DUTY, HONOR AND COUNTRY: JUST WAR THEORY REVISITED

Chaplain (Col) Craig B. Anderson, Ph.D., U.S. Army War College

The Ohio State University Fellows Program

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Abstract

Within recent years, and especially since the Gulf War, both ethicists and moral theologians have renewed their interest in classical "Just War theory". A problem underlying much of the current literature is an increasing difficulty in employing a prescriptive method and applying principles of Just War Theory to contemporary situations, e.g. the Gulf War, in light of a rapidly-changing and complex world situation. The present project addresses this problem through the use of descriptive and metaethics in describing attribution theory and three major ethical systems: teleological, deontological, and contextual/axiological.

The method of "application of principles to specific situations" is analyzed as to its adequacy and appropriateness in relation to the Gulf War as well as other potential areas of world conflict. An alternative method, a "hermeneutical circle," begins with prior assumptions, an analysis of experience followed by the interpretive categories of meaning, meaningfulness, and truth as a corrective to the "application method". This method is then employed in reviewing certain aspects of the Gulf War, under the rubric of jus ad bellum and jus in bello. Just War theory is posited as presupposing "just politics" and "just *praxis*". This analysis provides not only a new paradigm, but points to the need for increased research given a newly emerging "world order".

The problem of Just War theory as identified, analyzed, and revised, is intended for use by military chaplains who are called upon to provide moral guidance to members of the units that they serve.

Preface

This preface is in the form of an acknowledgement, a sense of gratitude and an appreciation for the following persons who have made the research and writing of this project possible.

Beginning at the beginning, I wish to extend heartfelt thanks to General Harry Sykora, Adjutant General of the South Dakota National Guard. His confidence, backing and support in recommending me as a Mershon Fellow at The Ohio State University of the United States Army War College made the present project possible. In thanking him, it is necessary to thank a wonderful and loyal staff, most especially Colonel Tim Murphy, Lt. Col. Russ Keaton and the entire STARC Headquarters Staff for their support and many acts of kindness during this Fellowship. I well remember General Sykora's admonition to me to tell the story of the National Guard and the importance of the Reserve component. I have attempted to do so and have found a wonderful response in the active component "side of the house" in the persons Lt. Cols. John Storm, Steve Moeller (USA), Lou Crooks (USAF), Maj. Dan Deitz (USMC) and Dr. Bill Rennagel (CIA). Their contributions of knowledge, friendship and athletic prowess have made this Fellowship not only an educational but most enjoyable experience.

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military future. They have also been invaluable as resources and friends in supporting the projects that are a part of this program. As they anticipate a new facility and expanded program, I share with them my heartfelt thanks and congratulations on a job well done.

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This past year has proven to be an enriching professional, personal and family experience. The time to reflect, read and write as well as the opportunity for stimulating conversation and in-depth analysis of contemporary events have made being a Mershon Fellow a most rewarding experience. It is my hope that my research will aid the last group I wish to acknowledge, the chaplains of the armed forces who are often unheralded and unappreciated for the deep commitment and service they provide as spiritual leaders, moral guides and personal pastors to those they serve. My deep gratitude to them, and especially the chaplains of the South Dakota National Guard for helping shape this project. It is my hope that the following project, in the form of some reflections and a modest proposal, will aid in their work and ministry.

Chaplain (Col.) Craig B. Anderson, Ph.D.
The Mershon Center
The Ohio State University
May 26, 1993

> Duty...Honor...Country, A code of conduct and chivalry of those who guard this beloved land. An ideal so noble that it arouses a sense of pride and yet humility. An expression of the ethics of the American man-at-arms.
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> Duty...Honor...Country, Those three words build courage when courage seems to fail; regain faith when there seems to be little cause for faith; create hope when hope seems forlorn. The American man-at-arms above all other people prays for peace, for he must suffer and bear the deepest wounds and scars of war.
>
> Duty...Honor...Country, The unbelievers will say that they are but words...a slogan...or a flamboyant phrase. Every demagogue, every cynic and every hypocrite will try to downgrade them to the extent of mockery and ridicule. The code which those words perpetuate embraces the highest moral law, and will stand the test of any ethics or philosophies ever published for the uplift of mankind.
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> General of the Army, Douglas MacArthur
> The United States Military Academy
> May 12, 1962

Introduction

Within recent years and especially since the Gulf War, both ethicists and moral theologians have renewed their interest in classical "Just War Theory." Such interest has resulted in positing new categories in the face of new historical realities in reflecting on the purpose, nature and conduct of war fighting. A spate of publications reveals this new interest and points to the increasing difficulty and complexity in employing traditional categories and principles of Just War Theory in light of a rapidly changing and complex world situation.[1] Such complexity permeates global politics to include a recognition of economic, political and military

interdependence between various First World and Third World nations. The situation is exacerbated by the increased technology of warfare together with changes, not only in tactics, but the very concept of what constitutes war and the implications of armed conflict.

While the primary purpose of this article is to aid chaplains as they attempt to provide moral guidance to both commanders and the soldiers who wrestle with issues of Just War, the intent of the project is to add to the "significant fund of knowledge" of Just War Theory by providing a method in employing three distinct but related approaches/theories of ethical reflection and moral theology. In reviewing the traditional categories of Just War Theory, jus ad bellum (right towards war) and jus in bello (right in war) as well as the principles of Just War, i.e., legitimate authority, proportionality, last resort, no immoral means, lawful declaration, immunity of non-combatants, limited objectives, limited means and the like, recent publications, e.g., "The Persian Gulf Crisis of 1990-91 and the Future of Morally Constrained War," by Martin Van Creveld and Michael Walzer's Just and Unjust Wars, call for renewed moral inquiry and set forth new categories for ethical debate. While such discussion is both laudatory, helpful and constructive in addressing the new realities and increasing complexities in defining justice in relation to war, a deeper and more pervasive problem perdures and calls for reasoned discourse and methodological consciousness in such ethical debate. This article will attempt to define and address this problem. But first, given the many

and varied articles and books written on Just War Theory in the wake of the Gulf War, the question might well be raised, is another such article really necessary?

The basic premise of this article is that most of the ethical reflection with regard to the Gulf War has utilized traditional categories and principles of Just War Theory that in many cases either no longer obtain or are not totally adequate in addressing a changing understanding of war. Second, there is, little, if any, awareness of the need for more appropriate methods for such debate given the new situation and complexities alluded to above. A changing world situation, a new concept of world politics, increased technology and the very nature or definition of war as we have understood it all have an impact on both the "right to war," and the "right in war." By reviewing some of the traditional ethical categories and systems, it is anticipated that we might glimpse a clearer understanding of what is needed in contemporary ethical reflection and moral inquiry, to include a methodology that could aid chaplains in pastoral counselling regarding questions of moral agency.

After presenting a classification of ethical frameworks, three classical ethical systems will be described and reviewed as a way of providing a "road map" for ethical inquiry with regard to Just War Theory . These three systems will be explored under the rubric of, "Duty," "Honor," and "Country." "Duty" is most closely akin to that system of ethical thought called "deontological ethics" which is primarily duty or rule driven. "Honor" most closely aligns itself with an ethical

framework that is value, ideal and end-driven, that of "teleological ethics."[2] "Country" and notions of self and national interest are most closely aligned to that ethical framework known as "contextual ethical systems," which, while incorporating aspects of both deontological and teleological ethics, addresses the context and notion of interest in ethical decision making in recognition of these as key ingredients. Such ingredients point to the importance of cultural and historical awareness in any and all moral decision making. Presupposed in an exploration of these three categories and their importance and relevance for Just War Theory, will be an examination of certain ideologies that inform Just War Theory as well as an attempt to understand Just War Theory in the larger context of, "Just Politics."

The Problem

One of the primary functions of a military chaplain is to provide moral guidance to the commander and members of a particular military unit. The Chaplain in this sense serves to quicken the conscience of the unit and identify and challenge immoral behavior. An extension of this responsibility is to help individuals/groups with conflicts of conscience and moral dilemmas. This guidance may include moral situations faced by individuals in the line of duty or those arising from personal or religious beliefs.

Such counsel and direction can also encompass those ethical dilemmas and decisions that one must make as a world citizen, a citizen of The United States and

a member of the Armed Forces. The oath that one swears, the loyalty that one promises and the code of conduct that members of the Armed Forces live by all reveal a pledge and particular commitment to principles, duties and loyalties to one's nation. Such oaths and codes of behavior, however, are always lived within the present historical situation which futurists remind us are in a constant state of rapid change. An example of this can be seen with regard to those in the armed services who question the morality of an armed conflict in which they are called to participate and perhaps sacrifice their very life. Where there is a clear sense of jus ad bellum, "right to war" as in the case of World War II, one finds little division or heated debate. Despite issues regarding jus in bello, "right in war," e.g., the use of the atomic bomb in World War II, the basic "right to war" was supported by most mainline denominations and the religious establishment to include the various slogans of civil religion which gave this particular war religious overtones as a "Holy War" of sorts.

The ambiguity of Vietnam raised moral questions and ethical issues that challenged traditional categories of Just War Theory. This protracted conflict, which raised ethical doubts both at home and abroad strained elements of both jus ad bellum and jus in bello. Given the outright opposition of many mainline churches to the Vietnam conflict and ambivalence on the part of others, many Chaplains functioning as ethicists and pastoral counselors, reflected such dissonance and ambiguity in attempting to provide both a prophetic and pastoral word to

commanders and participants who experienced, on a personal basis, a lack of support and criticism by many for our involvement in a war that seemed to some moral, others immoral, and for many, amoral. Such ambiguity was experienced by some chaplains as a conflict of interest or a divided loyalty between the official proclamations of the particular denomination or Church that the chaplain represented, many of which contained anti-war sentiments, and the obligation and loyalty that the chaplain felt for the unit, armed forces, and nation embodied in strategic policy. Interviews with a variety of chaplains, who are Vietnam veterans, reveal ongoing personal turmoil regarding this dilemma in their attempts to answer what was an ongoing question, "Chaplain, why are we here?" In pressing these chaplains as to how they answered this question, I discovered not only various answers but differing methods and varied frameworks undergirding their answers as to the morality of war in Vietnam.

Our loss of innocence and naivete as a nation in Vietnam brought with it a new sensitivity to Just War Theory for many chaplains who were called to articulate it in a context that strained many of the basic principles of Just War Theory. Many of the Chaplains that I interviewed shared a similar uneasiness in light of the Gulf War. While there was general acknowledgement that jus ad bellum seemed clear cut in light of just cause, just intent, lawful declaration, limited objectives, limited means and even last resorts (although some church leaders continued to press for prolonged sanctions), there were clear and pronounced expectations, perhaps

marking a fear, that this would be a protracted conflict with the demoralizing effects of another "Vietnam." Many of the Chaplains interviewed reflected the same ambivalence expressed by their judicatory leaders and officials. Voiced by most was a lack of clarity in what was thought to be "mixed motives" in terms of our involvement in the Gulf. This same uncertainty and suspicion seemed to inform the response, or perhaps more accurately the lack of a clear response on the part of many "main-line churches" to the Gulf crisis.[3]

The lack of sustained debate on the part of mainline churches discloses another location of the problem in the leadership of the various mainline churches. Within recent months I have interviewed, on two separate occasions, a representative cross section of fellow Bishops of the Episcopal Church on the subject of the Gulf War and the Episcopal Church's response. Little consensus was voiced by these Bishops other than what many felt to be inadequate categories employed under the rubric of "Just War Theory" in light of the Gulf War. While there were individual differences among the Bishops regarding our involvement in the Gulf, almost all agreed that our role vis-a-vis other member nations of The United Nations, our national interest, the technology of the weaponry, the short and long-term political implications and, interestingly, the "active role" of the press necessitated a review of the traditional catholic principles of Just War Theory given this sense of inadequacy.

These conversations with judicatories, chaplains and a review of the recent literature of Just War Theory seems to suggest that there is some dissatisfaction with the level and depth of moral inquiry given the significant contemporary changes that inform decisions to and in war. Why is this the case and need it be so? In what follows, I shall attempt to address this question by reviewing certain understandings of moral inquiry in positing varied ethical frameworks to frame such debate. My sense is that a clearer understanding of what we mean by Just War Theory will emerge if we review these categories and frameworks in light of our contemporary world situation. After a review of these ethical systems, frameworks and approaches, a particular method will be offered to aid chaplains in their roles as ethicists and moral guides.

Presupposed in my exploration of these categories, and their importance and relevance of Just War Theory, will be an examination of certain ideologies that inform Just War Theory as well as an attempt to understand Just War Theory in the larger context of, "Just Politics."

The Context of Ethical Inquiry

A basic question that informs any attempt to formulate a response to the problem as outlined above is, how do we judge, not justify, the act of war and the various activities of war? On what basis do we decide that armed conflict is an appropriate means to bring about a desired end? In making such decisions, what

norms, rules and ideals govern the activity of war fighting? What constitutes our duty as an individual, a member of the armed forces, as a nation?

The foregoing questions, central to Just War Theory, presuppose a connection between war as a human activity and morality. Within recent years, this presupposition has been challenged. Martin Van Creveld serves as representative in noting and suggesting that the future of war is, "morally constrained":

> In modern works on the conduct of war, its rules - by which I mean those conventions, written or unwritten, which define who may do what to whom, under what circumstances, for what ends and by what means -- are scarcely ever mentioned...what the 'makers of modern strategy,' such as Antoine Jomini, Helmut vonMoltke, Basil Liddell Hart, Thomas Shelling, Henry Kissinger and Edward Luttwak all have in common is that they hardly address the morality and legality of war, except perhaps to acknowledge that too gross a violation of the norms may lead to a negative public reaction and thus to adverse political effects.[4]

It is my contention that this recognition, that "under the modern strategic view, war and morality simply do not mix," is an underlying cause that has not been clearly explored in light of the problem as outlined above. Said differently, the lack of a clear voice on the part of mainline churches and a sense of ambiguity and uncertainty on the part of many chaplains concerning principles of Just War, coupled with confusion on the part of many serving in the armed forces, point to at least three problems beneath the problem as outlined above. First, as Van Creveld suggests, a lack of concern and attention in relating contemporary strategic thought with regard to war to morality may be born of an ignorance and tendency to take the existing rules for granted, "an assumption which even a

superficial scrutiny of events that took place more than a few centuries ago will show is totally unwarranted. To put it another way, the reason we are not preoccupied with rules is that we are so familiar with existing ones as to scarcely notice their existence."[5] It is only when the rules change, as is the case in our time owing to a changing world situation, a changing understanding of what constitutes war and increased technology which alter the basic assumptions in the conduct of war fighting that we experience a sense of dissonance.

A second factor is the tendency in modern strategic thought to see the "rules of war" as in some way archaic in employing a utilitarian, rational or pragmatic view of the objective or goal and ends of war which leaves, according to Van Creveld, "no room either for the Christian view of war as wicked and evil or for the typically classically one as heroic, elevating and in some way good. Under the modern strategic view, war and morality simply do not mix."[6]

Third, as Van Creveld goes on to note, "the reason for our silence on the rules of war is that war is almost universally understood as an instrument in the hands of the state, a type of political organization characteristic of the modern age and differing from many of its predecessors...and the state recognizes no law above itself."[7] We shall return to this notion in our attempts to link any and all understandings of Just War with Just Politics.

For the present, it is important to note that these three factors further disclose the problem beneath the problem which confronts chaplains in their attempt to function as representative moral agents in helping those they serve sort through the moral dilemmas that accompany conflict in any and all forms as well as quickening the conscience of those they are called to serve. Such functioning, on the part of chaplains, presupposes an agreed upon moral foundation to include common values, obligations and goals. If such morality is in doubt or is replaced by an **amoral** understanding of the right to war and right in war, the chaplain's task, as a moral guide, will become problematic if not impossible. If, however, the chaplain confronts such amorality, there is the possibility that the chaplain can provide a significant contribution in calling for the need to more beyond simply utilitarian and pragmatic understandings of war and politics in returning to those principles which are essential to our self understanding as a nation; those principles which transcend utilitarian concerns and provide us with an understanding of national identity, as articulated by MacArthur's, "Duty, Honor and Country."

Another complicating factor for the chaplain in attempting to provide some kind of moral guidance and an ethical framework for rules in and toward war is the larger context in which the chaplain operates, specifically, the cultural values and societal norms that influence the military as a sub-culture of the wider culture. I refer specifically to a growing amorality, or what some would term immorality, owing to what theologians and social commentators term a "triumph of the technological,"

and a "collapse of the transcendent," in our culture with the attendant values of utility and consumerism. Such a "triumph" has brought with it the demise of the "transcendental" (notions of the true, the good, and in some cases the beautiful), as an important consideration in how decisions are made for the common good.[8]

A second cultural development which seems to exacerbate such a notion of human being as a consumer of technology is the narcissistic individualism that is so prevalent in our culture. While this value will be explored as an ingredient in ethical decision making, it is important to identify it at this point because it contributes to a kind of ethical relativity grounded in the individual as primary and normative in considering the greatest good.[9]

Third, there is a tendency on the part of many theologians and philosophical ethicists to view pluralism within our culture as giving rise to moral relativism resulting in a kind of "moral leveling." Such growing pluralism as affirming diversity raises basic questions as to <u>the</u> Good versus goodness as a relative concept, ideology and value. Again, while this will be explored as an ingredient in ethical decision making, it is important to see unbridled pluralism as contributing to the breakdown of moral consensus if it is not undergirded by an understanding that such diversity should ultimately lead to differentiated unity.[10] A manifestation of such pluralism as relativism is the breakdown of religious consensus in the form of "civil religion." The demise of civil religion in our country as a manifestation of the

end of a uniting "Christendom" can be seen in the use of religious rhetoric which presupposes Protestant Christianity as the religio licita of American culture. Such a unity no longer exists.[11] Despite denominational differences, until the late 1960s one could assume some common commitment to the basic principles and values of Christianity within our society. Today while the rhetoric of civil religion persists, there is a growing awareness that "secularism" is our new civil religion. For many theologians the Niebuhrian Christological categories of a "Christ of culture," disclosed in Christendom have given way to a new "Christ against culture," or "Christ transcending culture," in a growing religious conservatism, fundamentalism and increase in religious cults.

While the triumph of technological reason, secularism, pluralism, individualism, the end of Christendom and the decline of legitimate civil religion are contributors to what some would term a new immorality, or, at best amorality, there are other factors which continue to suggest that human being qua human being is inherently and incurably religious. A growing disenchantment with the idolatry of the "Self" born of radical individualism, an awareness of empty consumerism as well as a recognition that the celebration of diversity and plurality needs to result in some kind of workable and sustainable unity, all suggest the need for the retrieval of the moral implications of any and all human activity to include the decision to go to war as well as what constitutes acceptable behavior in war fighting.

Given this all too brief contemporary Sinnesgeschite, or, history of the meaning of our culture, how are we to proceed in establishing an appropriate way to evaluate jus ad bellum and jus in bellum as well as a more adequate ethical method to support the need for such moral discernment? The balance of this paper will attempt to provide some guidance and insight for chaplains as they wrestle with this situation in their role in providing moral guidance.

Three Approaches to Morality

The moral guidance that chaplains provide assumes certain ways or approaches in defining such guidance. Most moral theologians and theological ethicists cite three primary ways of thinking about morality and ethical inquiry.[12]

1. Descriptive Ethics - The goal of this approach is to describe or explain the beliefs and moral convictions of an individual group or system without making value judgments or assumptions regarding the validity of such beliefs and convictions. This method of approaching morality and ethical reflection is often used by behavioral scientists in their attempts to set forth aspects of human behavior. Interpretation is confined to description rather than any form of prescription.

2. Metaethics - This approach moves beyond mere description in asking the question of meaning. As the name suggests, the questions of metaethics include asking why we hold the particular beliefs and convictions that we hold. Can one ascertain objective truth or is all morality determined by subjective, intersubjective and intercultural values and therefore relative? How does one translate general moral principles into specific, practical, everyday judgments regarding persons and their conduct. These questions serve as examples of metaethics. It is in this framework that certain questions of the application of Just War principles and theory to particular historical examples of armed conflict will be examined.

3. Prescriptive Ethics - This approach to ethics raises the ethical question, "What ought we to do?" Prescriptive ethics are often referred to as normative in that questions as to what is right or wrong, good or bad, virtuous or sinful are addressed. The answers to these questions result in moral strictures, ethical standards and norms with directions for behavior. Various "Codes or Ethics" for professions serve as examples of prescriptive ethics.

My intent is to move beyond or beneath prescriptive ethics to a more descriptive framework in providing a method and an explanation for some of the problems

referred to above. Furthermore, metaethics will be employed in interrogating the meaning of the principles of Just War Theory.

There is no shortage of prescriptive analyses of the application of Just War principles to the specific conflicts. A plethora of recent articles and books on the Gulf War discloses and illustrates the prescriptive approach. Nor is there a paucity of prescriptive ethical reflection on other armed conflicts within this century. There is, however, a lack of material for chaplains in the realm of descriptive and metaethics. Given this fact, the balance of this paper will devote itself to clarification of these categories with the hope that it will not only shed light on the foregoing questions and problem which informs this paper, but will also provide a clearer way, in the form of a method, to enable chaplains to help others with ethical concerns and moral dilemmas.[13]

Attribution Theory

Any beginning **description** of ethics must take into account the identity and scope of the moral agent(s). As such, this particular perspective on ethical decision making has to do with how and to whom attributes or principles such as good and evil are applied. Attribution theory points to at least three different levels of application: personal ethics, the ethics of an organization and the ethics of a system. While there is an obvious connection and continuity that links attribution, the normative ethics or moral principles of a system (The United States) may be in

conflict with the ethical code of an organization (U.S. Army) or person (Pvt. John Doe). An example of such potential conflict can be seen in an increasing awareness with regard to attribution in terms of global ethics versus the prescriptive ethics of particular nation states. An awareness of attribution can help in sorting out the different, and, at times, concurrent ethical systems at work in making decisions with regard to Just War. As such, attribution will be addressed in considering questions of appropriate method in Just War Theory. The particular form of attribution that we are concerned with in regard to Just War Theory is that of the individual soldier, the armed forces/nation as an organization and third, global politics and values as the larger, more encompassing system.

Given the foregoing approaches to ethics as well as well as the level of attribution, it is now necessary to distinguish different frameworks for ethical decision making in recognizing the need to connect ethical systems to decision making in questions of Just War Theory.

Ethical Systems

Given our concern to be descriptive and analytic, at least three different ethical systems are in evidence in analyzing the prescriptive ethics found in the recent literature of Just War Theory. For purposes of clarity, in addressing the problem under consideration, the following represents a summary of each of the three major systems that are either assumed or unacknowledged in most discussions of Just

War Theory. It is important to distinguish these three systems for a variety of reasons. First, if ethical inquiry and moral conversation are to be meaningful and helpful in the area of prescriptive ethics, it is important that the level or system of inquiry used be appropriate to the situation or problem at hand. Said differently, if different systems are being used and are unacknowledged, it is hardly surprising that there will be disagreement owing, not so much to substance, but to "first principles." Second, while each of the systems to be described employs a variety of ethical methods, certain methods, i.e., inductive or deductive, can be used with each of the systems described. Methodological consciousness is needed given the fact that the way we frame a particular moral question (method) to a large extent determines the answer.[14] Third and finally, while each of the systems below are interrelated and are not "pure," the basic values, models and beliefs for each determine, to some extent, the outcome of the inquiry. This fact is the corollary of the previous concern for methodological consciousness. Clarifying these systems will avoid unnecessary ambiguity and confusion given the fact that Just War Theory contains enough ambiguity and complexity without adding to it by way of ill-defined systems and methodological obfuscation. [15]

Teleological Systems

Telos means aim or end. Such systems are less concerned with a particular formula, set of principles, understanding of duty on the part of individuals, nations,

or larger systems, but have as their focus that which is finally beneficial or harmful in terms of the end result of behavior at any level of attribution. For our purposes in exploring Just War Theory, the primary concern of teleological systems is the greatest final good for the individual, nation or world in light of the conduct of war fighting. Similarly the primary criterion in judging and evaluating such armed conflict is that which minimizes harm and destruction at the various levels of attribution. Various principles of Just War Theory, i.e., just cause, just intent, last resort, immunity of non-combatants, limited objectives and limited means, are a part of that which the teleological ethicist considers in judging both jus ad bellum and jus in bello. Teleological systems can be traced to Platonism, Epicureanism, and, as a basis for our formation as a nation, the Seventeenth Century philosopher, Thomas Hobbes, in a particular form that some have called, "ethical egoism."[16]

Ethical Egoism

The principle that informs such a telos in ethical egoism is that action, at whatever level, ought to promote the greatest balance of good over bad or evil, ("the greatest good for the greatest number") at whatever level of attribution. Such a system has its obvious disadvantages. Opponents point out that ethical egoism implies two questional propositions: that the realities of human motivation are decisive for understanding the realities of human obligation and that the realities of human motivation are as the egoist asserts, purely selfish.[17] In noting these objections, it is important to see this particular system at work at the various levels

of attribution as descriptive of our present culture. Such attribution is most clearly seen with regard to Just War Theory in what is often the principle of, "national interest" used as a warrant in arguing for Just War, e.g., what role did such national interest take in the Gulf War with regard to oil reserves in the Gulf as an expression of American interests?

Utilitarianism

Revealed in this system is another manifestation of, "the greatest good for the greatest number," bequeathed to us in the "modern period" from Jeremy Bentham and John Stewart Mill. Proponents of this particular view argue that it is the most accurate and realistic expression of the fundamental sentiment behind the moral point of view: benevolence. As the name suggests, and as a part of the teleological system, utility at any level of attribution is the primary criterion in making moral decisions. An obvious critique of this ethical framework is the violence that can be justified towards innocent victims or minorities at the level of personal or national attribution. Critics of utilitarianism point to "ethnic cleansing" as serving the "goals" in the form of "utility" of the dominant culture be it in Nazi Germany or Bosnia. In short, benevolence for whom?

Honor

A third way to understand a teleological system is to see it in relationship to ... and principles such as, "Honor," immortalized in the words of Douglas

MacArthur.[18] Regardless of the level of attribution, honor as a value and principle is cited in relationship to "just interest" be it in the form of chivalry, the honor of a nation, or a nation evoking honor as a way to justify its rightful or questionable interference with the politics and affairs of other nations. Combined with a teleological system, the question is usually rehearsed as, "in the end, what is the honorable thing to do?" We shall return to this question and its relationship to the primacy of ideology in framing our method in the next section.

Deontological Systems

A second classical way of framing ethical systems is that of deontological ethics. Deontological approaches reject the fundamental premise of teleological theories, namely, that, "the good is prior to the right." Deontologists reverse this priority in making rightness or obligation the direct referent of ethical action. Deontological, derived from deon means duty/obligation. The primary question guiding this system is best framed as, what is one's duty/obligation as opposed to what is the greatest good either at the individual or social level. The referent of such duty, derived from obligation, can be to another individual, to one's country, to the army, or to one's duty as a world citizen. Regardless of the level of attribution, obligation is seen as primarily over against "end" or "principle". The obvious confluence of these two systems, however, is that "obligation" or "duty" is a

principle and can be seen as an end in and of itself. The orientation, however, differs as can be seen in two manifestations of this particular system.

Existentialism

The doctrine of existentialism has been articulated in a variety of ways since the classical Greek period, but 19th Century philosophers such a Friedrich Nietzsche and Jean Paul Sartre are perhaps the best known advocates of this orientation. Its essential message is that the good can be sought through "authenticity". While various philosophers, ethicists, and psychologists use terms like, "freedom," "self-realization," "integrity," "sincerity," and "resolve," the central idea is that the final criterion of right and wrong is the free-will of the decision maker in the act of deciding. This challenges the teleological approach with its concern to maximize beneficial and minimize harmful results. At the level of attribution, for the existentialist the self is key but not "self-interest." Rather, the self is seen by the existentialist as a kind of legislator of moral values whose content is less crucial than their source.

Critics of existentialism are quick to point out that even if the framework encourages something akin to universal principles, there is no guarantee that the authenticity of the decision maker will be anything other than fanatical in his or her choice of such principles. Another criticism is that the final arbitrator of such resolve is the individual and the will of the individual in the words, "to thine own

self be true."[19] If the level of attribution is that of the nation, the quotation may be rephrased as, "to thine own nation be true." In its least attractive forms, we see it on bumper stickers which proclaim, "America, love it or leave it," "Better dead than Red," or coupled with a tinge of religion, "Kill a Communist for Christ." The "resolve" in such bumper sticker slogans is both obvious and frightening. Such resolve can also lead to a variety of historical atrocities derived from a misguided notion of purity of motive.

Recalling MacArthur's inspirational address, human beings engage in war out of a profound and deep sense of "duty". Such duty is embodied in the oath that one takes in service to country, the code of conduct that one operates under as a member of the military and, at times, the unquestionable sense of obligation that is called for in sacrificing one's very life for the sake of such duty. When coupled with the principle of honor and the notion of teleological ethics, there can be a convenient, if often misguided, marriage of goal and obligation.

Contractarianism

The notion of social compact or social contract has its roots in the thought of Locke, Rousseau and Kant. While utilitarianism has as its moral core the notion of benevolence, the basic idea which informs contractarian sub-systems of deontological ethics is "fairness". Harvard philosopher John Rawls states, "we contract freely for the political and economic arrangements that will govern our

lives." From an intuitive, "original position," Rawls argues that persons would choose two rather different principles: the first requires equality in the assignment of basic rights and duties, while the second holds that social and economic inequalities, for example, inequalities of wealth and authority are just only if they result in compensating benefits for everyone, and in particular for the least advantaged members of society.[20] Rawls is less concerned here with utility than with the fairness of societal norms and suggests that such fairness, not utility, should be normative.

Those who criticize contractarianism, challenge both the content and priority of the principle of equality and fairness. They claim that it represents a narrow kind of individualism and challenge the principle of compensating inequalities either as unfair or inefficient. Against this criticism, most contractarians would evoke Kant's understanding of the need to universalize free will and the exercise of moral agency. Kant's formulation of his "supreme principle" as a categorical imperative states:

1. Act only according to that maximum by which you can at the same time will that it should become a universal law;

2. Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.[21]

In Kant we see a blend, to some extent, of attribution which employs elements of teleological ethics.

Under the category of "duty" and "obligation," there are obvious competing and, at times, conflicted understandings of these categories. One rather commonplace conflict that chaplains deal with is the duty that one has as a religious person to not only obey the commandment not to kill, but to obey the commandment to love one's enemy as one's self versus the duty to defend one's nation through killing an enemy. While a variety of euphemisms may be used to disguise this conflict, such conflict is the basis of much of the moral guidance that the chaplain is called upon to provide to individuals within the unit as well as the unit commander. Many chaplains report that in working with Vietnam veterans, the low self-esteem and unfocused feelings of guilt can be in part attributed to what was felt and experienced as a lack of resolve at the individual unit and national level to "win the war" and a conflicted sense of duty with regard to our involvement in Vietnam.

Contextual Ethical Systems

A third system, perhaps more accurately a series of mixed systems with a common concern, shall be referred to as "contextual ethics." This particular system unites the frameworks of teleological and deontological systems in its search for a more basic touchstone than either the "end" or "duty" in grounding judgments as to right or wrong. As the name suggests, aspects of the historical situation or context take on importance as a final criterion in ethical decision making. The contextual ethicist in response to the question of right or wrong asks, "what is

the situation demand?" Hence, many ethicists see "situation ethics" as a part of this particular framework. Unlike either deontological or teleological ethics which begin with an a priori of either the final result or understandings of duty and obligation, the contextualist begins with the situation in all of its complexity and withholds the application of principles or any notion of duty and obligation until the situation has been thoroughly explored with the expectation that the context will yield insights as to what should be done.

A variation of situationism as an aspect of contextual ethics can be seen in what is sometimes referred to as "intuitionism." The name W. D. Ross is normally associated with this particular framework. Under what he considers to be seven characteristics (fidelity, reparation, gratitude, justice, beneficence, self-improvement and non-injury), Ross incorporates both deontological and teleological systems in the area of ethical egoism, utilitarianism, existentialism and contractarianism but develops the important caveat that these "isms" are not actual duties or end states but elements that must be guided by intuition.[22] A contemporary philosopher, William K. Frankena states that Ross's list of prima facie duties can be reduced to just two: the principle of utility and some version of a contractarian principle of justice. If utility and justice conflict, however, some appeal is made to intuition or perception.

Another variation of the contextual system is the, "love ethic" or more technically agape (a deep love for humanity born of God's love for us). For the theological ethicist Joseph Fletcher, the normative moral question is, "what is the loving thing to do?" Drawing from religious and secular sources, this particular variation of contextualism has as its base, the imperative, "love thy neighbor as thyself."[23] It is a variation of intuitionism in that it relies heavily on an affective process of discernment rather than simply the intellect.

Fletcher's notion of agape, brings us to a third variant or understanding of contextualism that moves beyond cognition and affect to a more transcendental grounding. For lack of a better term, we shall call this third variation, "the will of God." The criterion for right and wrong and for good and evil in this particular system is the will of God expressed either through nature or revelation.[24] Again, we find a mixture of both teleological and deontological thinking with attributes of God, i.e., benevolence, justice, and mercy characterizing this "divine command" theory. An obvious critique of this framework is raised by those who deny the existence of God. A more subtle critique is the question of theodicy to include the existence of right and wrong, good and evil as willed by the divine, e.g., does God command dishonesty, cruelty, etc.? In the case of divine command and its emphasis on God's will as being known either through natural theology or revelation, the authorities of a Holy Book/text (Bible) or tradition (embodied in the sacraments) or religious experience (mysticism and conversion), are used as

warrants in support of basic religious truths which are translated as teachings, doctrine and dogma and then applied to individual, organizational and systemic cases.

What seems to unite these three manifestations of contextual ethical systems is the common component, human experience. Such experience, grounded in intuition, cognition, love, affect or the transcendental, points to the need to rehearse the conflicted situation in its many and varied layers before prematurely applying principles or notions of obligation and duty in attempts to discern the correct moral response.

Contextual ethical systems also point to the importance of historicity and an awareness that goals and duty are not only at times in conflict but are historically and culturally derived. Van Creveld illustrates this important principle in his review of the history of certain rules of war. He challenges the modern idea that national borders are inviolable..."existing frontiers are regarded as the fruit of a historical struggle between contending owners...throughout the 19th Century it was considered almost a law of nature that states <u>should</u> attempt to consolidate and expand."[25] Expansion of territory and borders were seen as a right to war! Creveld goes on to put into proper perspective the rise of nationalism as a historical phenomenon of relative late derivation. He further examines proscription against poison gas, holding foreign citizens as hostages, targeting heads of state

for assassination as examples of rules that have had a history and an evolution that has resulted in changed and varied understandings. Contextualism and its insistence on historical awareness guards against ethical false consciousness, or historical moral naivete.

The various forms of contextual ethical systems of Just War Theory can be seen to cluster around what MacArthur referred to as "Country." These varied approaches provide a way of examining not only the context of war in its many and varied elements but also the context of motive. Said differently, contextualism while embodying aspects of deontological and teleological systems draws our attention to the concreteness of history, patriotism, national interest, world position and political influence. An example of a contextualist critique of strictly deontological and teleological systems can be seen in Michael Walzer's article entitled, "Perplexed." He argues for Just War under the categories of aggression, last resort, proportionality and then states his hesitancy and "perplexity" by virtue of the context of the Middle East to include not only to political volatility but also the question of modern military technology and its unpredictability in accidentally hitting homes, schools and hospitals. He goes on to note the advantages of a cold war over a hot war in Iraq and questions how such a war could best serve U.S. interests.[26]

While ethical frameworks and various systems of moral theology provide us with a structure and understanding of the complexity of Just War, such structures either explicitly or implicitly employ a method for reflection and inquiry. It is to the method and methodological implications of the problem of Just War Theory that we now turn.

Methodology

As a wise theologian once quipped, "no method is bad method." This truism points to the need for self-regulated discipline in the conduct of ethical inquiry and moral reflection. However, beneath the need for simply having ordered discourse, methodology aids in the recognition that the way in which we approach a question and the manner in which we ask a question structures, by the very notion of that which the question includes or excludes, the answer. Good method should be a way of shaping and developing appropriate and adequate questions, in this case, Just War Theory, in relation to the subject matter. In short, the subject matter should determine the method and not vice versa. Given these prior concerns, let us now turn to methods that have been used in employing various ethical systems or frameworks in reflection on Just War.

In reviewing the recent literature of Just War Theory as it pertains to the Gulf War what appears to be the most normative method of ethical inquiry is the "application" of Just War principles to the historical situation; in this case the Gulf

War. While at the outset this might seem to be both an appropriate and adequate way of reflecting ethically on the question of whether of not the Gulf War was justified, justifiable or just, a certain problem attends "application" as a method. The most serious limitation is the assumption that Just War Theory contains all the principles that need to be employed or applied. The problem is exacerbated by the fact that the principles of Just War Theory are assumed as both adequate and appropriate. Contrary to these assumptions, the particularity and uniqueness of the Gulf War, suggests otherwise. Specifically, to begin with the method itself, the "application of moral principles to particular situations," is at best a partial method in terms of its appropriateness. Second, with regard to adequacy, the assumption of Just War principles as fixed and all encompassing is questionable. Let us first turn our attention to the question of the adequacy of the method itself.

The "application of principles or ideals to particular situations" as a method in debating moral questions has a long and rich tradition. Platonic and neo-platonic idealism in its many and varied forms as providing a structure of inquiry given any particular historic situation, has the obvious advantage of making explicit values, commitments and overriding understandings of the good, the true and the beautiful in the notion of "eternal forms" as <u>a priori</u> to historical realization or manifestations of such forms. Setting aside the ontological question of the primacy of eternal forms, we recognize that in any and all attempts to frame questions, certain values, attitudes and commitments are assumed. Making these "givens" explicit in

applying them to given historical situations is the advantage and genius of the aforementioned method. However, there is another stream of ethical thought, deriving at least from Aristotle, that takes a different approach in that it begins not with principles which through application define the situation, but begins with the situation itself as having its own integral authenticity. It is this second approach that is needed as a complement to "applied principles" as methodological corrective in judging the adequacy of Just War Theory. Before turning to such a method and explicating it, a caveat with regard to appropriateness needs to be identified.

Martin Van Creveld, helps to get at the question of adequacy in terms of Just War principles themselves.[27] He begins by noting that the principles of Just War Theory have been historically conditioned and will continue to be historically conditioned and as such are not fixed, immutable, unchangeable or eternal truths. Van Creveld invites us to such a recognition so as to avoid a false consciousness and historical naivete in pointing out how various principles of Just War Theory have evolved given the historical situation. As already mentioned, his primary example is what he refers to as the "inalienable right of territory," and "the inviolability of borders," that define, in part what we mean by nationalism and its impact on Just War Theory. Van Creveld also notes that the principle of non-aggression in relation to territorial integrity in Just War Theory is relatively recent in terms of jus ad bellum. He demonstrates that territoriality and the inviolability of

borders do not, in any essential way serve as warrants for Just War. He does so by noting that between the year 1500 and 1879, Just War Theory was governed by a different principle, that of "the right to conquest," as a reason, par excellence for going to war![28]

In building on Van Creveld's notion of the historicity and historical relativity of Just War principles and to this principle in particular, I would add that what has been called a "New World Order" or the current realization that we are, by virtue of technology and communication, becoming a "global village," points to a new principle-in-the-making wherein ethnic identity seems to be replacing national boundaries as a factor in jus ad bellum. Furthermore, many ethicists, politicians and leaders sense that "nationalism," as we have known it, may be undergoing a transformation giving rise to a new understanding of international politics governed by an overriding interest for global, not national, self-interest. If this is the case, Just War Theory grounded in principles of nationalism will undergo modification as we see more clearly the interdependence of nation states in such a new world order. Questions of national interest will be redefined in light of global interests. Nationalism, funded by the competing ideologies of individualism and communitarianism has already begun to undergo radical change in a post-cold war world. Given the United Nations enhanced role, which points to a need for a collective understanding of global security, peacemaking and peacekeeping, new understandings of countering aggression will need to be articulated.

A host of questions attend this new reality. Will the United States as the remaining, "First World Power," have as its role, international policeman, leader in upholding international rights or collaborator in providing such leadership with other member nations of the United Nations? What will govern mediation, show of force and intervention by the U.N. given its role in international leadership with regard to the use of force? These questions have been raised in the Middle East and are currently being raised in Bosnia. But we need not restrict ourselves to present conflicts in the Middle East or the new order and creation of nation states that is developing in the restructuring of the former Soviet Union. The struggles in Central and South American as well as Africa are ongoing examples of what might well be interpreted as newly formed nation states grounded in ethnic, racial, tribal or cultural identity as perhaps a necessary, but preliminary phase, in establishing self-identity and confidence as a prelude to a sense of global identity. Hints of an evolving global identity grounded in international politics born of an international economy guided increasingly by international technology are in evidence.

A second related example of the limitation of the "application of Just War principles to particular cases" can be seen in the work of Theodore Hessburg in establishing various institutions for peace studies that have developed as an important part of his presidency at Notre Dame. In a recent panel discussion at The Ohio State University, Father Hessburg questioned the legitimacy and adequacy of "proportionality" as a principle of Just War Theory in the nuclear age.

He stated that the decision to use the atomic bomb in World War II has rendered meaningless the idea of proportionality. In a very impassioned speech, he noted that with the technological advances of the nuclear age, to include the ability to destroy all of creation, proportionality becomes a meaningless construct as a warrant for Just War Theory. Does not such historic fact, the increase in technology, the alteration of the meaning of warfare make our current understandings of proportionality obsolete? In a similar vein, as noted earlier, Van Creveld addresses the historical relativity of jus in bello with regard to the use of poison gas and hostage taking as further examples of change in concepts and doctrine of war and war fighting.[29]

Finally, an additional caveat needs to be added with regard to the application of such principles in terms of motive. For many Just War theorists, there is a lack of clarity in understanding that Just War Theory is not intended to justify any particular armed conflict but should be used to judge such conflict. It is unfortunate that in the Gulf War that this was not the case with the war being pronounced a Just War before the conflict ensued. History, not the announcement of a national leader, will be the final arbitrator as to whether or not the war in the Persian Gulf was just under the categories of jus ad bellum and jus in bello.

The lack of adequacy and appropriateness of the "application method" discloses the need for a further history of the meaning of the principles of Just War Theory.

Such a sinnesgeschite or history of meaning of Just War Theory and the principles that inform it could aid in expanding both the theory and broadening the concepts of Just War to more adequately address the changing realities, doctrine and technology of war fighting.

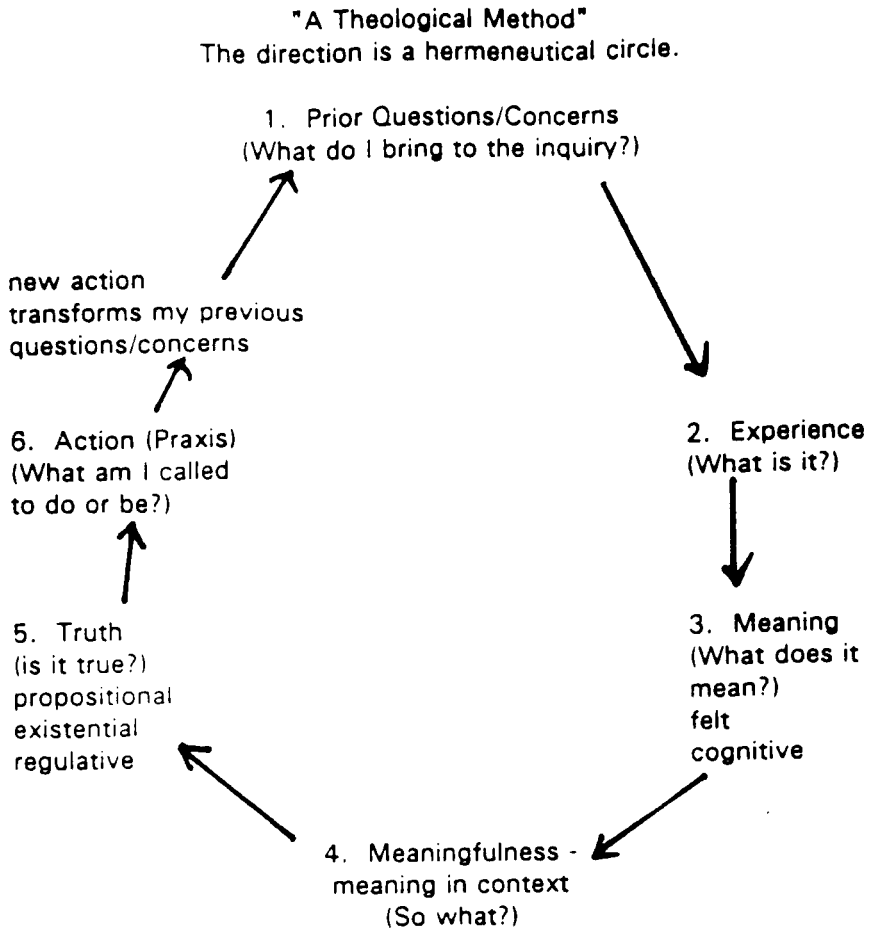
In the same vein, the inadequacy of simply "applying" Just War principles or theory to particular historic situations, as outlined above, necessitates the need for other methods that will provide more adequate and appropriate judgments as to the justice of armed conflict and war-fighting. In reviewing the application of Just War principles to historic situations, at the level of attribution, individuals as well as chaplains and religious judicatories report a lack of appropriate and adequate "fit." While the principles of Just War Theory can be helpful guides in judging the morality of war fighting to and in war, they also constrain the sort of dialogue that is needed given new and expanded understandings of warfare as well as the very technology of warfare itself. This lack of "fit" can also be seen as it applies to individuals and groups of individuals and what they experience in military, industrial and religious establishments.

The Hermeneutical Circle - An Inductive Method[30]

In calling for a method that serves to complement the limitations of "the application of principles to particular situations," such a method should address

and correct the shortcomings outlined above in the "application method." Specifically, it should be sensitive to different ethical frameworks, attribution theory, as well as "fit" in terms of adequacy and appropriateness in relation to the given situation being examined. As a way of not only addressing the methodological concerns outlined above, but more importantly in attempting to offer some guidance for the problem that informs this paper, in what follows I shall present an alternative method and provide some examples and illustrations as to how such a method might be used as a new paradigm in judging justice to and in war.

Rather than linear, as in the mode of explication and application of principles to situations, the method proposed is a hermeneutical circle which has the advantage of beginning at any point in the circle and drawing us to the next moment in the method. The six step circular method which follows requires explanation as to its components and use.



Prior Concern (Step #1)

The ideal in utilizing the model is to begin with an examination of prior concerns, assumptions questions and motives. This step requires an identification of those values and concepts that one brings to the question under consideration. It also necessitates recognizing which ethical frameworks and systems have been or will be used with regard to the particular experience being examined. Having identified

one's prior concerns, the next step is to set aside these values, pre-conceived attitudes or judgements with regard to the situation.

Experience (Step #2)

Phenomenologists, after "bracketing" such concerns, then describe the experience. Such description, called "thick description," attempts to eliminate various prejudices and interests by setting aside or momentarily putting out-of-action such prior concerns so that the situation in its fullness and complexity might be disclosed.[31] Examining one's prior concerns, interest at various levels of attribution and motive in approaching a situation provides the opportunity for relatively value free description. As such it aids in obtaining a clearer picture of the particular historical situation without reducing attention to particular aspects of the situation by too early an application of principles, duty, or any category that by its nature confines or delimits description. Once the prior concerns, questions, and assumptions of the individual, the group and the system have been identified, we can then move to an examination of the experience itself. While bias free descriptions of experience are at best difficult and may be finally impossible, the concern at this moment in the method is to be attentive to the facts of the situation and to avoid a premature interpretation. Such an empirical investigation aims at judgment free description in reporting the situation.

Meaning (Step #3)

Following such description there is a movement to interpreting the description through two primary categories of meaning. Human beings are by nature meaning makers and ask the question, why? In answer, meaning is discerned in at least two levels. As Paul Ricoeur reminds us that most of our meaning comes at the "felt level" and is not highly reasoned. It is meaning born of strong convictions, deep felt commitments and inherited dispositions toward a particular experience. Such meaning often appears in the form of slogans and internalized ideologies. MacArthur's speech regarding duty, honor and country evokes a strong sense of felt meaning. Inspirational words such as these appeals to deep-seated and long-standing values evoke a felt response which is usually the most powerful motivation for action.

As human beings, we are blessed with memory, reason and skill which leads us to the next level of meaning, that of "cognitive or mediated meaning." Such meaning is the essence of moral discourse and ethical reflection. It requires an analysis of felt meaning in an attempt to avoid simply reacting; "cognitive meaning" attempts to formulate a thoughtful response. Response and responsibility is the mediation of "felt meaning" through "cognitive meaning" which results in informed action as opposed to simple reaction. The goal of cognition and mediation is understanding not simply knowledge; the goal of such understanding is wisdom as a guide for acting and behavior.

Such cognitive meaning requires the employment of the various disciplines of philosophy, theology, history, the behavioral sciences and empirical evidence from the natural and physical sciences all mediated and governed by the particular area of interest under examination. In the area of ethical reflection, such cognitive meaning asks the question at the level of attribution, what should one do given the facts and accumulated wisdom at one's disposal, what should the group do given the same possibility for exploration, and finally, what is the best decision or course of action for the entire system? A clear delineation of not only different principles but particular categories and levels of attribution are made explicit at this point in looking for those elements which compete for expression as well as the interconnectedness of deontological, teleological and contextual ethical systems given the meaning of the particular experience.

Meaningfulness (Step #4)

Following the discernment of meaning, there is a need to frame such meaning in light of the present experience under examination. This brings us to the next step of the method which is that of "meaningfulness" or meaning within context. The tendency for mediated or cognitive meaning to become abstract, etherial and somewhat obtuse is corrected by this particular step wherein meaning is returned to its historical context or the experience itself. Stated simply, the step of meaningfulness asks the question, "So what?" of the many and varied expressions of meaning in the previous step. It is a step that requires the translation of

cognitive meaning into potential implications for action born of existential truth. Meaningfulness, or mediated meaning in the context of experience, usually brings with it various, "aha" experiences. Such "aha's" can be understood as insight, understanding or what in the method shall be referred to as a "truth."

Truth (Step #5)

Truth can be understood in at least three ways. First, "propositional truth" is normally how we, in a post-Enlightenment and scientific age, think of something as being true. A proposition is true or false based on empirical evidence and validation. A simple example will suffice, 2 + 2 = 4. However, truth can also be seen as a deeper kind of "aha" experience. "Existential or transformational truth" is the name of this type of truth which carries with it a much deeper sense of conviction, affect and personal identification. Conversion experiences as reported by psychologists and theologians are an example of this kind of deep awareness and insight. Be these experiences philosophical, political or religious conversions, such truth brings with it a literal transformation of the individual and how he or she sees the situation informed by new categories, new understandings or heightened awareness. Symbolic truth that goes beyond mere proposition is an example of this second type of truth. It is a form of truth that moves us to action in ways which propositional truth cannot. Third and finally, truth can be also described or viewed as "regulative." In such truth certain facts and understandings regulate or determine behavior, thought and action. The principles of Just War serve the role

of regulative truth in judging whether or not a war is just. These principles as regulative provide parameters, limits and certain "givens" in the form of deontological, teleological or contextual definitions in defining that which is right and that which is morally wrong. Regulative truth takes the form of first principles, laws or moral prohibitions. Examples would be the Torah, the law of love, or the speed limit on an interstate highway.

Action (Step #6)

Finally, truth in its varied forms either leads us dispassionately or propels us passionately toward action. Action for theologians and ethicists is often described as praxis in that it is action mediated by theory, be it moral theory, theological theory, philosophical theory or scientific theory. Such action, i.e., praxis, is distinguished again from "reaction" by virtue of the element of mediation through the steps of meaning, meaningfulness and truth.

To complete the circle, praxis or action as a particular form of behavior, brings with it the possibility of changing old concepts and ideas, challenging assumptions and prior questions and thereby modifying or transforming experience itself. With this last step and the completion of the circle, we are able to see the relationship of that which we bring to an inquiry in terms of our previously held biases, commitments and understandings, the need for historical awareness in analyzing any and all given situations, the various kinds of meaning that can be described in

such experience and how this meaning is finally conceptualized in the disclosure of truth as a proposition, transformation or regulative guide which in turn leads to mediated action which we call praxis. Such praxis, in turn, modifies or alters our prior concern and hence our approach to new experiences.

The advantage of this inductive method is that it allows for a more adequate description and understanding of the situation to include the appropriation of categories of meaning, meaningfulness and truth, which respond to the situation as disclosed rather than insisting that the experience conform to pre-conceived categories. By virtue of the fact that the method is circular, it is open-ended and can be entered at any point. In the case of Just War Theory, for example, the principles of Just War as examples of regulative truth can be seen as giving rise to praxis in the form of judgments or decisions to go to war and decisions as to moral behavior in war fighting. As mentioned, however, the hermeneutical circle as a method forces us to reexamine principles in light of the facticity of experience and how it can be interpreted at a variety of levels in a variety of contexts. Such an examination can provide a more adequate understanding for response and decisions with regard to rights to and in war. It is to this more detailed account that we now turn in an attempt to utilize the method with regard to Just War Theory.

The intent of the foregoing description of the hermeneutical circle has been to identify the elements and movement within this method without giving it any particular substance. In what follows an attempt will be made to look at some of the various prior concerns, experience, ways of discerning meaning, meaningfulness and truth at a variety of levels through ethical categories and attribution in an attempt to provide the chaplain with a more adequate way of addressing the problem of Just War Theory. Rather than a complete rehearsal of any and all aspects of Just War Theory in its particular application to past or current conflicts, the following is offered as a heuristic device in providing some indications of further work that might be done in providing for a more adequate and appropriate use of Just War theories and principles. While not an exhaustive examination, the method will disclose a particular movement that might be employed by chaplains, moral theologians and ethicists in having a map or direction to follow in their work as moral agents.[32]

The Hermeneutical Circle and Just War Theory

Having outlined the circular method, the intent in this concluding section is to show how such a method, as a corrective, could aid chaplains in addressing the problem and the problem beneath the problem that informs this paper. While an exhaustive analysis is beyond the purview of this paper, the method will be illustrated by selecting certain aspects at each of the steps to demonstrate its use. It is hoped that through this discussion questions will be raised that will identify

the need for further research and ongoing work in this area. Since the primary intent is to aid the chaplain in his/her role in providing moral guidance, we begin with the chaplain and the role of the chaplain in using the hermeneutical circle with regard to Just War Theory.

Chaplains Role - As a moral guide, the primary role of the chaplain is to facilitate and help enable persons, organizations, and systems that struggle with moral dilemmas and in particular the moral dilemma created by the occasion of warfare. Given this role, it is of paramount importance that the chaplain have some sense of his or her own understanding of ethical approaches, ethical systems, attribution and the various theological or philosophical methods that inform ethical inquiry. This means that it is necessary for the chaplain to be clear as to his or her own commitments, biases, loyalties, and understandings of moral agency. For example, how does a particular chaplain tend to operate when looking at the various levels of attribution and prescriptive approaches from a deontological, teleological or contextual system? How are these systems inter-related in the method employed by the chaplain in helping others sort out the moral dilemmas that they face? Such self-knowledge and differentiation is important, not only in terms of the chaplain being able to employ various methodologies, but also to guard against framing such a dilemma with his or her own bias or unacknowledged approach and method. This awareness points to the role of the chaplain in the armed forces as one who is a spiritual and moral guide but does not indoctrinate, attempt to

convert or unduly influence those he or she serves from the standpoint of a personal bias or religious commitment.

A simple example can illustrate the need for self-awareness of the part of the chaplain as he or she deals with individuals confronting ethical questions. Prior to his departure for the Gulf, a young lieutenant in the South Dakota National Guard came to me seeking some help in resolving a conflict he was experiencing with regard to his anticipated participation in the Gulf War. His strong sense of duty, "I've always been taught, ours is not to question why, ours is but to do or die," coupled with his uncertainty as to the political ramifications of our role in the Persian Gulf as well as his support of extending sanctions as an alternative to armed conflict, resulted in a feeling of dissonance, conflict and personal dis-ease regarding his participation as an officer in the Gulf War. Uncertainty and dis-ease in light of his strong sense of duty brought with it personal feelings of guilt in recognizing what he reported as his "obligation in light of his oath, training, commitment and loyalty to his country."

In response to his dilemma, I affirmed his sense of duty and obligation but also invited him to think about the feelings and cognitive dissonance he was experiencing through a review of Just War principles from a teleological and contextual framework. Two particular insights emerged which helped in addressing his dilemma. First, through the employment of a teleological

framework, he was able to see his duty in relationship to a just goal or outcome which could be realized through a show of force and potential armed intervention. In this regard, he challenged his assumption about duty being equated with blind and unquestioning obedience. He articulated a further insight by noting that his effectiveness as a leader in motivating and caring for those entrusted to his charge was in some way dependent upon his own personal resolution of the ambiguity of any and all occasions leading to war. He reported that such resolution allowed him to be more open to those who might come to him with similar concerns. In short, he felt better enabled to deal with duty in light of means/ends and the context in which he and others were called to exercise duty and obligation in the Gulf. Second, he reported that in our rehearsing the context and situation in the Gulf, this allowed him to see his duty in perspective. He noted that a better understanding of the situation and all of its complexity aided in his assessment of not only his duty but also in his political awareness as a citizen as to the implications of armed conflict in the Persian Gulf.

While the result of such counsel did not totally alleviate the tensions or dissonance, this young lieutenant was able to explore through different perspectives the dilemma and the concomitant feelings and thoughts that were on his mind as he attempted to make some meaning of these feelings and thoughts given certain religious convictions and humanitarian concerns that he held as very dear. To state the obvious, the ability to employ different systems or frameworks in

providing a broadened view of a moral dilemma, in this case a strong sense of duty and obligation born of this young lieutenant's primary mode of dealing with a conflict out of a deontological system, and suggest other ways to frame the concern and address of the issue can aid in resolving the dilemma. If a chaplain does not have the facility to identify other ethical systems, meaning, meaningfulness and truth in its various modes, the role of facilitation and enabling of others will be hindered. Related to this fact is the need for the chaplain to avoid the premature application of principles or values in working with the individual experiencing such a dilemma without having first analyzed the particular framework from which that person is attempting to resolve the conflict. Again, the reason for this is obvious; a teleological solution to a problem expressed in contextualist terms will not only result in a lack of fit, but may simply further exacerbate the individual's sense of confusion. This realization brings us to the beginning of the hermeneutical circle and the chaplain's role in helping persons identify their prior assumptions, values, and commitments in approaching moral dilemmas and ethical concerns.

Prior Question/Concern/Commitment

Ethical inquiry is aided by a clear delineation of values, commitments and attitudes that are "owned" and made explicit or conscious by the individual, organization, or system confronting a moral dilemma or ethical question. In beginning the process of ethical discernment, a first step for the chaplain in helping, at whatever the level

of attribution, is making explicit those values, commitments and attitudes. Such a preliminary articulation of these commitments or concerns, aids in allowing the person, organization, or system to momentarily bracket these varied concerns in order to have a fuller understanding of the situation or experience as it presents itself. As noted earlier, phenomenologists point to the need to identify such commitments and then bracket (epoch) or put out of action momentarily such commitments and concerns so that the experience can be analyzed in its fullness without being restricted or constricted by premature judgements grounded in strong attitudes, beliefs or commitments. The foregoing example of the young lieutenant serves to illustrate this point. His strong sense of duty and obligation colored and impinged upon his own ability to raise pertinent questions and look at alternative points of view in helping to resolve the very conflict that he was experiencing.

Within the hermeneutical circle, our prior questions and concerns are informed by previous history and experience. A simple example will suffice. The concerns of Vietnam veterans anticipating involvement in the Gulf were, generally speaking, different from those who had not had combat experience in Vietnam. In short, several of the Vietnam veterans that I visited in preparation for deployment in the Gulf, expressed fears about "another Vietnam." Their prior experience of combat, and their assessment and judgment of it, weighed heavily on their sense of moral concern regarding the involvement of the United States in the Persian Gulf.

In addition to ethical frameworks and previous experience, currently held values and religious convictions also play a large part in forming and shaping prior concerns. If there is lack of clarity or ambiguity in this regard, as articulated in defining the problem at the outset of this paper, the morally ambiguous situation will be made all the more difficult by conflicted values or commitments. While the question of such views will be taken up under the section of meaning, it is important to note at this point that strongly held "felt meaning" as well as "cognitive meaning" are part of that which one brings to any ethical situation under the rubric of prior concerns, questions and commitments.

The role of the chaplain, in enabling the identification of these prior concerns and commitments, is aimed at helping the individual, organization or system be aware of its predominant ethical framework, past history and moral and religious commitments as factors undergirding the very principles of Just War Theory. While it is appropriate for these categories of meaning and commitment and concern to be employed in the course of ethical reflection, it is inappropriate and less than helpful to be unaware of them or to have them so dominate one's definition of the situation that other points of view are excluded. The danger referred to in the foregoing of assuming Just War principles without an examination of them in light of both the context and end-goal, especially given the new technology of warfare and its implications for means in relation to ends, makes clear the need for the identification of prior commitments and concerns.

In shifting the level of attribution from the individual to the organization and system, there is a similar need for such awareness and identification. At the level of organization, using the U.S. Army as one branch of the armed forces, such prior concern can be as lofty as the words of General MacArthur in "Duty, Honor, and Country" or as concrete as a concern for whether or not technological advances in weaponry will work under actual combat conditions. In fact, some critics of the Gulf War have suggested that the Gulf War was in part motivated by such a prior concern in that the conflict provided a place to test technological advances in weaponry.

If the level of attribution in terms of prior question and concern is moved to the systemic level we return to the questions of the particular role, interest and sense of obligation/duty, end or context that a particular country brings with it to ethical dilemmas surrounding Just War Theory. What is the motive for our intervention and/or involvement? How is such a motive related to larger political and economic as well as security concerns? As in individual or personal ethics, unless these prior commitments, concerns and questions are raised and identified, what results is the principles of Just War Theory being used in support of constricted "egoistic" ethical frameworks. To gain some sense of this egoism as historically conditioned one need only read Victor Hanson's The Western Way of War. [33]

As has been suggested, the increasing need to raise prior questions and concerns with regard to the global system that moves beyond nation states and national self-interest to global interest is a new factor and new criterion in looking at the principles of Just War Theory.[34]

Experience

Recognizing the need to identify our categories of interpretation under prior question and concern, it is now time to focus attention on a description of the experience itself. While phenomenological description which posits value-free analysis may finally be a fiction, the goal of such description is to gain as clear and un-biased estimate of the situation as possible. The role of the chaplain as ethicist is critical in this regard in that he or she is called upon to help the person, organization or system with such an objective description of the situation. It is at this point that we see a critical difference between the application of Just War principles to situations and the need for an objective sense of the situation before the application of any principles.[35] To repeat what was alluded to above, a premature analysis by framing the experience through various principles will exclude certain aspects of the situation. If the concern of the individual, organization or system is proportionality as understood in Just War principles, elements of proportionality contained in a contextual ethical framework may be missed given the fact that proportionality itself tends to be a teleological concept. a teleological concept which provides a foundation for a utilitarian ethic.

In light of a paradigm shift from principles of war grounded in national interest to a more broadened sense of global interest, it is especially important that an objective rendering of the situation is offered so that all points of view are made known in relation to Just Politics on a world-wide scale. For example, it is clear that in looking at the Gulf crisis, other values, points of view and religious commitments need to be identified and understood. No where is this more evident than in those wars that take on religious overtones or the mantle of a Holy Crusade. It is a sad truism that wars waged for the purposes of "scourging the infidels" or for the purposes of "ethnic cleansing" are the bloodiest and most brutal examples of armed conflict. Any analysis of the experience which misses these underlying and often conflicting deeper commitments and religious realities as a part of the experience might well miss important aspects of the situation not covered in simply applying assumed categories or principles of Just War to the situation. For example, "Just Cause" is generally understood in terms of aggression, the inviolability of borders or territory. If we confine ourselves to this analysis from "Just Cause," we miss any sense of "Just Cause" for religious or ideological purposes.

The chaplain as one who is called to enable and encourage ethical reflection has as his or her particular role at this step in the method the task of making explicit the complexity and pluriformity of any given situation that might occasion armed conflict. After having accomplished this difficult task given the initial requirement

to withhold value judgments, the next step is to reintroduce and make equally explicit those value judgements in applying not only principles, duty and obligation as well as contextual factors, but to look at the various levels of meaning inherent in the situation in attempts to better understand and judge armed conflict. It is with this recognition that we turn to the question of meaning, both felt and cognitive.

Felt Meaning

Felt meaning, as was noted, has to do with the source of most action as reaction to a stimulus in an unmediated way. In psychological terms, much of felt meaning is pre-conscious or sub-conscious as well as some aspects of felt meaning being unconscious. As sociologists, social psychologists and depth psychologists point out, a good bit of our behavior is motivated by factors that we are not aware of in analyzing conscious behavior. In moving beyond involuntary responses to a given stimulus, we discover that a powerful factor in all motivation and behavior are those motivations shaped by previous experiences, psychological trauma or fixation and what anthropologist, Victor Turner calls "seminal plots," which function as unconscious cultural historical themes that govern behavior. Although personality theorists, sociologists, social psychologists and anthropologists talk about this factor in different ways, a common ingredient in such behavioral science discourse is a recognition that we are shaped and formed by not only heredity but cultural factors at various levels of attribution. In the language of sociology, primary

socialization, which takes place from roughly birth to age 5 or 6 is altered by the process of secondary socialization that ensues with the onset of adolescence and is characterized by striving for independence in reaction to many of the values and beliefs taught in primary socialization. Freud's theory of psychosexual development is another way of talking about such development and differentiation in psycho-sexual terms. Anthropologically, there is a similar dynamic in enculturation and adaptation at the level of accepting perceptions of reality uncritically through cultural artifacts with a growing appreciation and differentiation that comes with age and contact with other cultures. For purposes of "felt meaning" in the area of Just War Theory, it is important for chaplains to note that the experience of being "in the military" is a form of "re-socialization" and "enculturation." Such re-socialization touches the very fabric of felt meaning in the change that is realized in the re-orientation of a civilian to being a soldier. Such re-socialization includes a different daily routine, mode of dress, code of ethics, code of conduct, training and shared experience of the artifacts of military culture to include a peculiar jargon with excessive acronyms; in short, a sub-culture. Values taught at this level, are often in opposition to the dominant culture. Cooperation, unit integrity, accomplishment of the mission, awareness of the chain of command characterize the military as a sub-culture and discloses a communitarian ethic, e.g., duty, versus the dominant culture's excessive individualism. Such re-socialization carries with it deeply felt symbols, values and

attitudes, again summarized in the stirring words of MacArthur, in "Duty, Honor and Country."

Beneath the level of systemic and organizational felt meaning, and how this influences the formation of the individual through the process of re-socialization, there is an even deeper level of unconscious felt meaning that influences moral decision making at all levels of attribution. C.G. Jung talks about this deeper level as the domain of the collective unconscious or "objective psyche."[36] He notes that at this level there is a collective unconscious that is transcultural in that it is made up of certain "archetypes" or prototypes of individuals, organizations and systems that undergird cultural expressions of felt meaning. The identification of four such archetypes offers potential aid to the chaplain in the area of Just War Theory at the attributional level of the personal, the organization and the system. In turning to these four archetypes some attempt will be made to better understand the role that intuition and "intuitionism" as prethematic meanings make in our judging justice to and in war.

The archetype of the puer aeternus (eternal youth) is a dominant archetype of the American psyche. Madison Avenue advertisers use it in their appeals to remain forever young. Youth is valued in our culture as a sub-culture whereas age is discounted. Discrimination against older persons (ageism) is somewhat peculiar to our country in that in other cultures age is equated with wisdom and is seen to be

far superior to youth. Not so with American culture where youth is extolled as a virtue in its own right.

In addition to exploiting this for purposes of marketing products and seeing it tied to the values of individualism and consumerism, the puer or "eternal child" is also part of our national psyche in that we are, in fact, a relatively young nation. Associated with our youthfulness has been a certain vigor, optimism and, as some Western Europeans would note, a naivete and recklessness. The puer thinks that he or she (puella), is invincible and immortal. There is also a certain introspection, hubris and selfishness in the puer which can be seen at a national level as isolationism or a primary concern for national self-interest over the interest of others. This archetype not only informs our own self-understanding, but is picked up by other nations in defining us as a super-power of a particular type. Evolving Third World nations are quick to point out these characteristics.

A second archetype which complements the archetype of the eternal child is that of the "hero" (or heroine) which also figures largely in our national psyche. The archetype of the hero is one that is touched on in appeals to the Unites States to rescue and save other nations that experience oppression, distress or suffering. While there is much that is noble in appealing to the archetype of the hero or savior, the archetype can result in a certain kind of inflation or pride either at the level of the individual, the organization or the system. One way to analyze our

involvement in Vietnam is to see the archetype of the moral hero at work. Coupled with the puer and a certain optimism, Vietnam offered a context for the child-hero to exercise both deontological and teleological understandings of the good in ideological commitments. While the experience of Vietnam proved to diminish the resiliency of the puer and hero, with the loss of certain naivete and innocence, the hero remains very much with us in our culture. Examples of the pervasiveness of the hero archetype can be seen in the predictable plots of movies where the violent hero is glorified regardless of whether he goes by the name of Rambo, Dirty Harry, Rocky or earlier heros in the persons of Roy Rogers, John Wayne and Tom Mix in the mode of the saga of the great American Western movie. Clint Eastwood, Arnold Schwartzenegger, Sylvester Stallone to name but a few, serve as evidence of the hero archetype coupled with the puer and supported by "rugged individualism" as descriptive of our national consciousness. It is interesting how jargon and phrases from these cultural heros coupled with heros from the sports world play a predominant role in the vocabulary and images that are used in the military and in war fighting.

The puer and the hero, when coupled with the archetype of the "warrior" present a third and growing constellation of a dominant type in the American psyche. Our history, from its very inception both in terms of actual historical events as well as our psychological history has been largely informed by the archetype of the warrior. Foreign Policy grounded in security as military strength disclose the

warrior archetype. As historian Charles Chatfield describes us, "We are a warrior nation." The language of warfare and combat is a part and parcel of almost all institutions to include the church in our country, e.g., "Onward Christian Soldiers..." Our very approach to the settling of this nation through "conquest," "internal wars," "manifest destiny," "subduing" and "conquering the West," all speak to this powerful metaphor. Much of this imagery and self-understanding harkens to an earlier and more romantic understanding of the warrior as embodying a certain kind of moral superiority, selfless duty and a willingness to sacrifice even one's life for a noble cause. We see in such elements aspects of the various manifestations of deontological, teleological and romantic contextualist frameworks. We also know the experience of the horror that can attend the dark side of the warrior archetype under the euphemism of "ethnic cleansing" be it in Nazi Germany or Bosnia.

The counterpoint of the personality theorist's understanding of the depth dimension of individual psychology in positing the pre-conscious and unconscious is what social phenomenologists refer to as "intersubjectivity." Intersubjectivity is the depth dimension of human sociality. Whereas the primary concern of various forces or movements in psychology is subjective experience, social phenomenologists explore depth sociology as the pre-conscious ways in which human beings intend or "mean" one another through roles, stereo-type and status within a society. As such, intersubjectivity, or the way that we "intend" one

another in interpersonal and international relations is an area that needs to be further explored in an attempt to better understand human interaction at the pre-conscious level and its relationship to Just War Theory. An example of such intersubjectivity can be seen in intending another nation state as "the evil empire." Such a designation conjures up at the preconscious and unconscious level certain meanings, attitudes, and dispositions toward the other in intending the other as not only an enemy but as the personification of evil. To the best of my knowledge, little has been done in the area of depth sociality and the whole question of intersubjectivity in relation to Just War Theory and international relations. This category will be reviewed again under the step of meaningfulness.

While it is not important that the chaplain become a sociologist, cultural anthropologist or depth psychologist, an awareness of these varied layers of felt meaning are important in trying to understand the motivation to and in war often justified by the principles of Just War Theory.

Cognitive Meaning

In turning to cognitive meaning, it is necessary to identify the various ideologies that inform the principles of Just War Theory. Professor George C. Lodge, of Harvard, suggests that within the world today there are two competing ideologies, that of individualism and that of communitarianism.[37] Lodge goes on to note that the United States is perhaps one of the purist examples of individualism as a

particular ideology that influences institutions, action and self-understanding. The primacy of the individual is the very foundation of our country as expressed in our concern for individual rights and the inalienable right of the individual to life, liberty and the pursuit of happiness. All other rights, to include organizational or systemic rights are in service to the individual. Such a notion is anethitical to its competing ideology, communitarianism, where the value of the community is seen as primary and individual identity is seen as derived from a pre-existing communal understanding of the self in relationship to the community. This cognitive aspect of meaning is important especially when looking at our commitment to human rights, which is in large part informed by our commitment to individual rights as normative in teleological, deontological and contextual understandings of American morality. While others may use a telos of the greatest good for the greatest number, our primary concern, given this ideological commitment, is the greatest good for the individual. When translated to the level of attribution with regard to the organization or the system, it is an easy step to see how, "that which is good for General Motors, is good for the country," or "that which is good for the United States is good for the World" ensues. Within religious circles, the comment is often made by church historians that while we have different forms of Church polity and governance, American religious experience is grounded in a certain kind of parochialism and individualism regardless of denominational organization or subscribed polity.

The following elements of each ideology are offered to further delineate how they differ theologically:

SOME ELEMENTS AND CHARACTERISTICS OF:

INDIVIDUALISTIC IDEOLOGY	COMMUNITARIAN IDEOLOGY
Individual	Nation/tribe
Identity	Mission
Self	Other/other
Land or space as possession	We are of the earth
Introspection	Collaborative theological reflection
Social compact/contract	Community of care and moral discourse
Litigation	Dialogue
Legislation	Consensus
Competition	Cooperation
Success	Faithfulness
Individual rights	Social responsibility
Privatization of religion	Faith's realities known in community
Subjective intentionality	Intersubjective intentionality
Consumerism	Sharing
"Triumph of the therapeutic"	"Honor the tribe"
Technological reason	Transcendental reason
Linear	Circle
Politically correct	Theologically true
Chronos	Kairos

A second framework for the United States in terms of cognitive self-understanding can be seen in terms of our understanding of ourself as a "religious nation." The type of meaning referred to here goes beneath the secularism, pluralism and moral

relativity referred to earlier and points to a deeper sense of religiosity. Again, from the beginning of our history, we as a nation have seen ourself as "the New Jerusalem," "a nation under God" and a nation which based its founding on religious toleration and the exercise of freedom in religion. As a recent issue of Time magazine noted, despite the decline of mainline denominations, Americans are experiencing a religious revival in the form of a new conservatism and fundamentalism that was briefly described in our discussion of "the problem." As with the ideology of individualism, religion when employed in the service of Just War Theory can be a powerful warrant to and in war. History is replete with examples of such religious ideation as motivation for war be it in the form of the "Crusades" or the current tragedies in Ireland and the Middle East. "Holy Wars" carry with them a unique teleology, deontology and contextual framework. Given the phenomenon of globalization, it is increasingly important in examining systems, to be aware of world religions and their relationship to Just War Theory.

Under the category of cognitive meaning, the chaplain is often called to answer the question, what does the church have to say about war, violence and killing? Without an exhaustive rehearsal of all the arguments, some mention needs to be made of two classical Christian understandings of war and war fighting as found in scripture. The first position is that the ideal we should strive for in both national and internation affairs is peace with justice. In explicating the scripture, one can find expression of this in the Old Testament laments concerning both war and

violence (I Chron. 22: 7-10; Psalm 46: 8-11; Psalm 120; The Book of Lamentations), in the Messianic Hope (Isaiah Chapter 2: 1-5; Chapter 9: 1-7; Chapter 11: 1-9), in strictures against unbridled warfare and violence (Deut. Chapter 20: 10-20; Amos I) and in the summation of Hebrew ethics in the New Testament Law of Love (Matthew 5: 9, 21-26, 38-48; Romans 12: 8-10).

In addition to this ideal, scripture also acknowledges that the human condition is replete with evil and sin in recognizing that war remains a tragic fact of human history. This second understanding is clear in both the Old Testament and in Christ's generalization about "wars and rumors of wars (Matthew 24: 6-8) and in Eschatological passages such as Isaiah 11 and Revelation 19 and 20. In reviewing the Sixth Commandment (Exodus 20: 13, "You shall not kill") the commandment does not speak directly to the problem of war but rather to wholesale murder, manslaughter and personal vengeance (Exodus 21 and 22). Hebrew Scripture endorsed lawful governments to use force when necessary. This notion can also be found in the context of the New Testament Law of Love as articulated in Romans 12: 9-13; 10.

The contrast of these two particular positions as articulated in scripture gives rise to two responses that generally supply an answer with regard to the questions of cognitive meaning in war and Christian theology. The first is the negative response of pacifism and yet, even that response requires some clarification. At times the

pacifist stance suggests that not all wars are unjustified, but that the Christian is never justified in participating in war. This notion of "selective pacifism" does not deny the nation state the right of self-defense in the face of aggression but does deny the Christian participation in such self-defensive measures. This stream of pacifism can be traced through the early church and the Reformation down to and through the liberal social gospel and pacifism as descriptive of specific religious groups as well as teachings of other mainline denominations. Some refer to this position as the "Christian idealist" position. Those who support the pacifist point of view tend to see a discontinuity between the Old and New Testaments given the excessively violent wars in which Israel and Judah believed themselves to act justly. We have here an example of what was referred to earlier as "Holy Wars" in which Israel and Judah felt justified and viewed as an application of divine judgment grounded in the divine authority of Yahweh.

"Christian Realism," as distinct from the idealism of pacifism, espouses Just War Theory. While Just War Theory within Christianity provides no general endorsement of war and demands discrimination between just and unjust causes, it is a position that has been taught since the early Christian Church with its principles represented under the rubric jus ad bellum and jus in bello. Proponents of this particular point of view tend to see a continuity between the Old and the New Testament with the New Testament providing a completion of the promise of Old Testament covenant in the new Law of Love. However, the Christian Realist

stance remains attentive to the fact that sin and evil are embodied in the tragic fact of war as evidenced in human history.

A related problem, that of Christology and the relationship of Christ and culture, brings with it another aspect of cognitive meaning in terms of the relationship of Christian conscience and loyalty to the nation state. This tension has brought with it what many have called a theology of the "two kingdoms" as espoused by Luther, Calvin and Niebuhr.[38]

The foregoing analysis of the meaning of Just War Theory at the felt and cognitive levels can aid the chaplain in locating his or her own interpretation as well as helping others be aware of their varied stances and interpretations in an attempt to resolve their ethical questions at the personal, organizational or systemic level. Ethical inquiry, however, moves beyond abstractions at both the felt and cognitive level of meaning in recognition of the need to ground such analysis within the present historical situation. It is to this reality that we now turn in moving to the next step, that of "meaningfulness."

Meaningfulness (Step #4)

As defined above, meaningfulness is meaning in the context of the historical situation. In turning our attention to this category and step within the method inquiry will focus on two elements of meaningfulness that could aid the chap

an enabler of moral agency at the various levels of attribution. We begin with the recognition that Just War Theory and its meaning in a given historical context necessitates an examination of the relationship between Just War and Just Politics. In short, Just War Theory presupposes a theory of international and domestic politics. Both domestic and international politics rest on a recognition of our sociality and "the essential integrity of human relationships at the most fundamental levels of families, friendships and communities. It follows that political actions and public policies can and must also be assessed by looking at their impact upon families and communities, and by seeing what affect these policies have on our most vital and fragile human relationships." Just War as politics embraces a standpoint..."it requires that one evaluate periods of 'peace' as well as times of 'war' with reference to minimal requirements of justice and mercy."[39]

It is at the point of meaningfulness that we retrieve the notion of Just War as an amoral instrument of strategic policy. If, for the sake of argument, this line of reasoning is accepted, then Just War Theory must have a reference in Just Strategic policy making. Said differently, Just War Theory can be seen as an extension of strategic policy making <u>if</u> moral judgement is raised with regard to strategic policy as an <u>a priori</u> element in the development of policy making at the domestic and international levels. The obvious corollary is that if such morality is called for at the organizational and systemic level, it applies equally to persons

wrestling with policy at the individual level. Such an awareness helps us to understand meaningfulness in light of both deontological and teleological ethical systems. Explication or "proof-texting" of public policy in support of doing one's duty or participating in armed conflict because of policy goals cannot be used to escape the fundamental responsibility that comes at all levels of attribution in judgement of Just Wars based in Just Policy presupposing a Just Political arena. Such continuity and consistency, vital elements in moral inquiry, brings us to intersubjectivity, as outlined above, and just politics in considering meaningfulness under the intentionalities of "peace-keeping, peace-making and peace-enforcement."[40] Donald Snow, in a very helpful article analyzes "humanitarian interventions" in the Persian Gulf, Somalia, and Bosnia and Herzegovina. As a part of the intersubjectivity of such "humanitarian intervention," Snow employs the idea of meaningfulness under the heading of "context" which he defines as "attitudes of host groups or countries where force may be inserted." He notes three particular forms of intersubjectivity: first, outside forces that are invited or not invited, second, whether peace-keepers are welcome in the country or between countries in which they are interposed and third, the condition dealing with the receptiveness of the parties to peaceful, political settlement of their differences.[41] The significance for the ethicist and chaplain in this regard is the intentionality in such intersubjectivity disclosed in the labels, "peace-keeping," "peace-making," and "peace-enforcement," as disclosing a new intentionality in terms of the context of meaning of Just War Theory. It is interesting to note that this very

intentionality, giving rise to a new intersubjectivity of peacekeeping, and peacemaking is being shaped and tested as this paper is being written in terms of the question of armed intervention in Bosnia and the relationship of U.S. initiatives and U.N. participation to include such matters as the use of "blue helmets and white tanks." The role of a newly forming international order is being shaped by conscious decisions as well as those preconscious intersubjectivities and recurring archetypes such as the hero and the warrior.

The question of meaningfulness also presses for analysis in the change of war fighting itself to include the "concept" of warfare. In the wake of the end of the Cold War, collapse of the USSR and a newly emerging World Order, the particular intersubjectivity which informed the overt antagonism and competition between two world super-powers no longer exists. Since much of the rest of the world defined itself in relation to this dominant intersubjectivity and intentionality, the newly emerging World Order represents not only a newly emerging framework in the form of new nation states but also points to, in all probability, an understanding of warfare not so much as a clash of major powers but rather numerous smaller emergent nations involved in various disputes. A questions that arises is what will govern our approach to these conflicts? Do we intend them as wars, police actions, opportunities for establishing democratic entities, or extensions of a broader foreign policy doctrine in which force will be employed selectively for the benefit of the United States, the United Nations or some newly

emerging global order? The meaning of these questions in relation to the historical context is of critical importance to the moral theologian and ethicist as he or she attempts to provide some rationale for a "just rule" which undergirds intervention. What is the norm? Stated as another question, what is the criteria or rule of intervention governing the U.N. or a newly forming World Order? Is such criteria consistent or selective? Is such criteria realistic in terms of it being sustainable by the United Nations or another coalition of nation states? What is, "duty, honor and global order," given this new situation? Is the intentionality one of global police force, negotiator, or reconcilor? Is it possible to have agreed upon criteria and some notion of common good as global good given the diversity and plurality that are so much in evidence in terms of struggles for identity and recognition on the part of Third World Nations?

These and a host of other questions as to the meaning of Just War Theory frameworks, approaches and levels of attribution, press the ethicist to rethink the principles of Just War Theory in relation to these new contextual realities. The task of the chaplain as moral guide is to raise these questions and participate in the formulation of a thoughtful response recognizing the multi-layers of meaning. The answers to such questions will shape the next step of the method, the realization of truth at the level of proposition, transformation and regulation. For an interesting and fascinating understanding of warfare as a particular form of intersubjectivity betraying a particular intentionality, Victor Davis Hanson's, The

Western Way of War: Infantry Battle in Classical Greece, is a helpful way in understanding how war is defined culturally and historically. It is interesting to see this war in contrast to another cultural understanding of war, e.g., The Great Sioux Nation as a "warrior-hunter" culture or society wherein war and the status of the warrior discloses a different intentionality and intersubjectivity.[42]

Truth (Step #5)

With the identification and articulation of both felt and cognitive meaning within the structure of history and current experience, meaningfulness discloses truth. The chaplain as pastor, ethicist and theologian is called upon to help in the identification of truth and its implication for action at the systemic, organizational and personal level. It is to this task that we now turn, beginning at the level of systemic truth and moving toward personal truth with the aid of understanding truth as proposition, transformation and regulation.

While a variety of truths are revealed in the foregoing discussion of meaningfulness, one overriding and apparent truth will be the focus of our examination in this step of the method, that of change and most especially "rapid change." Alvin Toeffler's notion of "future shock" is a reality that contributes to the problem that informs our inquiry in a significant way.

Change theorists note that we have experienced more significant change in the last 25 years than in the last two centuries combined. Such change, owing in part to a technological revolution, has influenced almost every aspect of life in the dwindling years of this century. Such technology has also brought with it instant communication and a new form of "networking" that has contributed to, if not created, the phenomena of "globalization" in ways that could not have been anticipated 25 years ago. It is to this phenomenon that we now turn in articulating the truth of rapid change at the systemic or international level of attribution as an important element of Just War Theory.

Consider the following representative propositional truths as warrants in an argument for the reality of radical change: The collapse of communism and the disintegration of the USSR; the end of a Cold War era, ideology and culture; the creation of new nation states from the former USSR; the restoration of religious freedom and practice in Russia; the toppling of the Berlin wall and the reunification of Germany; the movement towards a European common market; the collapse of the long entrenched socialist party in France; the opening and emergence of China as a world power; the rise of Japan as a world power with some initial signs of decline; the war in the Persian Gulf; the tragedy that we call Somalia, not to mention the ongoing instability in South American countries like Brazil. Add to these political elements of change in the international order, the vast changes that have been wrought in the environment as a system:

deforestation, acid rain, the depletion of the ozone layer, global warming, air pollution, emergent Third World nations that have begun the process of industrialization, the extinction and endangering of hundreds of species of plant and animal life, soil erosion, the pollution of our seas and oceans, increasingly dangerous levels of pollutants in our ground water, the tragic accidents with nuclear reactors and the consequent contamination and pollution, not to mention the effects of over-population and its consequences on the environment in several areas of the earth.

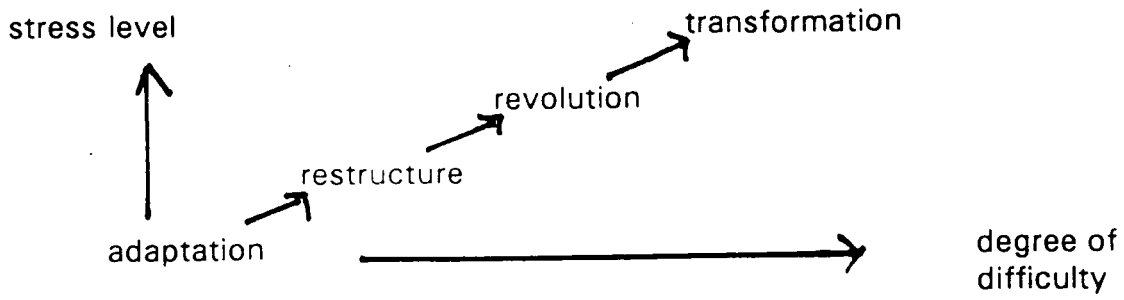
At the level of propositional truth, the empirical evidence outlined above, coupled with the rapidity of change results in at times the inability to distinguish what Henry Kissinger calls the "urgent from the important." Such an inability to respond thoughtfully rather than simply react can be seen not only in international politics and environmental concerns but also at the levels of Just War Theory. The opinion/editorial page of the daily newspaper makes the point emphatically; Sandy Grady's column reads, "Clinton sounds bugle on Bosnia: will the nation rally?" "Time is of the essence...if we don't do something, the next hot button is Kosovo, where you have 2 million Albanians...there you have a chance of involving Greece and Turkey and Albania, Bulgaria, Macedonia and widening the conflict...morally, Clinton is right (regarding the call to intervene in Bosnia), politically he's in peril. His military chieftains, congress and the public are split. A recipe for disaster. They are waiting for Clinton to blow the uncertain bugle."[43]

Moving from the systemic/international level to the organizational, national level similar evidence can be garnered in support of the argument for radical change and "future shock" at the level of proposition. More specifically, organizational change at the level of the military in the United States as a sub-culture of the nation is in "future shock." Within recent months, the following newspaper headlines: "Gays in the Military," "Women as Combatants in the Armed Services," "Numerous Military Installations Scheduled for Closing," "Drastic Reduction in the Strength of Armed Forces Anticipated for Both Active and Reserve Components." Beneath the headlines, we see other significant organizational changes with regard to the armed forces, the role of the armed forces in non-traditional (war fighting) tasks and the conflict that this has generated; the Persian Gulf as a testing ground for our technology and weaponry; a new way of understanding strategy; the role of the media (CNN) in the actual conduct of war; sharing the cost of war with regard to both human and financial resources; the expanded role of the United Nations peacekeeping forces. These factors beg the questions raised in judging the morality of war occasioned by such changes, the very nature and doctrine of warfare as well as the conduct of war fighting. In such rapid change, questions of "Duty, Honor and Country," "important" questions which all too often give way to "urgent" considerations of the moment in a reactive rather than a responsive stance. The above op/ed quotation serves to illustrate this point.

Such systemic and organizational change serve as a context for change felt at the attributional level of the personal. What is new in terms of the changes outlined above to include a growing individualism, consumerism, secularism, privitization of religious experience, as well as factors that have not been mentioned or explored but are worthy of at least citation, i.e., the growing gap between the rich and the poor in this nation, rising unemployment and under employment, downsizing and restructuring within major corporations, the loss of market share in the world-wide market, e.g., the automobile industry, increasing violence born of the "gang" phenomenon, the deteriorating infra-structure in our major cities all serve as additional examples. Organizational change at the level of the nation, state and city impact individuals at the most basic levels of sociality. Nor is any organization, institution or individual exempt from such change. Those institutions that normally provide continuity, in the form of conserving "traditional values," are experiencing the same type of rapid change. The decline in membership in mainline churches, the role of women and gays in the church as well as questions of authority and structure parallel the same kinds of concerns that we find in organizations like the military. In short, no institution, no organization is immune from such change.

The foregoing evidence under the rubric of propositional/empirical evidence for change as a truth of our time can be further analyzed and understood under the rubric of "transformation" as another element and definition of truth as outlined in

the method above. With regard to the subject of rapid change, a transformational understanding of truth can help to illuminate the empirical evidence disclosed in our discussion of propositional change. We begin with a summation of an area or discipline known as "change theory." Change theorists suggest that change can be understood as a gradient:



The above gradient in the form of a simple graph illustrates one way to see change and responses to change.

Adaptation - Given changing circumstances at the systemic, organizational or personal level, adaptation is the least stressful and least threatening way to accommodate such change. At this level the basic response is to adapt in the mode of incorporation of minimal change to accommodate the new reality. A

primary value at this level is to conserve the system, the organization or the individual with minimal adaptation to accommodate change. With regard to Just War Theory, it has been my contention that most of the principles regarding Just War Theory have operated at this level in attempting to accommodate the new realities of war fighting and war doctrine. It has been further suggested that some of these principles, e.g., proportionality, do not recognize a need for much more radical change as can be seen at the level of "transformation."

Restructuring - Restructuring is the next level of change within systems, organizations and individuals. In recognition of the fact that adaptation no longer will serve to accommodate change, conserve the organization, system or individual, adaptation gives way to a more significant response and increased stress in the form of restructuring. We see this response perhaps most clearly in elements of the reduction of forces and the reduction of budget with regard to the armed forces. While some elements of adaptation are at work, the primary mode or response to the propositional changes outlined above within the military is, "restructuring." In consideration of our primary concern, Just War Theory, a good number of ethicists and political scientists analyzing Just War Theory recognize the need for restructuring the theory and positing new principles to accommodate change and new realities as seen in the above propositional changes. And yet there is not a clearly emerging theory, modified set of principles or method in terms

of Just War Theory. The present project, with the method that we are using, is an attempt to call for a restructuring and provide a method in this regard.

Revolution - Revolution is the form of change that results when restructuring fails. At the international level it can be seen in the struggle in Russia and the newly forming nation states from what was formerly the USSR, in revolutions in Third World nations where restructuring does not produce the necessary economic and political change, in various evolutions in the cultures of education, economics, religion, scientific inquiry, and other forms of human endeavor when sufficient change, necessitates a revolution to include at times a revolution of consciousness itself.

Revolution, as a reactive mode of being in the face of change, is often accompanied by violence, disruption and confusion. Change theorists note that revolution ensues as a failure to see clearly the need for new systems and organizations to address major change. Revolution is normally resisted by the dominant power as a threat to the existing order rather than seeing the need to modify or change the existing order. As such, revolution is a "reactive" form of intersubjectivity, normally at the "felt level" of meaning rather than a thoughtfully "responsive" mode-of-being at the level of cognitive reason involving planned change. With regard to Just War Theory, many of the responses that take the form of denial or amorality are examples of behavior which lead to "revolution."

Said simply with regard to Just War Theory, morality and the deeper consequences of ethical action are dismissed as unnecessary in light of the more "pressing" problems with regard to the situation. To invoke Kissinger's observation, the "urgency" of the rapidly changing situation precludes consideration of the "important" aspects of the rapidly changing situations in terms of morality and justice.

Transformation - As the name suggests, transformation moves beyond all of the previous mentioned approaches to change by literally forming again or reforming in its most basic meaning at the international, national and personal levels of attribution. Some simple examples will suffice. Divorce, at the personal level represents a major transformation in life-style, status and role. Divorce transforms one from being a partner in marriage to a new "form" as a single person. The various intentionalities and forms of intersubjectivity that are a part of our culture and society clearly reinforce such transformation. Retirement serves as another example of transformation in the surrender of one of the primary values of worth and status in our culture, vocation or profession. Retired persons take on a new status, meaning and particular intersubjectivity, within our culture, supported by various institutions and organizations for retired persons. Similarly, transformation at the international or organizational level is rather obvious. Unlike the Russian revolution earlier in this century, the present revolutions occasioned by the newly forming post-Soviet Union states are a reaction to a larger transformation that

brought the end quite literally of the "form" of the Soviet Union as we knew it grounded in Communism as an ideology.

In the foregoing categories and examples of change, change theorists note that the greater the degree of change is occasioned by a greater experience of stress. With increasing stress there is a tendency to resist change. In borrowing from the behavioral sciences, under stress, we "revert to type" or resist in attempts to conserve the present reality by escaping to the past. At the systemic or international level, we see this in terms of our present inability to recognize that with the demise of the USSR and the end of the Cold War, a new world order is upon us wherein the United States has assumed a new status and role as a world leader. In short, having won the Cold War, we are uncertain as to what victory means. Given the habituation to a Cold War mentality, intersubjectivity, intentionality and ethic, it is difficult for us to realize, let alone respond, to the transformation that has been wrought by the end of the Cold War. Having defined ourself, international politics and national defense in light of a Cold War mentality, it is difficult to see the new "form" of the new global order and our responsibility for leadership in such a transformed world. Why is this the case? Again, we note the obvious, through interpretations from the various behavioral sciences, in recalling that the very nature of institutions, at whatever level is to resist change. Institutions, in short, take on a life and identity of their own that resists any attempt to modify them at the level of adaptation, restructuring, revolution, let

alone transformation. The protest of women as combatants, gays in the military, the restructuring of various components and branches of the armed forces, serve as evidence of this resistance. Attempts to justify war in explicating Just War Theory born of Just War principles that no longer obtain serve as additional evidence of the institutionalization of Just War Theory itself and its resistance to change. Such institutionalization both in terms of content, substance and method resist transformation as another example of resistance to significant change. At the emotive or affective level, such change is resisted in pronounced ways. Patriotism serves as an example. We are hesitant to suggest any transformation of meaning with regard to the stirring words of MacArthur in, "Duty, Honor and Country," and yet this is the very task of the chaplain as a moral guide in standing at the juncture of an inherited past and radically changing future in the transformed present.

Regulative Truth - Transformation points to the need for an awareness that new expressions of truth, as in all understandings of truth, govern our life and actions In moving to truth as regulative, we return to the notion of prescriptive ethics. Such truth forms and shapes actions. Notions of the "good" are not simply aesthetic, ethereal articulations of principles or forms; the "good" serves as a guide to behavior and human action and is therefore regulative. Such regulation, in dilemmas, invites us to act in accordance with prescribed understandings of the "good," or the "situation."

In relating truth as regulative to the propositions and transformations that we have recognized in the foregoing, a few observations are in order. In returning to the chart on page 63, and in seeing the values expressed in the form of ideologies leading to a new world order, truth as regulative would require a shift in our behavior as a nation in understanding our need for a larger role as a leader in the world or global community. Such truth as regulative would help us to see the need for us to participate in nation building and promoting not only the independence of nation states, but the larger obligation for interdependence. At an even more basic level in terms of intentionality and intersubjectivity is the recognition that our being intended as the puer or "eternal child" has changed. Given the transformation of the world order in terms of new nation states and rapid change at the level of international politics, we as a nation have become a stable factor in the eyes of the world and provide a certain security with regard to international affairs. As such, given this transformation of intersubjectivity and intentionality, we have a new role in a transformed world order that requires us to look deeply at how we intend other nations with perhaps a new intersubjectivity that will help us to understand our role as a leader in shaping this newly emerging world order. Our historical tendencies toward isolationism will need to be reexamined in light of this new intersubjectivity. Basic questions as to how we see ourselves and our role as peacemakers, nation builders and proponents of democratic states will need to be raised.

No where is this shift to regulative truth more obvious than in the question of the morality of war and the very definition of war. In light of a post-Cold War intentionality and intersubjectivity, the present situation seems to suggest that war fighting will more and more take the form of terrorism, internal wars in failed states and the use of high technology by newly emerging nations in their attempts to gain security, credibility and authority through force in the larger international order. What will be required is not only a transformed understanding of standing armed forces and doctrine in light of these changes but also a need for transformed principles in light of judging such potential armed conflict. But such principles for Just War will only obtain if there is a deeper code of ethics which inform just politics. The chaplain has a specific task in this regard at the various levels of attribution as will be seen as we turn our attention to the final step in the method, that of action or praxis.[44]

Action (praxis) (Step #6)

Whereas propositional truth defines duty, honor and country empirically, transformational truth imparts values, principles and attitudes, regulative truth serves as a guide or a prescription as to how we will embody duty, honor and country through behavior at the systemic, organizational and personal level, behavior conceived of as action can be distinguished as unthoughtful reaction in noting that truth compels us to action. Praxis, on the other hand, is action mediated by theory and cognition. Praxis moves beneath the empirical evidence

disclosed as knowledge to a deeper awareness born of understanding giving rise to wisdom as the basis for such mediated action. Knowledge, combined with understanding, issuing as wisdom and understood as praxis can aid the chaplain in his/her role as a moral guide in helping the individual, soldier, unit commander and larger organization/nation. The chaplain can also contribute to ecumenical and interfaith dialogue in international matters in the formation of praxis that will promote justice, freedom, dignity and respect for all human beings. At whatever level of attribution, the chaplain is called to help guide action in calling for moral inquiry as an element of sound decision making. At times this task will not only be unappreciated but resisted owing to the press of that which is seen as, "urgent" rather than that which needs to be addressed as "important." Instant communication, our need for instant gratification and an immediate answer as a culture and increasingly as a world attitude, only exacerbate the difficulty in the chaplain's role as an enabler of praxis.

In this role the chaplain also assumes the responsibility as holding before the system, the organization, and the individual, the need for appropriate and adequate principles of judging war in response to transformed realities. Specifically, the chaplain needs to hold before those he is called to serve such issues as a shift in understanding of the dominance of sovereign and national rights to a clearer articulation of the primacy of human rights given the new global environment. To quote the eloquent moral dictum of Nobel Peace Prize winner Oscar Arais, past-

President of Costa Rica, "the future of democracy will depend upon the destiny of the destitute." The United States as an "experiment in democracy" is coming of age. As the puer, we have lost our national innocence and naivete and now clearly see the need for a transformed intersubjectivity in our role as a world leader and a transformed intentionality in our espousing principles of democracy and human rights. Such Just War principles will finally be translated or not translated in terms of the praxis of just international politics and by extrapolation, Just War. A primary element in such Just Praxis will be the development of policies and principles that avoid the arbitrariness of the "urgent" in addressing the "important." This is the issue before us in Bosnia. This was the issue before us in Somalia. It will be the issue before us in similar situations in the days ahead. What principles of Just Politics and War will inform policy as Just Praxis?

These questions, the stock and trade of the chaplain as enabler of moral agency, invite attention beyond the utilitarianism of technology to transformed values of, "Duty, Honor, and Country," which arouse us to praxis born of a deep conviction for justice. Such praxis will be characterized by a shift in regulative and prescribed ethics and politics from a reactive stance to a proactive, mediated and shared transformed mode of decision making at the international, national and personal level.

In coming full circle with regard to the hermeneutical circular method, such praxis will serve as a basis for redefining our prior concerns, assumptions and commitments as defined in Just War principles and Just War Theory. A brief reflection on this need serves as a conclusion to this project.

Concluding Remarks

As an example of descriptive and metaethics, the present project, in examining the problems of Just War Theory and the attendant problems of Just War principles, offers a method to transform prescriptive ethics as used by the chaplain in his/her role as a guide and advisor to the individual, commander, larger organization and encompassing system. Through the use of an inductive, hermeneutical circular method, the intent has been to provide an alternative approach to Just War Theory in applying principles rather than beginning with the experience in all its complexity. The results of the inquiry suggest a review, reapplication, and in some cases reinterpretation of the principles that are used to judge wars and armed conflict given a radically changing world situation. It is hoped that revisiting Just War Theory in this way will serve as a heuristic devise in stimulating additional research in this area not only by professional philosophical ethicists and moral theologians but perhaps more importantly by chaplains who are finally the practitioners in advocating Just Praxis. It is also hoped that this project, in some small way, will be proleptic or anticipatory of the need to reframe and transform

reflection on Just War Theory and principles into a larger context and reflection on Just Politics.

Notes

1. Some representative examples:

Creveld, Martin van, "The Persian Gulf Crisis of 1990-91 and The Future of Morally Constrained War," Parameters, Vol. XXII, No. 2, Summer, 1992.

DeCosse, David E., Ed., But Was It Just: Reflections on the Morality of the Persian Gulf War, Doubleday, 1992.

Johnson, James Turner, Can Modern War Be Just?, New Haven, Yale University Press, 1984.

Lincoln, Bruce, Death, War and Sacrifice: Studies in Ideology and Practice, Chicago, University of Chicago Press, 1991.

Walzer, Michael, Just and Unjust Wars, 2nd ed., New York, Basic Books, 1992.

Nye, Joseph S. Jr., Nuclear Ethics, New York, Free Press, 1981.

Schell, Jonathan, The Fate of the Earth, Alfred A. Knopf, 1982.

LeFever and Hunt, Eds., The Apocalyptic Premise, New York, Basic Books, 1978.

Wakin, M., Ed., War, Morality, and the Military Profession, Chicago, Hartcourt, Brace, 1983.

Catholic Bishops of the United States, The Challenge of Peace.

Mandelbaum, M. The Nuclear Future, New Haven, Yale, 1989.

English, R., Ed., Ethics and Nuclear Arms, New York, Doubleday, 1987.

2. While there may be different "goals" or "ends" in teleological ethics as a system or category, I am using this category to include "axiological ethics" which addresses the importance of values and beliefs as primary criteria for ethical decision making (*axios* - of like value, worthy, desired or preferred good.)

3. In an address to a group of Episcopalians, Professor Joseph Kruzel, Director of the Mershon Center of the Ohio State University, noted that while the fundamentalist churches supported the war and the peace churches, i.e. the Quakers and the Mennonites, actively opposed military intervention in the Gulf, the mainline Protestant churches uncharacteristically abandoned Just War theory altogether. What was notably absent in the mainline churches was any sustained analysis or debate regarding just war principles. What was apparent was a lack of moral consensus among Church leaders which also characterized the leadership of the Roman Catholic Church.

4. Creveld, pp. 21-22.

5. Ibid.

6. Ibid.

7. Ibid.

8. With the demise of "civil religion" and the "death of god" theologies, e.g., Altizer, Van Buren, Robinson, et al., that were in evidence in the 1960's and 70's coupled with concomitant rapid growth in technological innovation and production, e.g., the "micro chip", many theologians, e.g., David Tracy, note a narrowing of the meaning of "reason" to "technological reason" born of a certain scientism which makes irrelevant "transcendental reason" to include moral inquiry and ethical reflection. Many theologians see this as the final discrediting of theology which at one time was seen as the "queen of the sciences". The concern expressed by such theologians is that technological reason funded by a utilitarian ideology without the guidance of an explicit ethic will result in amorality and finally immorality and the loss of our capacity for moral outrage. Evidence for this diminished sense of morality is seen in our growing insensitivity to terrorism and other forms of individual and mass violence with the constant images of television, as an unintended aspect of the "triumph of the technological," contributing to such mass psychological "extinction" of moral sensibilities.

9. Goodpaster, Kenneth E., "Ethical Frameworks for Management", Harvard Business School paper 9-384-105, 1983, refers to such individualism in teleological ethical systems as "ethical egoism" grounded in the Hobbesian notion that social compact/contract is finally in the service of the individual.

10. In so noticing, we are moving beyond the age-old philosophical problem of "the one and the many" to a deep cultural and global tension between notions of global or national "unity" and "community", on the one hand, to

ethnic, cultural and religious "identity" on the other hand, as antithetical or mutually exclusive of the "One".

11. While many of the values of Protestant Christianity are still publicly espoused, e.g., the "Protestant work ethic," we have a clear example of what linguists call the "rhetoric gap." The phenomenon is that of the use of language (rhetoric) has lost its referent but is still employed uncritically and unconsciously to evoke a supportive response.

12. Goodpaster develops interlocking frameworks for management. My classification departs from his model in adding the category of "contextual ethics".

13. By moving beyond or beneath prescriptive ethics to descriptive and metaethics, it is anticipated that a method will emerge that could be employed for ethical reflection regardless of one's religious preference or theological/moral stance.

14. Gadamer, Hans Georg, Truth and Method, Seabury Press, 1975, for a full account of the relationship of the delimiting of truth by the method employed in cognitive/linguistic inquiry.

15. While classifying these systems in order to aid in the task of description and analysis, some theoretical ethicists point out that such systems overlap and are, in reality, blurred to the point that the systems are artificial constructions. While sympathetic with this critique, our goal is systemic clarity in describing and analyzing methods and models of ethical inquiry in aiding chaplains in the task of enabling prescriptive ethical and moral reflection. It is readily acknowledged that the categories are "road maps" and not the terrain itself. I would also acknowledge the fact that there are no "pure systems" in practice. Elements of each inform prescriptive ethics.

16. See end note #9.

17. Goodpaster, p. 6.

18. In employing "principles" and "values" in the service of "goals" and "ends," we see the convergence of teleological and axiological frameworks.

19. It should be noted that both Nietzsche and Sartre represent the "subjective turn" in existentialism. Edmund Husserl's social phenomenology provides an analysis of the sociality and intersubjectivity of existentialism.

20. Rawls, John, A Theory of Justice, Cambridge, MA, Harvard University Press, 1971.

21. Kant, Immanuel, Foundation of the Metaphysics of Morals, 1785, trans. Lewis White Black, Indianapolis, Bobbs-Merrill, 1959.

22. Ross, W.D., The Right and the Good, Oxford, Oxford University Press, 1930.

23. Fletcher, Joseph, Situation Ethics, New York, Seabury, 1975.

24. Various schools of theological thought cluster around "natural theology" and "revealed theology."

25. Creveld, p. 24.

26. Walzer, Michael, This argument is further elaborated in Just and Unjust Wars, see end note #1.

27. Creveld, pp. 23 ff.

28. See end note #25 as an introduction to the notion of the historicity of moral principles. This is a further elaboration of his argument. In taking up the argument again, it is being suggested that this particular principle is undergoing further change and evolution.

29. Creveld, pp. 27 ff, notes that the use of "asphyxiating agents, before the modern age, was considered normal and hardly deserving of comment." Likewise, hostage taking, according to Creveld was, at various times in history or warfare, considered "more important than military operations...with its abandonment not so much growing out of humanitarian sentiment as the rise of the modern state and with the notion that the state could be separated from those holding rule. As such the rationale for holding rulers hostage disappeared."

30. The theological method used is one that I developed (To Seek and to Serve Forward Movement: 1991, pp. 364 ff.) and is offered as representative of doing ethical reflection from "below to above," i.e., beginning with experience ("below") rather than fixed principles ("above"). Sources for this model are: Hans Georg Gadamar, Truth and Method; Edward Farley, Ecclesial Reflection; Benard Lonergan, Method in Theology; David Tracy, Blessed Rage for Order; David and Evelyn Whitehead, Method for Ministry and George Lindbeck, The Nature of Doctrine. In addition, the method

draws on the work of Karl Rahner, John MacQuarrie and Urban T. Holmes, III.

31. Such phenomenological description of the experience is an attempt at a value free rendering of experience.

32. Several volumes would be required to provide a detailed account of all the variables that comprise prior concern/assumptions, varied aspects of experience, meaning, etc. The intent here is to provide sufficient examples to demonstrate how the method itself actually flows.

33. Hanson, Victor Davis, The Western Way of War, Oxford, New York, 1989. Hanson helps to see our understanding of warfare as dependent upon origins peculiar to Western warfare.

34. New types of concerns are concomitant with such systemic awareness, e.g., ecological concern for mass contamination as a result of new levels of duration in certain chemical and biological agents not to mention the effects of nuclear weapons on the environment, a new level of concern regarding the aftermath of combat as a principle of jus in bello.

35. For such a descriptive account, see John Icegan's, The Face of Battle, Penguin Books, New York, 1975.

36. Jung as a student of Freud parted company with his mentor over the role of the collective unconscious which Jung felt was much more influential in understanding behavior than did Freud who felt the personal unconscious was the primary focus of unconscious motivation.

37. Lodge, George C., "The Connection Between Ethics and Ideology," Journal of Business Ethics, May 1982.

38. For a detailed discussion of The Christological problem, see War and Christian Ethics, ed. by Arthur F. Holmes, Cannon Press, Grand Rapids, Mich. Also, Ronald F. Thiemann, Constructing A Public Theology: The Church in a Pluralistic Culture, Westminster, John Knox Press, Louisville, KY. Also, Bruce Bueno de Mesquita, The War Trap, Yale, New Haven, 1981.

39. Elshtain, Jean, "Just War and American Politics," Christian Century, Jan. 15, 1992, pp. 41 ff.

40. For a detailed discussion of intersubjectivity and subjectivity in light of the end of the cold war, see Donald M. Snow, "Peace-keeping, Peace-making and Peace-enforcement: The U.S. Role in the New International Order, Strategic Studies Institute, U.S. Army War College, Feb. 1993, Carlisle Barracks, PA.

41. Ibid.

42. See also Michael Walzer's, Just and Unjust Wars: A Moral Argument with Historical Illustrations, Basic Books, 2nd Ed., New York, 1992. Walzer supplies elements of meaningfulness in his use of a "legalist" paradigm in relation to historical instances of armed conflict.

43. Grady, Sandy, The Columbus Dispatch "Forum," Friday, May 7th, 1993.

44. For a reflection on deterrence in relation to such "truths," see Oliver O'Donovan's, Peace and Certainty: A Theological Essay on Deterrence, Eerdmans, Grand Rapids, Mich., 1989.