

NOTES

THE PASTORAL ON PEACE: A RESPONSE TO SIR MICHAEL QUINLAN

It was once the custom, in the agreeably contentious ages of scholasticism, for a disputant in a controversy to preface his assault on an adversary's intellectual principles with the palliative *salva reverentia salvaque caritate*.¹ Sir Michael Quinlan, who is happily no stranger to scholastic disputation, as his recent essay in these pages reveals,² might appropriately have evoked that refined ritual early in his essay, which is no less than an assault on the intellectual competence, and hence on the ecclesiastical authority, of the American hierarchy, who almost unanimously adopted on May 3, 1983 the revolutionary pastoral letter *The Challenge of Peace: God's Promise and Our Response*.³ Indeed, Quinlan's concluding paragraph⁴ invites the American bishops to recant their erroneous teaching, which is "logically incoherent and practically dangerous."⁵

As the American Church approaches the fifth anniversary of the publication of the pastoral letter, it naturally welcomes this vigorous assault on its teaching authority by one who is a distinguished Catholic thinker and public servant, an acknowledged specialist on political-military affairs, and an exceptionally scrupulous student of the bishops' own process of discernment on the unprecedented moral and political puzzle of deterrence in the nuclear era.⁶ If Quinlan's challenge is sustained

¹ As I would translate it, "with deference to the authority and friendship of my revered adversary."

² Sir Michael Quinlan, "The Ethics of Nuclear Deterrence: A Critical Comment on the Pastoral Letter of the U.S. Catholic Bishops," *TS* 48 (1987) 3-24.

³ Washington, D.C.: USCC, 1983. References are to the text as printed in *Origins* 13, no. 1 (May 19, 1983) 1-32.

⁴ Quinlan, p. 16, no. 33: "If, however, the bishops . . . are rightly understood as having made a choice between theories, they have made a poor one, to which any further commitment of their teaching authority would be unwise. . . . It is to be hoped that the bishops . . . will be open to candid reconsideration of the issues here reviewed."

⁵ *Ibid.*

⁶ The present author has been the beneficiary of successive versions of the recent essay, which has been under revision since January 1984. Quinlan had earlier commented privately on the first (unpublished) draft of the American bishops' letter, and on various academic writings in the United States on the ethical statements on deterrence published by members of the U.S. hierarchy. Some of these comments have been widely studied among senior U.S. military officials over the last several years.

by his argument, his call to the bishops for "candid reconsideration" of their present teaching on the ethics of deterrence may well set the agenda for the observance next spring of the fifth anniversary of *The Challenge of Peace*.

THE MORAL CHALLENGE: LOGICAL INCOHERENCE

Of the two complaints lodged by Quinlan against the bishops' magisterial initiative, namely, (1) logical incoherence and (2) practical danger,⁷ it is the first which appears principally to preoccupy their distinguished British critic. It surely is the challenge to which the American hierarchy must most urgently attend. For vindication of this theological challenge would impose on them the responsibility of rescinding their teaching, with the attendant compromise of their teaching authority. Quinlan's second complaint, that their doctrine might entail practical (i.e., military) dangers, would naturally trouble the bishops, as it would their fellow citizens, who would, under the hypothesis, likewise be put at risk by the implementation of the bishops' temerarious proposals. But such political-military risks arising from the observance of traditional Christian principles would not dismay the bishops, aware as they are of the difference between their own moral tradition of unconditional obligation and the more popular consequentialist approach, which is willing to jettison principles whenever their observance might entail unacceptable consequences, such as heightened security risks. It is appropriate, then, to assess first the validity of Quinlan's charge of "logical incoherence" in the doctrine of the pastoral letter.

The charge is a triple one. Quinlan alleges that the doctrine of the pastoral letter (1) erroneously overstates the risk that a nuclear war might escape the control of the governments engaged therein and, consequently, irresponsibly imposes an absolute prohibition against any militarily significant (and militarily probable) use of nuclear weapons, that is, against nuclear war-fighting; (2) that such an absolute prohibition, even if it were warranted by professionally competent judgments about the prospective uncontrollability of nuclear war, should logically lead to a policy conclusion (on the maintenance of the nuclear arsenal itself) contrary to that of the bishops, who give their blessing to the temporary maintenance of that arsenal; and (3) the bishops' chimerical policy of "no use and no abolition" of the nuclear arsenal imposes on citizens, and especially on conscientious military professionals, a code of behavior which is morally repugnant (and practically insupportable).

⁷ Quinlan, p. 16, no. 33. In the opening paragraph of the essay (p. 3, no. 1), he had employed the formula "flawed in practice and logic."

Exaggerating the Risk of Escalation

The first charge, that the bishops have exaggerated the risk that a nuclear war might escape the control of the governments therein engaged, and therefore erroneously imposed an absolute prohibition of nuclear war-fighting, is the most easily rebutted.⁸ Sufficient refutation is found ironically in Quinlan's own words: "Given all this, the risks of escalation . . . are grave."⁹ "These latter systems [communication and control systems] cannot be totally guaranteed against disruption."¹⁰ "The probability of escalation [to uncontrolled nuclear war] can never be 100 per cent, and never zero. Where between those two extremes it may lie is not precisely calculable. . . ."¹¹ The pastoral letter, using alternative formulae, endorses exactly these evaluations of the risks of escalation to uncontrollable nuclear war.¹² Indeed, such assumptions about the escalatory potential of nuclear war-fighting represent currently an unchallenged consensus of specialists, both theoreticians and practitioners, as the pastoral documents.¹³

The bishops differ with their critic, then, only on the appropriate moral and political *conclusions* to be drawn from the professional consensus (echoed by Quinlan and their own pastoral letter). The bishops found themselves unable to escape (in the second and succeeding drafts of the pastoral) the politically unwelcome conclusion that no right exists to inaugurate or contribute to a military strategy which risks escalation to uncontrolled war.¹⁴ Quinlan judges this conclusion to be incoherent. To evaluate this weighty charge, it may be useful to formalize the implied syllogism of the pastoral letter:

No one may contribute to the preparation or execution of a military strategy which substantially risks escaping the control of the lawful authority of the nation, namely, the government. But nuclear war-fighting is such a strategy.

⁸ Quinlan, p. 12, no. 22: "The thrust of the letter—that escalation must be regarded uniformly as of very high probability—is neither firmly based nor even plausible. Still less, accordingly, can the risk of escalation . . . reasonably be regarded as imposing an absolute duty of abstention on one side irrespective of other consequences."

⁹ Quinlan, p. 9, no. 16.

¹⁰ Quinlan, p. 11, no. 20.

¹¹ Quinlan, p. 12, no. 21.

¹² *Origins* 13, no. 1, II, C, p. 14, col. 3; p. 15, col. 2; p. 16, col 1.

¹³ Much of the evidence for their warnings about the possible uncontrollability of nuclear war is gathered in footnotes 61 and 62 of the pastoral (p. 31).

¹⁴ Somewhat curiously, in the first draft of the pastoral, still unpublished, the warning about uncontrollability coexisted with toleration of some retaliatory, counterforce uses of the strategic arsenal. Critical commentary within the hierarchy and presumably by some specialists consulted on the draft led to an excision of all passages allowing war-fighting uses of the arsenal.

Therefore, no one may contribute to the preparation or execution of a nuclear war.

Since the syllogism is not defective technically, the critic must fault either the major or minor premise, or both premises, if he is to deny the conclusion, as Quinlan does. It appears that Quinlan does in fact dispute both premises.

The force of the bishops' major premise is (implicitly) challenged on the apparent grounds that some risk of escalation to uncontrolled war is morally tolerable. Quinlan's (implicit) thesis on the tolerability of such risk can be concluded from the following statements:

Still less, accordingly, can the risk of escalation . . . reasonably be regarded as imposing an absolute duty of abstention on one side *irrespective of other consequences*. The risk of escalation . . . is a serious difficulty for those who would regard nuclear use as potentially legitimate in some circumstances. It cannot, however, be rated an absolute difficulty; it has to be weighed against the difficulties inherent in other positions.¹⁵

Even when confronted with Quinlan's (quasi-consequentialist) counter-principle (that the risk of uncontrolled war must be compared to other risks), it is improbable that they will be persuaded of the superior logical coherence of Quinlan's position that in some circumstances there may exist a right to contribute to the discontinuation of history, at least in the northern hemisphere. The hierarchy is likely to hew to its principle that the discontinuation of history is not to be counted among the human rights but among the divine prerogatives. Here, in their eyes, no incoherence but simple Christian, and human, modesty.

Quinlan likewise assails the minor premise of the bishops' syllogism, asserting that the pastoral overestimates the risk that a nuclear war might escape the governments. Unhappily, at this point Quinlan's own position is blurred. Despite his refreshingly candid admission of the grave (but not precisely calculable) risk of escalation to uncontrolled war,¹⁶ the critic at times suggests that the bishops believe that these risks are rather *certainties*.¹⁷ On the cogency of their carefully nuanced minor premise (the indelible, but not inevitable, risk that nuclear war could escalate beyond governmental control), the bishops are unlikely to be dissuaded by the proffered critique. In seeking to understand the urgency of Quinlan's well-informed and devout opposition to their teaching, however, the bishops might be led to locate one significant (if inexplicable) lacuna in

¹⁵ Quinlan, p. 12, no. 22; emphasis added.

¹⁶ Quinlan, texts cited in nn. 9, 10, and 11 above, and the accompanying text.

¹⁷ Quinlan, p. 11, no. 20: "inevitably." This word is nowhere used in connection with the escalatory risk of nuclear war in the pastoral letter itself.

Quinlan's understanding of the (prospective) dynamics of escalation within nuclear war: the effects of the physical factor of EMP (electromagnetic pulse) in a nuclear-contaminated atmosphere in war. The bishops, relying on the professional consensus that this physical phenomenon (which is expected to disrupt communication, command, and control mechanisms on both sides of the war) may annul all peacetime provisions for governmental control of the escalatory dynamics of nuclear war, conclude that any nuclear war, notwithstanding the good will, discipline, and caution of political and military leaders, stands a grave risk of escaping the control of either government. Remarkably, Quinlan offers no contrary evidence to counter this episcopal emphasis on the moral relevance of the escalatory dynamics of nuclear hostilities. Absent such contrary evidence, the cogency of the pastoral's minor premise seems to defy impeachment.

Tolerating Maintenance of (Morally) Useless Nuclear Arsenal

If Quinlan's first attack on the logical coherence of the pastoral is parried without much difficulty, the present objection is not. Introduced into his argument only obliquely,¹⁸ the logical challenge is no mere cavil. The pastoral's position of "no use and no (unilateral) abolition of the nuclear arsenal" is, indeed, initially disconcerting not only to Quinlan but to virtually all its readers. For it appears that a national policy which allows the maintenance of a nuclear arsenal, despite the absolute prohibition against its use, seems to permit material co-operation in a possible act (the unauthorized utilization of the arsenal by officials in defiance of national policy) which would constitute a grave moral evil. For Quinlan persuasively argues that in the heat of battle—for example, in the event of irreversible NATO conventional losses to the Warsaw Pact—political and military officials would be prey to almost insuperable pressure to utilize the available nuclear arsenal. But, he continues, those citizens who had tolerated (indeed, even supported through their taxes) the maintenance of that arsenal in operational readiness would be guilty of immoral co-operation in the consequent devastation of a (possibly) uncontrolled nuclear war. This formidable objection deserves more explicit attention in any future comprehensive magisterial treatment of the ethics of deterrence.

Quinlan thus argues that the contradiction between the prohibition of use, and the approval of maintenance, of one and the same arsenal constitutes moral incoherence. Future episcopal statements, addressing this apparent dilemma, might draw upon the traditional methodology of Catholic moral thought by indicating the relevance of the principle of

¹⁸ Quinlan, p. 4, no 3; pp. 6-7, no. 9.

double effect to this puzzling issue. They might reasonably argue, for example, that the continued existence of the arsenal can conceivably serve two purposes. One purpose, fully legitimate, is to contribute to the deterrent posture of the Atlantic Alliance, complementing, by its ineradicable physical potential for destruction, the deterrent effect of the enhanced conventional military forces which the bishops likewise recommend in the pastoral. For (contrary to Quinlan's occasional claim that deterrence, absent the declared resolution to use the arsenal, is illusory,¹⁹) most specialists agree that deterrence is at least partially in the eyes of the beholder, who is unlikely to place more credence in declaratory policy (of nonuse) than in the physical capability of an operational arsenal. The first function of the arsenal, then, is to contribute to the deterrent role of NATO military (conventional and nuclear) forces, even while serving as a "platform" for arms-control negotiations, which would be unimaginable in the wake of a unilateral Western dismantling of all nuclear forces. This primary, and intended, effect of the arsenal is unequivocally morally good, as Quinlan would surely concede.

As he insists, however, the arsenal inescapably retains the capacity to serve a second function, namely, (unauthorized and immoral) war-fighting. But the allowance of this second, and inseparable, virtuality of the arsenal seems to him morally intolerable, since it involves the material co-operation of the nation in that potential (illegitimate) military utilization of the arsenal. Catholic moral doctrine, however, removes the apparent scandal of such potential co-operation in evil by recalling the logic of double effect. According to this familiar moral formula, an action (in this case, maintenance of the nuclear arsenal, pending eventual bilateral reductions in armaments through arms-control negotiations) which has equally directly two effects, one (materially) evil and the other morally good, is morally permissible.

Application of the double-effect method to the moral qualms raised by Quinlan, among others, might suggest the following response. It is undeniably possible that the arsenal might be used (illegitimately, contrary to national policy) as a war-fighting instrument, which would cause literally incalculable harm. But it is equally evident that the arsenal more immediately serves two indispensable salutary purposes: enhancing deterrence while encouraging arms-control negotiations. Since this deterrent/demilitarization function does not result from the possible war-fighting function (which may very well never occur), the act of maintaining the arsenal is morally acceptable—indeed, morally imperative. Quinlan's second claim of logical incoherence in the pastoral letter,

¹⁹ Quinlan, p. 15, no. 31.

while more formidable than the first, yields finally to the routine application of traditional Roman Catholic casuistry.

Imposing Intolerable Burdens on Western Military Professionals

Even if Michael Quinlan were to accept this traditional argument about the double effect of maintaining the arsenal, he would still not concede the cogency of the bishops' position. For he regards the episcopal proposal of maintaining deterrence by means of an arsenal, whose military use has been publicly and sincerely renounced, as a moral surd on two counts. First, this exotic "strategy" relies for effectiveness on the constantly alert service of myriad military professionals engaged in repeated training exercises, such as retargeting and rehearsal of weapons launches. Yet the "strategy" likewise obliges the military personnel involved in these exacting exercises to renounce in advance any intention of actually carrying out the execution of this strategy in any conceivable future military contingency. "Living a lie" is Quinlan's telling description of the professional responsibilities thus imposed on nuclear-weapons professionals who, he contends, would be morally and psychologically incapable of sustaining such a "schizophrenic" posture over the duration of a military career.²⁰ Hence the moral implausibility of the pastoral's recommendations will render the strategy professionally unsupportable and therefore impractical.

This keen objection uncovers a dimension of the pastoral's implications not adequately anticipated in the bishops' text nor, quite likely, in the deliberations of the hierarchy. Is this omission a fatal weakness in their proposal or merely a lacuna easily remedied in any future revisions and/or in pastoral instructions on the letter? The objection, while initially daunting, yields easily enough to certain reflections on the tradition of military professionalism itself. For the purpose of manning the morally unusable nuclear arsenal is the deterrence of war, a signally virtuous undertaking. If national (and Alliance) policy were to evolve in the direction counseled by the bishops, officers responsible for the arsenal would continue to be sustained in their (admittedly onerous) service by the same sense of imperative vigilance for national security as now admirably animates them. The sole differences in their outlook would be their liberation from the burden of the continuous resolve to carry out a "military" action highly likely to signal the conclusion of the human experiment, at least in vast reaches of man's habitat. Puzzlingly, Quinlan contends that the removal of this genocidal resolve will somehow drain military life of meaning and undermine morale. After meditating on this expert judgment concerning the moral and psychological dynamics of

²⁰ Quinlan, pp. 13, no. 25, and 15, no. 30.

contemporary military professionalism in the Western Alliance, bishops may well feel yet more sensibly that they have raised their voices to challenge current national-security policy in the nick of time. Military morale which is sapped by the adoption of a strategy such as the bishops', which makes history itself a "Withhold" (forbidden target), is a sad caricature of the virtue of courage traditionally recognized as the splendor of the military profession.

Another, and to many nearly blinding, facet of the pastoral's call for a policy of "no use, no abolition" of the nuclear arsenal is its reliance on the intended, or at least confidently expected, deception of the adversary (USSR) about the actual strategic policy of the United States in response to possible Warsaw Pact aggression. Quinlan here voices a further objection to the anomalous posture of denying any use of the arsenal while permitting its continued existence. How could religious leaders, critics ask, counsel on moral grounds the adoption of a security policy whose military coherence depends significantly on the inevitable Soviet incredulity about the veracity of the posture of "no use ever" of the nuclear arsenal?²¹ Perhaps future revisions, or official interpretations, of the pastoral might, in response to this widespread question, include reference to the traditional Catholic casuistry of truth-telling: one is morally obliged to avoid the deception only of those with a right to relevant knowledge. Catholic moral thought has never countenanced the exposure of innocent persons to their assailants, even though the act of shielding such potential victims from attack may require voicing material falsehoods. In the present instance, moreover, the anguished conscience is not required even to lie, but simply to articulate candidly the policy of "no use," which is both the actual and the declared policy recommended in the pastoral. The mere salutary fact that Soviet policy-makers will be unable to believe this Western abjuration of the resolve to utilize its nuclear arsenal cannot be reasonably construed to impose on Western governments the contrary policy (of prospective use), which is inimical to their societies' moral standards.

The bishops, it seems, have been intellectually vindicated, despite Quinlan's incisive inquisition into the logical coherence of their statement. His judgment that their argument "simply falls apart under scrutiny" seems, then, uncharacteristically precipitous.²² If a case can be made for rescinding the pastoral, it remains to be established under the second rubric of "practical danger," to be addressed below. In the course of his searching and sympathetic interrogations on the moral logic of the letter, however, Quinlan has uncovered several areas of obscurity in the

²¹ Quinlan, pp. 14, no. 28, and 15-16, no. 32.

²² Quinlan, p. 16, no. 32.

text where further amplification of the Catholic moral theory undergirding the letter would significantly contribute to the pastoral's influence in the policy community, where it continues to be analyzed meticulously and conscientiously by Catholics and others alike.

THE POLITICAL CHALLENGE: PRACTICALLY DANGEROUS

Having tested the mettle of the moral logic of the letter, Quinlan turns finally to an examination of its coherence and cogency as a practical proposal to safeguard national (and Alliance) security. Here the bishops might have anticipated a comprehensive repudiation of their novel and idiosyncratic formula of "no use, no abolition" of the nuclear arsenal. Somewhat to their surprise, undoubtedly, they discover that the considered judgment animating Quinlan's warning of "political danger" inherent in this formula is a profound skepticism only about the *long-term adequacy* of such an exceptional formula. In the short term, he concedes, the present adversary, the Soviet Union, would likely be adequately deterred by the staggering destructive potential of the present arsenal, declaratory policies of nonuse notwithstanding.²³

Yet Quinlan raises, in the context of this short-term agreement about the adequacy of a deterrent policy of possession without planned use, profound and unsettling doubts about the long-term adequacy of this formula. Lifting his gaze from the threat posed by today's nuclear-armed but relatively peaceful adversaries and glancing around at the possible combinations of present and future nuclear powers, imaginably bent on global crusades redolent perhaps of the crazed schemes of National Socialism just half a century ago, he does not mask his skepticism about the permanent adequacy of the fragile structure of deterrence resting on a formula such as the bishops'.²⁴ Nor is he alone in his uneasiness. It may be that, in their further reflections on the ethics of deterrence, the bishops may wish to take cognizance of Quinlan's respectful skepticism about the long-term adequacy of their formula. Profiting by the relative security of deterrence by possession only (complementing the enhanced conventional deterrence for which they plead in their letter), the bishops might wish to quicken their call to political-military specialists within the Atlantic Alliance, many of whom are as alarmed as they about the escalatory risks of the present nuclear posture, to explore alternative

²³ Quinlan, p. 14, no. 28.

²⁴ *Ibid.*

defense/deterrence strategies adequate for remotely impending and ominous threats, such as those voiced by Quinlan, and yet immune to the present moral and political risk of contributing to the discontinuation of history.²⁵

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²⁵ The pastoral letter has inaugurated this inquiry on alternative strategies of deterrence/defense by including in each of the successive drafts a somewhat surprising, but salutary, call for enhancing the conventional forces of the Atlantic Alliance in order to preclude resort to nuclear forces against conventional aggression (*Origins* 13, no. 1, II, C, p. 15, cols. 1 and 3; and III, A, p. 21, col. 1).