defending it and *decide* that it is reasonable to suffer this evil for that good? If values cannot be measured against one another, for the proportionalist, how can they be compared by the person applying the fourth condition of the double effect (proportionate reason)? In this study Grisez answers as follows: "They may not do to any enemy's population (even as a side effect) what they would not have the other nation's leaders do to them and their people. In such cases, proportionality reduces to the Golden Rule."

But that is not an adequate answer. The question—which requires a rational answer if Grisez's critiques against proportionalists as arbitrary deciders are to carry any weight—is: *Why* would they not want it done to themselves? *Why* would a war become "unduly burden-

some"?<sup>4</sup> Is it not because the overall evils do not stand in a proportionate relationship to the values to be protected or achieved? Does that not demand the very weighing and balancing Grisez says is rationally impossible? Was it proportionate or disproportionate for the Russians to lose twenty million lives defending the fatherland? Every episcopal and theological document that I have consulted in this summary involves the type of weighing and balancing Grisez excludes in principle. Determining what is proportionate is a matter of political prudence and sometimes imprecise but this does not mean that it is irrational or arbitrary.<sup>5</sup>

John Langan, S.J., reviews what he calls the "absolutist" position. Its basic claim, Langan asserts, is "that every use of nuclear weapons is morally wrong."<sup>6</sup> Langan admits that this position has power and clarity; but does it work? Its ruling out any use is precisely the weakness of the absolutist position. One can conceive of cases where nuclear weapons meet the controlling criteria of the just-war theory. While these may seem antiseptic and abstract (a kind of "two-battleships-at-sea scenario"), Langan regards them as "crucial for understanding the limits of the absolutist argument." If *some* use of nuclear weapons is in principle justifiable, "the possession and production of nuclear weapons must be allowable in principle," and the absolutist case collapses. Unattractive as this may seem, Langan sees it as freeing us to understand "the balancing of values which is required in shaping strategic policy."

Langan prefers a contextualist approach to deterrence, one in which the serious danger of a catastrophic exchange plays a central role, but not one that justifies an exceptionless moral rule. Dangers can be greater or less, and where policy is concerned one must get involved in the weighing and balancing of risks: for instance, the likelihood of enslavement of free political communities without a deterrent against the likelihood of nuclear catastrophe with one. We are faced with the danger of doing terrible things and the danger of suffering terrible things. Langan lists three things that no policy may do or threaten to do, and whose risk must be minimized: the destruction of humanity, the destruction of an entire society, direct attacks on non-combatants. If a policy involves doing or committing us to do these things, it is immoral. But it need not so involve us, because there is the possibility in principle of a moral use of nuclear weapons. Langan concludes by insisting that the American bishops should not ban the bomb "but should adopt

stance which affirms the limitations of violence that are central to the just-war tradition and which at the same time points to the dangers of using nuclear weapons and of allowing the arms race to continue."

Langan's study is carefully crafted and sensitive to the distinction between moral and political judgments. Grisez would doubtless regard him as a proportionalist, since Langan sees the need to weigh values and disvalues of very different kinds, as I believe anyone applying just-war criteria must.

I would raise a single point with Langan's essay. He is clarifying his position against something like a straw man. That is, there is probably no one who holds the absolutist position that *theoretically* any use of a nuclear weapon is clearly morally wrong. That would be a difficult, indeed impossible, position to defend once one had accepted the moral legitimacy of national self-defense. What many would hold is a universal moral prohibition (Langan's "exceptionless rule") against use of nuclear weapons because of the almost unavoidable danger of escalation. The single question to be put to Langan, then, is this: Does the *abstract* possibility of a morally justified use of a nuclear weapon really justify the *concrete* retention of an arsenal that has no relationship to the abstract scenario? In other words, what is morally allowable in fact must be related to what is likely to occur in fact. As the bishops' pastoral states, "The issue at stake is the *real* as opposed to the *theoretical* possibility of a 'limited nuclear exchange' " (# 157).

What Langan's argument does, then, is destroy a so-called pure absolutist position that asserts that any conceivable use of a nuclear weapon is morally wrong. It does not have the same effect on a universal prohibition based on real escalatory dangers. And if a universal moral prohibition of use can still be powerfully argued from escalatory risk, then what is to be said of production and possession of nuclear weapons?

Some of the points just mentioned are made in a challenging study by David Hollenbach, S.J.<sup>7</sup> Hollenbach concludes that any use of strategic counterforce weapons cannot be morally justified. Such strategy violates the *in bello* criteria of discrimination and proportionality and the *ad bellum* criterion of reasonable hope of success (because of probability of escalation to mass slaughter). He then turns to tactical nuclear weapons and draws the very same conclusion.

Next he turns to hypothetical cases such as those raised by Langan and states that "such hypotheses have little or nothing to do with the

real international situation." Hollenbach's conclusion, that "the use of nuclear weapons can never be morally justified," I agree with, even though I could imagine with Langan antiseptic cases where the use would be controlled.

But what about possession and the threat to use nuclear weapons as a deterrent? Hollenbach refers to the pastoral letter of the American bishops (1976) in which they condemned attacks on civilian populations and threats to do so. John Cardinal Krol repeated this in 1979 but distinguished between threatening and mere possession, justifying toleration of the latter as the lesser of two evils, providing that meaningful negotiations were taking place toward reduction and elimination of nuclear weapons. The Krol testimony, Hollenbach notes, sees in the *threat* to use such weapons the *intention* to do so; but it also assumes that possession is compatible with an intention not to use them.

Hollenbach wrestles with this testimony on two grounds. First, we must distinguish the intention to use nuclear weapons and the intention to deter their use. To pursue policies that make war less likely, even though they involve threat, "is to *intend* the avoidance of war." Making war less likely is what is to be judged where specific policies are concerned, not deterrence in the abstract. Second, with regard to toleration, Hollenbach feels that Krol's notion is essentially correct but that it could be formulated more helpfully. He means that the conditions of toleration should be: (1) any policy must make war less likely; (2) any policy must increase the possibility of arms reduction, not decrease it. These twin conditions acknowledge that the moral judgment about deterrence is one about *the direction in which we are moving*.

Hollenbach's study has the great virtue of locating the discussion within the strong overall presumption against violence central to the Christian tradition. The key to his conclusion (carefully conditioned toleration of possession) is the distinction between intent to use nuclear weapons (never permitted) and intent to avoid war. Will it stand up? Specifically, a wary critic might point out that there is a means-end relationship between the two, that the intent to avoid war is indeed the *ultimate* intent but that it is served and achieved by the intent to use necessarily involved in any serious threat. In other words, the instrumental intention is not swallowed up in or obliterated by the good of the consummatory intention. Is it not there and still problematic?

Hollenbach's study thrusts intention back to center stage. At this point of the discussion enters John R. Connery, S.J.<sup>9</sup> Connery asks whether the threat of use as a deterrent is morally legitimate. The deterrent comes from mere possession and "would not call for any express intention on the part of the country possessing it." Connery narrows the question by excluding any indiscriminate strikes (nuclear or other) and any first strike of an aggressive kind. The sole remaining question is that of a controlled, defensive response. He argues that nuclear response with tactical nuclear weapons can be controlled and discriminate. To make it so is our moral challenge.

For the assessment of the morality of practical policy, Connery has eliminated the problem of intention. How? In two ways. First, since no express intention is required by mere possession, that possession does not create an insuperable problem. Indeed, Connery states that it is hard to see how strategic weapons "could legitimately serve any other but deterrent purposes"—which presumably he would countenance. Second, where tactical weapons are concerned, there is no intention problem because their use is justifiable when discriminate. All we need do, in our possession of nuclear weapons, is have the intention to use them discriminately.

Connery's article did not go without response. In a letter to the editor, Dan DiLuzio referred to it as a "remarkable rationalization." The use of any weapon could be judged sufficiently controllable, but only in "some idealized construct of the world."<sup>10</sup> Similarly, Walter Sullivan protested that the article did "not seem to be touched by the nuclear reality" that arsenals are located near population centers, that limited exchange carries enormous risk of escalation.<sup>11</sup> Furthermore, he rejects the distinction between merely having the bomb and intending to use it. The bomb exists for one reason: to be used if necessary.

From what has been said above, it is clear that I would agree with Hollenbach against Connery that no use of nuclear weapons can be justified in the present circumstances because of the unjustifiable risk of escalation. Second, can mere possession be divorced from some intent to use, as Connery asserts along with Winters (below)? That is a key question in the moral analysis. Langan, Sullivan, and others believe that such divorce is not possible. Langan states that "a firm and settled intention not to use nuclear weapons in all foreseeable circumstances makes the possession of such weapons literally useless

as well as irrational and needlessly provocative."<sup>12</sup> In other words, he argues that *some* intention is there. The problem of intention just will not go away.

Now enter Michael Novak and Joseph O'Hare, S.J.<sup>13</sup> Novak insists that the question is not Vatican II's "an entirely new attitude" toward war, but whether Catholic teaching is "moral, realistic, and prudent." After that little rhetorical salvo—involving false alternatives—he states the two purposes of deterrence: to deter military use of nuclear weapons, and secondarily to deter nuclear blackmail. To achieve these objectives, mere possession of nuclear weapons is not enough. "It must be intentional." Novak notes that intentionality when applied to political systems is only analogous to intention in individual subjects. It is like ("but not exactly like") the intentionality embedded in acts themselves: for example, in sexual intercourse as "objectively ordered to procreation" regardless of subjective intentions of individual agents.

Thus the objective intentionality of a nuclear deterrent is "readiness for use." It is this readiness that threatens and deters. The system is *designed* to convey a sense of readiness for use. But, he asks, is it moral to maintain a system whose very existence threatens use if it is immoral ever to use it? His answer: that depends on the purpose of the system. If it is to deter use of nuclear weapons, the threat aims at a high moral purpose (a good) and "does so in a morally sound way." Thus he justifies the nuclear deterrent but disagrees with Cardinal Krol on the condition. Krol had stipulated that possession is tolerable only if efforts are being made toward nuclear disarmament. Thus Krol's criterion would seem to apply only if other nuclear powers were willing to engage seriously in disarmament negotiations.

What move has Novak made? He has, if I understand him, attempted to finesse the classic problem of intention by shifting the "intention" from the agent to the system itself. But there are problems in doing that. Let me put it as follows. If one constructs a system that has inbuilt intentionality ("readiness to use"), does not the intention of the maintainer have to conform to this inbuilt intentionality? What sense does it make to construct a whole system whose very sense is "readiness to use" if the constructor is absolutely unready to use it? And if the constructor is ready to use it, is that not exactly what Novak would condemn?

Another way into my problem with Novak's analysis is his discussion of "the purpose of the system." May we, he asks, maintain such a



system? "That," he says, "depends on the purpose of the system." If it is deterrence, then we may; if it is other than deterrence, no. But who decides this purpose other than the agent? And if it is clearly the agents (political authorities) who intend to deter, what else must they intend to achieve this? Must the agent not intend conditionally to use the system if the deterrence is to be credible? Here we are back to the question I put to Hollenbach. The intention to deter is obviously noble, but can it obliterate the instrumental intention to use? If not, we are back to the problem of the agent's intention, which Novak rather cavalierly dismissed at the outset as "rather traditional stuff."

Francis X. Meehan is very close to Novak's understanding of intention.<sup>14</sup> He believes that distinguishing mere possession from intention to use confuses individual with social morality. In individuals possession may be distinguished from threat or intention to use. Not so in social morality. At this level there are mechanisms beyond individual control (e.g., chains of command, planned operating procedures, computers), all of which carry an "inbuilt objective intention." To view the matter otherwise is Platonic. Meehan further suggests that the church may well be at an exciting "kairotic" moment. That is, we are literally pulled by historical circumstances to rediscover the early Christian witness and transform ourselves from within.

What does this dynamic mean with regard to arms possession? Meehan distinguishes the church's address to its own members from its address to the wider community (policymakers, the world at large). He understands the appeals of the "peace bishops" for unilateral disarmament to be addressed within the church (*ad intra*) and to be altogether appropriate. When, however, the church addresses a larger public (*ad extra*), she cannot realistically call for unilateral disarmament. But by addressing a clear moral message to her own adherents, the church can create a kind of "third force" that will bring pressure on governments of both superpowers. The only and obvious problem with Meehan's scenario is that there is virtually no effective public opinion in the Soviet Union.

Joseph O'Hare, editor of *America* magazine, has Novak in his sights in his companion article. He protests Novak's dismissal of Vatican II's call for "an entirely new attitude" by noting that war waged with nuclear weapons "would almost certainly be total." O'Hare believes that the preoccupation of Catholic debate with the purity of moral intention distracts us "from the actual moral choices available to us."

He rejects unilateral disarmament as morally irresponsible, defends the present deterrent as "the least dangerous of the choices available to us," but insists on unilateral initiatives toward arms reduction by the United States.

The key to O'Hare's analysis is the phrase "least dangerous." On the one hand, there are the dangers associated with unilateral disarmament—dangers that something would happen to us and the Western world. On the other hand, the danger involved in keeping a deterrent is that we would do something to others with it. The first seems to be a risk of enormous nonmoral evil; the second is the risk of doing moral evil. I can fairly hear Grisez shouting "consequentialist" at O'Hare's essay.

Francis Winters, S.J., also engages Novak's dispute with the bishops.<sup>15</sup> He believes that Novak is especially rankled by the "power of the bishops to articulate binding moral imperatives." Winters is startled at the first version of the proposed pastoral because it allows some retaliatory use of nuclear weapons even though it can be reasonably expected that it will escape human control, as "the professional consensus believes." This more permissive attitude, which one finds also in Connery's study, fails to deal with the condition that war be waged by competent authority. In a nuclear war competent authority will be *hors de combat* very quickly and the control will slip to the uncoordinated command of multiple subordinates—in a word, the control will be gone.

Winters argues that between an immoral military strategy and subjugation to godless communism, there still remains a third option: retention of the nuclear arsenal without any intent to use it. The arsenal *in itself* is "the necessary and sufficient condition of strategic deterrence." Novak had dismissed this by postulating that weapons do not deter apart from the public consensus to use them, because they have an inbuilt intentionality ("ready for use"). Winters believes this is a postulate without proof. Equivalently, then, Winters is reiterating the Krol distinction between threat/intention/use and mere possession. The latter need not involve the former.

\* \* \*

This is the way the recent discussion has gone. It is a rich and lively literature. It represents a believing community trying agonizingly to discover God's will in a very complex and dangerous world. A few remarks might not be out of place here.

First, as noted, it would be unrealistic to see the American episcopal document as the final word on the subject. The bishops, like anyone else, discover the Christian truth on these questions through an arduous groping process. If anything is clear from the literature I have reviewed, it is that there is little theological unanimity to aid and inform this process. For this reason, I would qualify the assertion of Winters that the teaching "will be binding in conscience on American Catholics." No, bishops ought not shrink into harmless statements about "moral ambiguity" when matters are clear and certain. But not all matters are.

Second, given the different views within the Catholic community and the strong feelings that accompany those views, the bishops are in something of a no-win situation. Some, perhaps many, Catholics are surely disappointed. We will almost certainly hear further accusations either of "accommodationist" or of "political naiveté." But given the state of the discussion, that should not surprise us or lead to genuine divisions, even schism within the community, as some have suggested. Rather, it should make us aware of the fact that bishops, as a group, deliberate and speak from a certain "social location" within both the broader community and the church and are probably unavoidably sensitive to jostling and pressures from all sides, not excluding Rome, other national hierarchies, the government, etc.—sides where they would wish to retain credibility and effectiveness. That is one reason for viewing their final document as a transitional contribution to a still developing public opinion in the church.<sup>16</sup> It is also a reason for individual bishops—and all of us—to continue to explore and speak out on this most serious of all contemporary moral problems. The American bishops should not be viewed as closing the debate, as the always insightful George Higgins notes.<sup>17</sup>

Third, there is a growing conviction (popular, strategic, moral-theological) that any use of nuclear weapons is morally irresponsible. The issue most hotly debated is that of possession for deterrence and the conditioned intention apparently involved in it.<sup>18</sup> The possession question, as a moral question, raises and rests on three issues. (1) Does mere possession with no intention to use factually deter, as Winters and Connery would argue against Novak, Langan, and others? (2) Is it possible to possess weapons which do deter without intending (conditionally) to use them, as Winters, Krol, and others would maintain against Langan, Meehan, William O'Brien, Matthiesen,<sup>19</sup> and others? (3) Is it possible to threaten (something that seems essential to deter-

rence) the use of nuclear weapons without the intention to use them? In other words, is the notion of threat different from conditioned intention? It will be recalled that Dubarle proposed years ago that a threat does not necessarily involve such an intent.<sup>20</sup>

Fourth, it has become increasingly clear that the one instrumentality capable of influencing the bureaucratic paralysis that leads to superpower deadlock on nuclear weapons is public opinion.<sup>21</sup> There were 400,000 demonstrators in Amsterdam, 200,000 in Bonn, 200,000 in Rome, 150,000 in London, 200,000 in Brussels, 200,000 in Paris, 200,000 in Athens, 300,000 in Bucharest, and many more in the United States. These protests do have an effect. I believe that we need our prophets, politically naive and theologically imprecise as they may at times seem. They provoke public opinion out of its sense of powerlessness, a sense undoubtedly nourished by the "principalities and powers" because it ends in apathy. They provoke us to visualize in faith a different future and to challenge the endless wrangling of strategic experts mired in the mathematics of destruction.<sup>22</sup> George F. Kennan, former ambassador to the Soviet Union, proposed in 1981 that the president suggest to the Soviet government an immediate across-the-board fifty percent reduction of the superpowers' nuclear arsenals. We need that type of bold and sweeping gesture, just as we need the prodding of the Hunt-hausens, the Gumbletons, the Matthiesens, the Sullivans of the episcopate.<sup>23</sup>

Whatever the case, this roundup has summarized and critiqued the work of others, especially as they went about informing the bishops. It is only fair to expose to the favor of criticism my own suggestions to the bishops. My response had suggested the following episcopal wording on two matters touching nuclear weapons.<sup>24</sup>

1. Retaliatory defensive use. Some of our military and political consultants believe that the use of tactical nuclear weapons can be isolated and limited, and therefore that such use cannot be morally excluded. Much as this might be true in an abstract scenario, the lessons of history, both past and more recent, lead us to believe that any use of nuclear weapons is inseparable from the *danger* of escalation and totalized warfare. We can identify no human or political purpose that will purge this risk of irresponsibility.

2. Possession for deterrence. For us the very possession of nuclear weapons has been the most difficult of all problems. We are aware that many people of good will believe that possession of nuclear weapons has served as a deterrent for many years. Furthermore, they believe that unilateral disarmament would be destabilizing and would heighten the possibility of the use of weapons of mass de-

struction by an irresponsible and adventuresome political adversary. Others believe that since there can be no morally legitimate use of nuclear weapons, and no morally justifiable threat to use them—a belief we share—then even possession of nuclear weapons is morally unjustified. We believe that both sides of this discussion make valid points. That is the very meaning of a “sinful situation.” It is a situation we should not be in in the first place. There is no choice without some regrettable and destructive aspect. We cannot justify any use of or any serious threat to use nuclear weapons. On the other hand, we cannot entertain the greater possibility of such use that would seem to be associated with the imbalance created by unilateral disarmament. This is a paradoxical situation. The very evil that must be avoided at all costs can only be avoided *for the present* by maintaining its own possibility. There are risks in retention of nuclear weapons. There are risks in their unilateral abandonment under present conditions. And the risk is the same—that nuclear weapons might ever be used. Perception and judgment of this risk differ amongst people of good will, people with hearts and minds firmly set on the maintenance of peace. In such a situation of difference of factual perception, moral clarity is agonizingly difficult to achieve.

We have been able to arrive at only the following clarities. (1) The possession of nuclear weapons is at the very best morally ambiguous, and therefore at best only tolerable. It may not even be that. (2) Such possession is tolerable only for the present and under certain conditions. (3) These conditions are: a firm resolve never to use nuclear weapons and a firm resolve to work immediately to assure their abolition, in law and in fact. (4) While unilateral disarmament may not be a clear moral mandate, unilateral steps toward multilateral disarmament certainly are.

We realize that some, perhaps many people will view this matter somewhat differently. We are aware that even some American bishops have taken a different individual stand. We encourage such forthrightness and courage. In a matter so morally problematic and ambiguous, this is understandable. There is room, even need, for a variety of approaches lest apathy freeze the status quo. Warfare of any kind represents the collapse of rational political discourse and in this sense it is always irrational. It is at the very fringe of the justifiable. Nuclear war is beyond that fringe. That being the case, it is understandable that there can be many people who believe that even possession of nuclear weapons is morally intolerable. We share that conviction, but as a goal to be achieved without increasing the threat that such weapons will be used as we move toward the goal. If our government does not take unilateral steps toward multilateral nuclear disarmament, the only morally acceptable option may soon become unilateral disarmament.<sup>25</sup>

It is to be noted that these suggestions state about possession of nuclear weapons that it is “at best only tolerable. It may not even be that.”

Serious scholars disagree on the three questions raised concerning possession, threat, and intention. The proposed wording is a *rebus sic stantibus* matter meant to reflect this unclarity and leave the question open.

## NOTES

Substantial portions of this chapter appeared in *Theological Studies* 44 (March 1983):100–113.

1. Michael Mahon, S.J., "Nuclear Morality: A Primer for the Perplexed," *National Jesuit News*, November 1982, special supplement.

2. "Nuclear Weapons and the Atlantic Alliance," *Foreign Affairs* 60 (1982):753–68.

3. G. Grisez, "Moral Implications of a Nuclear Deterrent," *Center Journal* 2: (1982–3):9–24.

4. That little phrase hides a weighing and balancing that we all make but that Grisez cannot admit *in principle* because, he claims, it involves incommensurables. "Unduly burdensome"? With regard to what? Concretely, if a war can become "*unduly burdensome*," it can become so only because the cost (in life, economic sacrifice, etc.) is not judged proportionate to the good being protected (e.g., political self-determination). But how does one measure such incommensurables? Grisez says that we cannot. Yet he does so. Otherwise there is no distinction between what is *unduly* burdensome and what is *appropriately* burdensome. Burdens are acceptable or not depending on what is gained or lost if the burden is not borne. David Hollenbach states this well when he notes: "According to this view [traditional double effect] one is still bound . . . to weigh the evil consequences which indirectly accompany the attack against the good effects which flow from it" ("Nuclear Weapons and Nuclear War: The Shape of the Catholic Debate," *Theological Studies* 43 [1982]: 577–605; 594). Hollenbach correctly states that these are prudential judgments "not subject to logically certain demonstration." That is not to say that they are not rational.

5. In his new book, *The Nuclear Delusion* (New York: Pantheon, 1982), George Kennan states: "There is no issue at stake in our political relations with the Soviet Union—no hope, no fear, nothing to which we aspire, nothing we would like to avoid—which could conceivably be worth a nuclear war" (see *New York Times Book Review*, 7 November 1982, p. 38). Surely there is a weighing going on here.

6. John Langan, S.J., "The American Hierarchy and Nuclear Weapons," *Theological Studies* 43 (1982):447–67.

7. See n. 4 above.

8. Robert L. Spaeth distinguishes between "the intention to launch nuclear missiles" and "a policy decision to launch them if attacked by nuclear weapons." This latter, he says, "shows a supremely moral aspect of deterrence." That is, it has a "moral goal." I fail to see Spaeth's distinction. For "a policy decision to launch if . . ." contains a conditioned intention. Can a "moral goal" eliminate this? ("Disarmament and the Catholic Bishops," *This World* 2 [Summer 1982]:5–17)

9. John R. Connery, S.J., "The Morality of Nuclear Warpower," *America* 147 (1982):25–28.

10. *America* 147 (1982):101.

11. *Ibid.*, p. 61.

12. Langan, "American Hierarchy and Nuclear Weapons," p. 452.

13. Michael Novak, "Nuclear Morality," *America* 147 (1982):5–8. Joseph A. O'Hare, S.J., "One Man's Primer on Nuclear Morality," *America* 147 (1982):9–12.

14. Francis X. Meehan, "The Moral Dimensions of Disarmament," *New Catholic World* 226 (1982):68-70.

15. Francis X. Winters, S.J., "Catholic Debate and Division on Deterrence," *America* 147 (1982):127-31.

16. It is interesting to note here the pastoral letter of Francis T. Hurley (Anchorage), Robert L. Whelan, S.J. (Fairbanks), and Michael H. Kenny (Juneau). It concerns Proposition 6 and the withdrawal of public funding for abortion in Alaska. The bishops invite their diocesans to reflect and pray about this matter and "come to a decision." They are careful not to dictate the decision ("On Christian Life and Christian Responsibility," *Inside Passage* 13 [8 October 1982]:4-5). John Reedy, C.S.C., has properly called attention to the distinction between the religious and moral values involved in contemporary issues and specific political choices (e.g., a nuclear freeze, the Hatch Amendment). On these latter the bishops have no particular competence. When this distinction is not observed, there is a "degradation of teaching authority" ("Bishops and Public Issues," *Catholic Telegraph*, 25 June 1982, p. 4). For an interesting article in support of a nuclear freeze, see James L. Hart, S.J., "The Case for a Freeze on Nuclear Arms," *America* 147 (1982):226-28.

17. George Higgins, "Nuclear Debate: A Caution," *Catholic Standard*, 4 November 1982, p. 9.

18. It is interesting to note that the English bishops cite lack of clarity about a government's intention as a reason for their perplexity ("Désarmement et paix," *Documentation catholique* 64 [1982]:818).

19. Leroy Matthiesen states: "The possession of nuclear weapons is the same thing as a threat to use them" (*Time*, 8 November 1982, p. 18).

20. D. Dubarle, "La stratégie de la menace nucléaire devant la morale internationale," *Revue de l'action populaire*, 1964, pp. 645-60.

21. Two episcopal documents call attention to the importance of public opinion in this matter. See "Le désarmement," *Documentation catholique* 64 (1982):682, and "Le désarmement: Point de vue d'église de France," *ibid.*, pp. 787-88. When Robert S. McNamara was asked by Robert Scheer how the tremendous nuclear buildup occurred, he answered: "Because the potential victims have not been brought into the debate yet, and it's about time we brought them in" (see Kermit D. Johnson, "The Nuclear Reality: Beyond Niebuhr and the Just War," *Christian Century* 99 [1982]:1014-17). Johnson concludes his fine article by noting that if our politicians cannot exercise moral leadership on this matter, "then it is time for the leaders to be led." Similarly, Roger Ruston, O.P., in his study *Nuclear Deterrence: Right or Wrong* (published under the auspices of the Commission for International Justice and Peace of the Bishops' Conference of England and Wales) puts great emphasis on public opinion (see *Tablet* 236 [1982]:862 and 631).

22. For an excellent study of faith and visualization, see Walter Wink, "Faith and Nuclear Paralysis," *Christian Century* 99 (1982):234-37.

23. For other valuable suggestions, see Alan Geyer, "Disarmament Time at the U.N.: It's Never Enough to Say No," *Christianity and Crisis* 42 (1982):127-30. Geyer is one of our best informed and most influential Christian ethicists in the area of disarmament.

24. Personal communication to Bryan Hehir, 12 July 1982.

25. A Church of England report stated that Britain should renounce its independent nuclear deterrent. "The evils caused by this method of making war are greater than any conceivable evil which the war is intended to prevent." It also noted: "You may either decide for a nuclear component in deterrence and risk nuclear war, or decide against it and risk the political and human consequences and defeat by someone with fewer moral inhibitions." For a Christian the second risk is preferable, for "the issue is not whether we will die for our beliefs but whether we will kill for them." The committee included a Catholic moral theologian (Brendan Soane). Its report was expected to be hotly debated in the February 1983 general synod (*Catholic Review*, 22 October 1982, A2). Robert F. Rizzo argues that the momentum of just-war reasoning is carrying the American Catholic bishops toward pacifism, "which will reject the technological weapons of modern warfare, whether conventional or nuclear" ("Nuclear War: The Moral Dilemma," *Cross Currents* 32 [1982]:71-84).