

The Morality of War

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"The Morality of War"

My general subject, as has been indicated, is the morality of war. This is a subject brought home to us each day as we read the headlines and attempt to formulate our own thinking about the justification for the war in South Viet Nam and as we seek to evaluate the right or the wrong of the now controversial foreign policy of the United States in that arena. Illustrative of the varying viewpoints are such items as these:

Item 1.

From the Catholic Sunday Register of November 19, 1967.

"St. Paul, Minnesota

"In a speech at Macalester college here Nov. 9th, Senator Eugene McCarthy (whom this Sacred Heart audience certainly recognizes as a distinguished Catholic intellectual) blamed the Viet Nam dilemma on what he described as a combination of the zeal of the late John Foster Dulles for signing treaties - as a means of accepting 'a kind of general moral responsibility for the entire world' - and the military establishment.

"The continuation of the war 'is no longer justified' on a moral basis, he said in the address, and has resulted from a confusion of national policy in which 'the flag has followed military forces rather than the traditional order.'

"McCarthy said Dulles inaugurated a policy of 'intervention by request' in Lebanon in 1958, and said the same policy backfired in the Bay of Pigs incident in 1961."

That Senator McCarthy has taken such an outspoken position as an administration critic and advocate for peace in Viet Nam cannot be *entirely* ascribed to political motivation. His record is that of a sincere idealist and as Jim Govern reports in the same issue of the Register from which Item (1) is taken, President Johnson himself has previously made this statement of McCarthy, "He is one of those uncommon men who puts courage in the service of his country, and whose eloquence and energy are at the side of right and good."

Item 2.

From a recent news article: It was reported that a Catholic priest to protest continuation of what he considered the immoral war in Viet Nam invaded selective service headquarters, cut his hand and dripped blood into draft files as a gesture of defiance against what he considered to be the unjustified spilling of blood in Viet Nam.

Item 3.

The editors of Commonweal, national Catholic intellectual magazine have expressed the belief that moral costs of the Vietnamese war exceed the possible gain. They therefore favor termination of the war and withdrawal even at the cost of defeat for the United States and its allies in Southeast Asia.

Numerous additional items from this side of the raging public controversy might be referred to, but let me pass on to items on the other side:

Item 1.

From Time Magazine of December 8, 1967, it is pointed out that the late Francis Cardinal Spellman was militantly anti-Communistic and "thundered against concessions to the Communist countries, urging a role for the United States in Viet Nam as far back as the mid 50's. Indeed, his call last year for nothing less than allied victory in Viet Nam brought him under attack by opponents of the war."

Item 2.

Also from Time Magazine of December 8, 1967, is a statement made by the late President Kennedy two months before his death. He was asked if he doubted the validity of the theory that a defeat in Viet Nam would imperil the rest of Southeast Asia. His reply was - "No, I believe it. I think that the struggle is close enough. China is so large, looms so high just beyond the frontiers, that if South Viet Nam went, it would not only give them an improved geographic position for guerrilla assault on Malaya, but would also give the impression that the wave of the future in Southeast Asia was China and the Communists." And Jack Kennedy is quoted as describing China as a "Stalinist" regime, itching for war and "menacing to the United States."

Item 3.

William V. Shannon, writing in the Commonweal, December 8th, takes issue with its editors. He sees the war as justified morally for us because, as he puts it, "the great issue in the world today is freedom vs. tyranny" and he argues that the United States in the world of today is the principal defender of freedom. This desire to promote freedom, according to Shannon "enables American foreign policy and, broadly speaking," he says "what strengthens American influence strengthens freedom." And he reminds us as Americans:

"* * * if the United States had not interposed first its economic and then its military strength in Western Europe in the late 1940's, then West Berlin would not be a free city and the French and Italian Communists would probably have seized power, establishing in France and Italy the same drab tyrannies as now prevail in Poland and Czechoslovakia. If the United States had not defeated Japan in World War II, then all of Asia from Korea to the borders of India would be under the control of a ruthless Japanese military dictatorship. Such personal freedom and national independence as exist in Asia are largely due to American intervention from 1941 to 1945. Those gains were defended by American blood and sacrifice in Korea from 1950 to 1953 against an attack by North Korea backed by China

and Russia. They are being defended today in Viet Nam against an attack by North Viet Nam backed by China and Russia." And Shannon adds -"* * * the South Vietnamese will either be subjugated by the Communists or protected by the Americans. It is not the ideal choice, but it is the only choice."

Numerous other expressions, supporting the morality of American policy in Viet Nam might be cited in the battle of words we know as the "doves" versus the "hawks".

Faced with such widely differing points of view from persons highly placed, all of whom must be credited with equal good faith concerning the obligation to form a right conscience in the matter of war or peace, as related to our Nation's involvement in the Viet Nam struggle (or any future struggle of similar origin and there are many trouble spots where the same things can and probably will happen) it is understandable that the Catholic laity should be concerned with a basic inquiry of how, when and under what circumstances anything as inhuman as war can be viewed as a moral undertaking. When we ask the question of whether a war is moral, we are essentially posing the question of whether it is right or whether it is wrong - is it action in which we should be engaged or is it something that we ought not be doing as a matter of conscience? The knowledge available to the citizens versus the secrecy that must be accorded to the State for its own self-preservation and the variety and complexity of inter-national relations make it virtually impossible for citizens to judge the justice or immorality of war in particular cases. What are the general principles to determine this issue of morality for those who do have the facts?

We all abhor war. A distinguished Jesuit scholar, Austin Fagothey, in his Fourth Edition of "Right and Reason" (1967), has referred to war as "the ultimate inhuman social failure", "a physical evil", "a moral evil when there is injustice on the part of the one using the force", "so horrible an evil that only the most serious reasons can make it permissible", "an ugly thing no matter how we look on it or for what noble purposes we may undertake it", and total war in this nuclear age is the "ultimate in absolute horror". His over-all conclusion is well-stated in this telling paragraph:

"War is one of the most regrettable things that has come to deface our fair world, a useless, wasteful, man-made evil. But we must live with the breed of men we find in this world, and if they make war on us we must defend ourselves. Otherwise, the good must live as slaves of the wicked, who will then be free for every kind of violence and tyranny. In such a world there could be no peace. War is therefore an evil, but sometimes an unavoidable one. In a just war it is the duty of every citizen to support his country at the expense of fortune, liberty, and even of life itself if necessary, and his country has the right to call on him for such support. How to steer his country through the tangles of international complications without recourse to war's horrors is the virtue of the statesman."

These truisms concerning war's horrors are known to everyone - but what standards are applicable as moral justification for anything so horrible and inhumane as the wholesale killing we know as war. As I understand Catholic philosophy, it concedes to the State as a matter of natural right, the right of war, whether it be defensive, as in the case of another's attack in force upon it; or whether it be offensive, where a State finds it necessary to take the initiative in the application of coercion or force for just and serious cause. The Catholic Encyclopedia even sees as morally justified the punitive war, designed to punish for evil done either against the State itself or in some cases against others. The source of the right of war is the natural law and particular cases must be judged with reference to the common good and this must include the assessment of the true proportion between the damage to be inflicted, and the evil sought to be averted. The Catholic Encyclopedia teaches:

"* * * in the case of a State's wholesale persecution of the innocent with death or unjust enslavement, a foreign power taking up their cause may fairly be said reasonably to assume the call of these and to make use of their right of resistance.

"* * * a war to be just, must be waged by a sovereign power for the security of a perfect right of its own (or of another justly invoking its protection) against foreign violation in a case where there is no other means available to secure or repair the right; and must be conducted with a moderation which, in the continuance and settlement of the struggle, commits no act intrinsically immoral, nor exceeds in damage done, or in payment and in penalty exacted, the measure of necessity and of proportion to the value of the right involved, the cost of the war, and the guarantee of future security."

This teaching is based on the writings of St. Thomas, Bellarmine and other Catholic moralists. Father Fagothey, in the book to which I have referred in his chapter on War after posing the traditional teaching in relation to the terrible forms of modern warfare, after analysis of the views of St. Augustine and St. Thomas in developing the theory of "just war", after considering the difficulties presented in determinations between aggression and defense, after developing the current concepts of nuclear war, limited nuclear war, total war, after discussing moral problems involved in total war and the bombing of cities, presents a capsule summary of the moral justification of war in one page which bears quotation. He states in his 1967 Book, and I quote:

SUMMARY

Militarism glorifies war; pacifism condemns it, either absolutely or relatively. War is not intrinsically wrong. It may be the only means a state has to protect or recover its lawful rights or even to preserve itself in being; the natural law must give it the right to the means necessary to this end.

There are three conditions for a just war:

1. *Lawful authority.* War is an act of the state as such and must be properly authorized. This authorization gives the soldier his right to kill and use force. So long as there is hope, guerrilla fighting and underground resistance movements are lawful, even when the government that authorized them has fallen.

2. *Just cause.* This can be only the attempted or accomplished violation of a nation's strict rights. There must be *sufficient proportion* between the good intended and the evil permitted. War must be the *last resort* after the breakdown of all feasible forms of negotiation. There must be *fair hope of success* or there can be no proportion.

3. *Right intention.* Objective grounds for war may exist, yet the nation may fight it for the wrong motives. The cause must be *known to be just*; if it is doubtful, subordinates can form their consciences and trust to the wisdom of their leaders. *Punitive war* is accepted by the older writers; on this basis the punishment of war criminals can be defended.

There is one added condition for a morally allowable war:

4. *Right use of means.* A war otherwise justifiable can become wrong by the way it is fought. The right way is the putting of the enemy's effective war machine out of commission. The treatment of prisoners, spies, and hostages; the use of siege and blockade; and the handling of enemy property and respect for the rights of neutrals; these and similar matters are but vaguely indicated by the natural law and are determined by custom and international agreement. Such contracts must be kept unless they are substantially broken by the other side. But no nation may do something intrinsically wrong because the other side does so.

Defensive war is just when fought to repel an unjust aggressor, even when the defense takes the appearance of attack. *Offensive war is just*

when fought to vindicate seriously violated rights; otherwise it is *unjust* aggression.

Nuclear warfare can be limited and can thus be made to conform to the accepted principles. Some would add two new qualifications: that any war of aggression, even a just offensive war, is morally forbidden; and that the limitation of warfare, formerly automatic because of the small weapons used, must now be voluntarily imposed.

Total war may mean the extermination of the human race, or of a whole people, or the use of any means, however immoral. In all these senses it is utterly immoral. The mobilization of a nation's whole manpower and resources for the prosecution of the war is not immoral. Whether it allows the bombing of enemy cities in massive retaliation is a controverted point.

Disarmament is to be promoted, but unilateral disarmament is unrealistic.

I find myself in agreement with these general principles. I find in them the guidelines whereby the morality of the war in Viet Nam should be judged.

The United States is in Viet Nam by lawful authority, in a just cause and with right intentions. By becoming a party to the Southeast Asia Treaty Organization or SEATO in 1954 we obligated ourselves along with Pakistan, the Philippines, Thailand, Australia, New Zealand, France and the United Kingdom to guarantee peace in Southeast Asia and the Southwest Pacific area, while affirming the rights of Asian and Pacific peoples to equality and self-determination and pledged ourselves to goals of economic, social and cultural cooperation among the member countries in that area. Like the North Atlantic Treaty Organization (NATO) to which Canada, the United States, Belgium, Denmark, West Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Turkey and the United Kingdom are parties, where we became party to one of the major counter-measures in the Cold War against Soviet aggression and party to the plan to protect freedom of the NATO powers, we

have similar objectives in Southeast Asia. Both NATO and SEATO were formed against the background of the threat of communist aggression. Actually these measures mean that we are in a dichotomy that is not valid. There are those who say it is right for us to defend South Viet Nam merely to protect South Viet Nam's right of self-determination. This, however, is only a part of what honesty requires because both in Western Europe and in Viet Nam the positions we take are also definitely in defense of American interests. Critics like Senator Fulbright, it seems to me, are unwilling to look at the full truth of the extent of protection of American interests that is involved. There was no reason for the United States to have joined NATO (let alone creating it) except for the benefit of the United States although we talk exclusively too often about the sole objective of keeping Russia out of Western Europe. While it is a moral position for us as a nation to say that we rush to defend our brother nations from the evils of communism, the debate over Viet Nam is a matter not only of protecting South Viet Nam but reflects, as I have indicated a foreign policy of doing something that is good for our nation for when we defeat the advance of communism on any front, we act in the interest of the United States. Correct foreign policy is to do what is good for our nation and it is a correct policy, in my judgment, to guarantee Western Europe from Russian armed might for this benefits the United States as well as Europe. It is right to say we will not allow communism to take over Southeast Asia and this is in the interest not only of the Southeast Asian nations, including Australia, but in our own national interest. The clamor against the war in South Viet Nam is a demand that we stop short of seeing our national commitment through to its conclusion and I deplore the aid and comfort which is being given to the enemy by the world-wide advertisement of American division over the war. It seems to me William P. Bundy, Assistant Secretary of State for East Asian and

Pacific Affairs, speaks on the soundest possible grounds when he relates the South Viet Nam situation to our own national interest. Here we have the objective of

"assisting the Government and people of South Viet Nam to defend themselves against an attempt to impose on them by force a Hanoi-dominated government. We believe that the great majority of the South Vietnamese people regret such a solution, and that South Vietnamese people should be permitted to work out their political future without external interference."

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A Significantly, Mr. Bundy points out that our policy in Viet Nam is indeed to our belief that the objective deeply involves our national interests. In a statement published in U. S. News and World Report of December 18, 1967, Mr. Bundy emphasizes four major points:

"First, Southeast Asia matters. Its 250 million people are entitled to develop as free and independent nations in whatever international posture they wish, and this is the only kind of Southeast Asia compatible with a peaceful future for Asia as a whole and wider areas.

"Second, the nations of Southeast Asia are individually threatened by the parallel and mutually reinforcing ambitions of North Viet Nam and Communist China. A North Vietnamese take-over of the South by force would stimulate these expansionist ambitions and weaken the will and ability of the nations of Southeast Asia, and indeed beyond, to resist pressure and subversion.

"Third, if South Viet Nam were to be lost through a failure on our part to fulfill the national commitment embodied in our

whole course of conduct since 1954, including SEATO (Southeast Asia Treaty Organization), the effect on confidence in our commitments in Asia and elsewhere could only be very serious.

"And, fourth, a success of the communist technique of 'people's war' or a 'war of national liberation' would undoubtedly have the effect of encouraging the extremist line of thought among communist nations. It might thus undo the more promising trends that have developed in recent years in the Soviet Union and in Eastern European countries, and this could seriously affect the Middle East, Latin American and even Europe."

It seems to me that our policy in South Vietnam is a matter of international morality as well as national interest and it is most significant that the policy has been essentially the same under Presidents Truman, Eisenhower, Kennedy and Johnson. The extent to which the war should be escalated at any particular time is a matter of judgment. The stakes in Viet Nam are high in relation to the future peace of the world and there are positive indications that U. S. action in South Viet Nam has created a confidence tending to arrest the necessity for alignment with Peking on the part of ~~Laos, Cambodia, Thailand, and Indonesia.~~ *other South East Asian nations*

We yearn for peace but cannot afford a meaningless peace. Pope Paul VI who has worked incessantly for peace in South Vietnam and who journeyed to the United Nations to further that objective has only last week said that pacifism is not the equivalent of peace, ^Tand the record shows that this ^Nnation has made many efforts to get to the negotiating table but Hanoi says "No". Vatican Council II teaches that all war should be outlawed by international consent but it also recognizes that this goal "requires the establishment of

some universal public authority acknowledged as such by all, and endowed with effective power to safeguard, on behalf of all, security, regard for justice and respect for rights." We are short of such a goal in the international community. In the interim those who maintain that the action and policy of the United States in South Viet Nam reflect international morality ----- seem to me to state the stronger case.

Speech by Dean Hebert on
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