

and upwards to God. In this way of representing the movement towards God the moral factor is overlooked, or stated ambiguously, and Christ is not present at all. But Christ dominates, and from the cross, the final sonnets; and these express magnificently that sense of personal, human failure which is so essential an element in repentance. He still clamours for the sight of God (*Deh, fammiti vedere in ogni loco!*<sup>7</sup>) but he now knows that no human means, no beauty of body or mind will avail him to reach it (*Tu sol puoi rinnovarmi fuora e drento*<sup>8</sup>). Perhaps it was death above all, Vittoria's death and the imminence of his own, that brought this home to him; one by one the images were failing in which he had thought to find God, until none was left but Christ; until at last he saw quite clearly that only God's active love, coming to meet his own, could bring his heart to peace:

Né pinger né scolpir fia più che quieti  
 l'anima, volta a quell'amor divino,  
 ch'aperse a prender noi in croce le braccia.<sup>9</sup>

<sup>7</sup>'Oh let me see You everywhere'. No. 72 of the translation.

<sup>8</sup>'You alone can renew me outwardly and inwardly'. *Ibid.*

<sup>9</sup>'Neither painting nor carving can ever again satisfy the soul that has turned to that divine love which on the cross opened its arms to receive us'. No. 65 of the translation.

## Nuclear Deterrents: Intention and Scandal

BRIAN MIDGLEY

It is difficult to persuade people to reflect seriously about moral questions concerning war. Most people who turn to the subject of war are primarily interested not in the choice between moral and immoral acts but in the search for 'a practicable defence policy.' Such people—especially if they are Christians—may occasionally recognise that the possession of nuclear weapons is what moral theologians call a proximate occasion of sin but they often feel that they are faced by a dilemma.

I believe that the extent of the duty to avoid the occasions of unlawful warfare is very commonly underestimated. Nevertheless one is bound to recognise that many Christians consider—in view of the magnitude of the Soviet threat to our natural and Christian liberties—that the case against nuclear deterrents of all types remains non-proven.

This dilemma disappears once it is shewn that, in a position in which we are bound to be tempted, there is a whole family of acts and omissions which are gravely sinful not after the manner of an occasion—namely, on condition that there is an alternative which is not equally an occasion of sin—but in an absolute manner. This has already been substantially demonstrated. In England, the most convenient presentations of the arguments are: E. I. Watkin's article 'Unjustifiable War' in *Morals and Missiles*, edited by Charles S. Thompson; *Nuclear Weapons and Christian Conscience*, edited by Walter Stein, and Father Anthony Kenny's article 'Counterforce and Counter-Value' in the *Clergy Review* for December 1962.

For those who, for one reason or another, find it difficult to accept the conclusions reached by the writers I have mentioned, the moral dilemma might remain. Even so, it might yet come to be resolved, if it were shewn that, in the present nuclear age, it is impossible *de facto* to enter into the 'occasion of sin' presented by the nuclear deterrent, without at the same time committing an actual sin either of intention or of scandal. The purpose of this paper is to reinforce the conclusions of those who maintain that nuclear warfare is of its nature immoral and to assemble some more generalised arguments against the opinions in favour of deterrents which are still being put forward.

In these extraordinary times, we shall do well to remember that we may not always have to choose a political policy whereas we are constantly obliged to decide how to act. Indeed we may find ourselves so fundamentally opposed to the opinions about war commonly received by our countrymen that we should be deceiving ourselves if we were to claim to have devised a political policy with any human probability of success. In the passage on disarmament in *Pacem in Terris*, Pope John seemed to recognise implicitly that unilateral disarmament by the West or by the East is not a policy with any likelihood of achievement and that there is no real hope that even multilateral disarmament can be accomplished unless it proceeds from inner conviction. The minimum of inner conviction required for multilateral disarmament is very considerable. Indeed, it seems to represent conviction of somewhat the same character—though not of the same intensity—as that profound

conviction which would be required to achieve unilateral disarmament by the West. It is not likely that either the East or the West will be prepared to take the military risks involved in multilateral disarmament unless they are spurred not only by fear of the dangers of a prolonged confrontation of nuclear forces but also by a sense of the injustice which nuclear forces are designed to perpetrate.

If there is no real hope of the unilateral disarmament of either the West or the East and if there is only an extremely slender hope of multilateral disarmament, this is mainly because the 'law of fear still reigns among peoples.' The treasure of the nuclear peoples is in such 'security' as their governments' (or their alliances') deterrent policies afford. The hearts of the peoples are where their treasure is. We do not know how many of the citizens of the nuclear powers are prepared to contemplate—even in theory—the renunciation of this spurious treasure for the sake of justice. Signor Togliatti has suggested in a lecture delivered at Bergamo<sup>1</sup> that in some respects we may have arrived at the end of the 'age of Constantine.' Even if an interest in Italian votes were father to this thought, the Communist leader may have spoken more wisely than he knew. The acceptance by Catholics of the moral requirements of the nuclear age could make us foreigners in the lands of all the major powers in a way for which we can find no precedent since the peace of Constantine. We may yet need to learn the heroic maxim of Cardinal Suhard that Constantine is more to be feared than Nero.

Pope John did well to employ his prestige in trying to moderate the inhumanity of the powers by addressing them in language which they might be expected partially to understand. Nevertheless, the tone of the encyclical brings home to us the fact that neither the Pope nor any other Catholic has any final obligation to resolve in worldly terms the political dilemmas of those who finally prefer a precarious 'security' to justice. It may well be that the assumptions of statesmen about the requirements of 'defence' could make it seem impossible to see a way of avoiding sin. But that sin should so thoroughly prevail, should occasion no surprise for the reasons St John Chrysostom gives for the rarity of the salvation of rulers. The only national dilemma which could seriously perplex a properly ordered Christian conscience would be a dilemma encountered by a government and people profoundly docile to the teaching of the Church. Conversely, if a Catholic government of a Catholic people obedient to the natural law concerning the killing of non-combatants

<sup>1</sup>See *The Times*, 17th April, 1963.

could not devise a morally justifiable nuclear deterrent, then we shall be driven to conclude that a nuclear deterrent cannot ever be justified. If this leaves us as bereft of a 'policy' as a martyr is bereft, this presents difficulty for the will but none for the intellect.

Although *Pacem in Terris* does not deal explicitly with specific cases of conscience which arise from the development, manufacture and operational deployment of nuclear weapons, the encyclical serves to restore the conviction, even of the doubtful, that whatever theoretical possibilities might be propounded in seminaries, a nuclear war fought out in the actual world would in fact be unjust on both sides.

In his article published in BLACKFRIARS in April 1962, Mr Wharton considered the conditions which would give an immoral determination to the intentions of a nation possessing a nuclear deterrent. These conditions which would each alone suffice to impugn the moral integrity of the intentions of a nation might be summarised as follows:

- (i) An immoral intention to use nuclear weapons in at least some conceivable circumstances which may or may not be specified in detail.
- (ii) An immoral failure to resolve not to use the weapons in any circumstances—saving perhaps the well-known attack on the combat fleet at sea.
- (iii) An immoral disposition to condone the intentions of nuclear weapon operators.

I find myself obliged to add a fourth condition. It is simply that it would be equally sinful to give grave scandal to people who might themselves be tempted to entertain immoral intentions with regard to nuclear war. It is clear from Mr Wharton's BLACKFRIARS articles that he is on the side of the good angels on the general question of the immorality of nuclear war and present day deterrents. In his earlier article, however, he was inclined to permit a fugitive affection for a political policy which is quite certainly impracticable: the notion of a deterrent afforded by nuclear weapons without operators, which the responsible statesmen are resolved never to use. The impracticability of deterrence by bluff was briefly noticed by Mr Windass in an article in the *Clergy Review* in July 1962. A little knowledge of foreign affairs or defence matters suffices to establish that a 'deterrent without operators and without intentions' would be useless in practice. Anyone with a nose for psychological improbabilities may ask how a nation could be persuaded to support a policy for the manufacture and installation of extremely expensive weapons systems whilst the advocates of the policy

are vehemently insisting that there are no conceivable circumstances (saving always the famous fleet at sea) in which they would ever be used. If the reply is made that the postulated absence of immoral intentions in government circles would not be publicly disclosed, the psychological implausibility of this 'non-intentional' deterrent becomes more manifest than ever. Finally, I would say of a deterrent of this kind, that *it would become scandalous as soon as it ceased to be unthinkable*.

In his article in *BLACKFRIARS* dated November 1961, Father McCabe rightly pointed out that our duty to prevent others from committing sins does not bind *ad semper*. Nevertheless, there are obligations to avoid sins of scandal which certainly bind absolutely. Of course, a sinful man may be scandalised by a saint and there must obviously be some limit to the steps that we are obliged to take to prevent a rash man from drawing unwarranted and scandalous conclusions from actions of ours which are innocent in themselves. Nevertheless, there are clearly some actions which are so calculated to give rise to scandal that we are always obliged to avoid them. No-one could doubt the importance of the matter when we are considering scandals connected with nuclear warfare. No-one will pretend that further scandal cannot still be given: especially by Catholics. Is it possible, however, that the obligation to avoid giving scandal would fail to be absolute if it were possible to conceive of a man who would not take the scandalous inference?

St Thomas<sup>2</sup> affirms that, in the state of original justice, Adam would not even have been deceived by any slight surmise in which a man might adhere to what is false, as though it were true, but without the assent of belief. Accordingly, if we follow St Thomas, we are bound to recognise that no creature could cause the unfallen Adam to take a false and scandalous inference. If anyone suggests that Adam was vulnerable both to false inference and to the sin of passive scandal when he was tempted, we should reply with St Thomas that man had already sinned in his heart. Thus if we require that the duty to avoid giving scandal only becomes absolute when both the false inference and the passive scandal would be taken by someone who is incapable of taking either, this is merely an elaborate way of saying that the duty to avoid giving scandal never binds absolutely. Against this, I would affirm that the duty to avoid giving scandal does in some cases bind absolutely when the people exposed to the scandal would not have to be guilty of substantive rash judgement before the scandalous inference could be taken. I would also assert that there are some scandals which are so

<sup>2</sup>Ia, 94, 4.

serious that they must always be avoided even though the scandalous inference could not be taken without some rashness of judgment. The inherent implausibility of the 'non-intentional' deterrent is so great that a confessor could hardly find sufficient matter for confession in a man who merely had to admit that he had inferred that a statesman responsible for a nuclear deterrent had failed to resolve firmly never to use nuclear weapons.

It must be conceded, of course, that even if the perfect might take the scandalous *inference*, the perfect could not be induced to commit a sin of passive scandal. The most that can be attributed to perfect men is that 'there can be an approach to scandal in them, according to Ps. LXXII. 2: My feet were almost moved'.<sup>3</sup> But the possession by a statesman of a 'non-intentional deterrent' would certainly be a cause, albeit an imperfect one, of sins of passive scandal on the part of little ones. Those who might suggest that the sin of active scandal committed by such a statesman would be only venial, will have difficulty in finding support for this in the Summa. St Thomas deals with the matter thus:

'Active scandal, if it be accidental, may sometimes be a venial sin; for instance, when, through a slight indiscretion, a person either commits a venial sin or does something that is not sin in itself, but has some appearance of evil. On the other hand, it is sometimes a mortal sin, either because a person commits a mortal sin or because he has such contempt for his neighbour's spiritual welfare that he declines, for the sake of procuring it, to forego doing what he wishes to do.'<sup>4</sup>

Let us suppose then that our responsible statesman resolves to avoid giving scandal at home. It is not hard to see that his deterrent would immediately lose credibility abroad. But can we conceive some residual deterrent surviving the measures taken to avoid scandal at home? I suppose it could be argued theoretically that if there were a psychological disparity between the reactions of the public in (say) Britain and the government and people of (say) the Soviet Union to protestations by (say) British ministers that their deterrent was built entirely upon bluff, then some measure of deterrent might remain. Of course, if *adequate* steps to avoid scandal at home were taken, the deterrent would, in practice, completely collapse. However this may be, we must remember that it is not enough to avoid scandal at home. There are little ones in the Soviet Union whom we are also not allowed to scandalise. Thus, in the end, we are forced to the conclusion that a disposition to give

<sup>3</sup>2a 2ae, 43, 5 and 6.

<sup>4</sup>2a 2ae, 43, 4.

even the minimum scandal associated with the possession of nuclear weapons is a sufficient proof of grave impurity of intention. Moreover, it is not simply a matter of an act otherwise innocent occasionally giving rise to scandal. The scandal is so intimate with the act that it pollutes the act itself. For a properly ordered conscience, the 'mere' possession of a nuclear deterrent unaccompanied by gravely sinful intention, is not a possible human act.

Those moral theologians who still hold the view that military objectives on land may be attacked with nuclear weapons—at heavy cost in terms of the 'incidental' slaughter of non-combatants—and who still entertain a vehement hope of defending the morality of a nuclear deterrent may attempt to argue:

- (i) that the intentions of the Western nuclear powers could theoretically be morally sound;
- and (ii) that the 'rash' judgment that the *actual* intentions of these powers are not morally sound, should be avoided out of a charitable desire to think the best of everyone.

One of the exigencies of this intellectual exercise is that the discernment of the actual intentions of the powers requires the use of extraordinary subtlety and that, as it is easy to make mistakes, the nuclear powers should be given the benefit of the doubt. To those of us who believe that there is no realistic moral use of nuclear weapons, this argument needs little by way of reply. For the benefit of those who think that there can be moral nuclear attacks directed against military targets on land (with the 'incidental' loss of non-combatant lives) we might suggest that the discernment of the actual intentions of the nuclear powers does not require any particular subtlety. It may seem to require a limited knowledge of political and military affairs in the actual world and—in the case of Catholics and others who might find it difficult to accept facts which could lead them to draw uncomfortable practical conclusions—a certain fortitude and simplicity of heart. I do not think that many well-informed people—excepting those inordinately concerned to work up a brief in favour of the morality of nuclear deterrents—would dream of supposing that any of the nuclear powers intend, *for specifically moral reasons*, to subject the conduct of nuclear war to the limitations recommended by Mgr McReavy. Nor does it seem to be the case that limitations based upon a counterforce strategy could coincide systematically with Mgr McReavy's moral limits. Counterforce strategy rests ultimately on the sustained threat of continuing escalation and therefore the intention

of the man who is cast to implement a counterforce strategy potentially includes the kind of 'direct' attacks on populations which Mgr McReavy would be the first to condemn. Where then is the 'possibly moral intention,' the unknown *recta intentio*, of a nuclear power—a *recta intentio* of which we have no evidence from the opinions of political leaders, service officers, civil servants, readers of *The Times* and men in the street? Would it really be unkind to suggest that the only satisfactory way of ensuring that we remain ignorant of the immoral intentions of the nuclear powers (even if we were to accept Mgr McReavy's opinions about legitimate targets) is to define the *recta intentio* of a nuclear power as an occult entity?

Let us now examine in some detail the dangers of immoral intentions and sins of scandal which surround the so-called 'necessary occasion of sin' of nuclear deterrence. If we are deliberately and knowingly to enter into a very severe proximate occasion of sin, we ought to take some precautions to avoid actually stumbling into sin. First, we should commend ourselves to God and ask for his grace. Secondly, we should make such preparation by way of meditation on the danger as prudence may require. (We may recall St Thomas More's words to Margaret Roper: 'I forgot not in this matter the counsel of Christ in the Gospel that ere I should begin to build this castle for the safeguard of my own soul, I should sit and reckon what the charge would be. I counted, Margot . . . what peril was possible for to fall to me, so far forth that I am sure there can come none above . . . And yet (I thank Our Lord) for all that, I never thought to change, though the very uttermost should hap me that my fear ran upon'). Thirdly, we should make such preparation by way of rehearsal or training as may fittingly help us to avoid sin. (It is said that, during the night before her execution, Blessed Margaret Clitherow lay down for a while on the cold stones of the hearth apparently as a rehearsal of her dreadful death on the stone floor of the Toll Booth). Fourthly, we might well need to commit ourselves by affirming before others the just course in which we are determined to persevere. (We may remember the words of St Thomas More to William Roper after interrogation: 'In good faith I rejoiced, Son, that I had given the devil a foul fall, and that with those lords I had gone so far, as without great shame I could never go back again'). Fifthly, looking to the honour of God and the spiritual good of his neighbour, a good man will not willingly allow his fellow-countrymen to think that he should wantonly enter an extremely severe trial—such as nuclear deterrence potentially involves on Mgr McReavy's assump-



tions—without preparation and resolution. Finally, our good man will fear to scandalise the innocent and the non-combatants in particular—but the combatants also—in the country of the potential enemy by concealing his intentions from them.

Yet the same justice and the charity which is binding on individuals, also binds the nations. If a nation is lawfully to enter into a dreadful occasion of sin, the nation's officers must make moral preparation and must seek to avoid scandal. If an individual finds that his colleagues are taking no effective action in this respect, he might well conclude that the nation's entrance into the nuclear 'occasion of sin' is not lawful and that he may not condone it.

No-one seriously supposes that a minimum moral preparation for entering the nuclear 'occasion of sin' is being made in the actual world. Where are those prayers for grace to refuse unlawful orders? Where are those courses in moral theology for government leaders and service chiefs? Where are those retreats for servicemen to encourage them to form their wills to refuse to make 'direct' attacks on populations? Where indeed is the faith and moral formation which would make these activities meaningful?

It may be said that it is part of the definition of the particular 'occasion of sin' that we are discussing, that the precautions normally required may not be openly undertaken. It may be argued that full credibility of the deterrent requires that no-one could say publicly—supposing it were true: which it is not—that the nuclear power had fully resolved never to make 'direct' attacks (in Mgr McReavy's sense) on centres of population. But if these things cannot be said publicly, they cannot be effectively propagated privately, because foreign intelligence would find out. If (in an imaginary world) the deterrents were actually manned by men who were privately committed to Mgr McReavy's moral limits but who were obliged stoically to abstain from any discussion of them, we should have introduced into the deterrent forces an element of gross inhumanity which could not be tolerated. (In *Pacem in Terris*, Pope John explained very clearly that the individual representatives 'cannot put aside their personal dignity while they are acting in the name and interest of their countries . . .' and that it would be absurd 'even to imagine that men could surrender their human attributes, or be compelled to do so, by the very fact of their appointment to a public office'.) Again, concealment of a government's intentions with regard to moral limits on nuclear attacks—even if it were possible—would be gravely scandalous to the general population.

Although it is evident that Mgr McReavy's moral limits are not operative in present day deterrents, is it *possible* that these limits could be publicly built into the Western deterrents? First, we need to recall that a deterrent on these lines could only be constructed by a nuclear power committed to Mgr McReavy's moral theology. No such nuclear power exists. I also think that there are deep psychological reasons for believing that it would not be practicable—even in more propitious circumstances than those of the present day—to construct a deterrent limited by a resolve not to make so-called 'direct' attacks on populations. Thus even on Mgr McReavy's assumptions about legitimate targets, we must conclude that the only practicable—and therefore the only lawful—way by which a nation can rid itself of immoral intentions and scandals is to abandon nuclear weapons.

Accordingly, when we encounter a temptation to embrace one of the various 'deterrents without immoral intentions' which are currently being offered to us, we might do well to recall to our minds the temptation that was offered to Eleazar: 'they that stood by . . . desired that flesh might be brought, which it was lawful for him to eat, that he might make as if he had eaten, as the king had commanded, of the flesh of the sacrifice . . . But he began to consider the dignity of his age, and his ancient years, and the inbred honour of his grey head . . . and he answered without delay . . . saying that he would rather be sent into the other world. For it doth not become our age, said he, to dissemble: whereby many young persons might think that Eleazar, at the age of fourscore and ten years, was gone over to the life of the heathens; and so they through my dissimulation, and for a little time of corruptible life, should be deceived and hereby I should bring a stain and a curse upon mine old age. For though, for the present time, I should be delivered . . . yet should I not escape the hand of the Almighty neither alive nor dead'.