



The Church, War and the European Union

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Abstract

The concept of 'just war' has long been embedded in the structure of a world divided into sovereign nation-states. And groups like UKIP want to perpetuate this structure. But sovereign states are in melt down under the impact of globalisation. So just war needs to be rethought in order to reflect a truly catholic outlook, and the church needs to understand this.

I UKIP and the Nation State

In some recent European elections anti-EU parties including the United Kingdom Independence Party (UKIP) have come out on top. And as Cardinal Reinhard Marx (Archbishop of Munich and one of Pope Francis's special advisors) has pointed out, the policies of the victorious anti-EU parties are 'a threat to the peaceful coexistence of the peoples of our continent'. So what does this result mean?

Well, many European politicians, including David Cameron, want to take back powers from the EU and restore them to the *governments of the member-states*, i.e. to themselves. Not to the local communities and cities where people actually live and work all over the continent, but to those with state-power in the various *sovereign states*. Yet for much of the last century these very states were at war with each other. Both World War I and World War II were caused by the behaviour of those in power in the various European nation states. The Kaiser in 1914, and Hitler and Mussolini in the nineteen-thirties, did what they did precisely because they saw themselves as advancing or defending their own nations and their national interests. It was these national interests which drove the states into war. So one result of the recent elections may well be that, after decades since 1945 when we could take peace in Europe for granted because of the EU, the continent will drift back towards war again between its various states.

What none of the anti-EU parties ever points out is that the European Union exists precisely to *keep the peace in Europe*. As Cardinal Marx has said, 'Europe is, despite any criticisms on some

specific points, a project of peace and reconciliation'. In other words keeping the peace is what it is for. Despite Europe's many historical failings, Schuman and Adenauer and their friends after 1946 saw that keeping the peace could only be met by some integration of the major European states. It began with the establishment of a German/French 'iron and steel community'. Thereafter, further integration of the European states became necessary, indeed inevitable.

If as UKIP and its sympathisers want, the European Union were to disintegrate, peace in Europe would be once more threatened, since every independent sovereign state necessarily has to be prepared to go to war, if necessary, against other hostile states. That is part of the point of being 'sovereign'. This alone explains why every state has to have its own armed or so-called 'defence' forces. And as the current Ukrainian crisis demonstrates, a world of sovereign states is necessarily a potential battleground. Even when the war is 'cold' rather than 'hot', in this nuclear age, what is going on is still war.

But of course the world was not always divided up into sovereign states. And if the system of territorial sovereignties has not always existed, it does not need to last for ever into the future either. Indeed my point is that it is already past its sell-by date. In the globalising world of the present day the system of sovereign states is crumbling. We are now emerging into a planetary community, or what Bruce Kent has called a 'global village'. Developments taking place at the present time are pointing relentlessly in that direction, as organisations as various as the North Atlantic Treaty Organisation, the International Monetary Fund, The World Bank, Medecin Sans Frontieres, the World Development Organisation, the International Court all demonstrate. And the European Union is a primary illustration of this fact. We need to face up to all its enormously complex political ramifications.

Can we break free of the old pattern and create a new kind of community instead of the old familiar one based on state sovereignty? Can we imagine a political order which matches the global pattern set by technology, by climate-change, by the internet and global communications? In short, can we envisage a planet which is truly *catholic*? And what does the Church say about all this?

To think about this question let's look back to the 1980s, and the debate about national 'defence' policies. Following a papal statement which had said that in 'current conditions' (1982) deterrence was 'morally acceptable' *provided that* it was a step towards nuclear disarmament (which of course it never was) the national conferences of bishops became deeply involved in the discussion of nuclear ethics. Most of them tended to support, or at least to refrain from criticising, their own state-governments. Those in non-nuclear armed states, such as the Irish, Scots and East German bishops, were the most anti-nuclear. The French were the most pro-nuclear, even to the point of

almost disputing the teaching of the papacy. Only the Scottish bishops (who, by a quirk of history, have their own 'national conference') clearly disagreed with their own national, i.e. London, government. The one exception to this generalisation was the initial draft statement of the American bishops, which began with a severe critique of their own government's deterrence policy, but ended up, after a good deal of further scrutiny by politicians and the military, with a statement which half-heartedly went along with it, albeit with some very serious and perhaps impracticable reservations.

But after 1989 things turned out very differently. In particular, the attitude of the papacy changed dramatically, becoming steadily more critical of all nuclear deterrence policies. By World Peace Day in 2006 Pope Benedict had concluded that nuclear weapons policies were 'not only baneful but completely fallacious'. In 2010 Mgr Francis Chullikat criticised all the nuclear-weapon states for upgrading their nuclear weapons, thus acquiring virtually permanent nuclear arsenals. And more recently still, Dominique Mamberti, secretary for the Holy See's Relations with States, said on September 27th 2013 at the UN General Assembly, that 'the chief obstacle (sc. to the elimination of nuclear weapons) is continued adherence to the doctrine of nuclear deterrence'. And of course nuclear deterrence policies exist only by virtue of the 'defence' policies of sovereign nation states. And as the papacy has insisted, with the end of the Cold War the time for the acceptance of this doctrine is long since passed.

So the Vatican today is dead set against nuclear weapons and nuclear deterrence policies. What then of the national conferences of bishops in the nuclear-armed states? Where do they stand? Well, the answer is that for the most part they have kept quiet and said nothing. True, the bishops of England and Wales in November 2006 recommended the decommissioning of Britain's nuclear weapons to escape the 'unconscionable threat of nuclear destruction'. But I have seen virtually no comment anywhere on this statement. It has simply dropped into a black hole.

One can understand the conferences' reluctance. To go along with the post-cold-war Vatican's teaching means abandoning earlier positions, whereas not to go along with it would be preposterous. So the bishops have mostly laid low, perhaps in the vain hope that the conundrum will go away. This is surely scandalous, given the agitation of the 1980s and the current teaching of the papacy.

The point of all this history is that it shows the deleterious effects of trying to combine the catholicity of the church with the prevalence of national sovereign states. For it is because of their grouping into 'national conferences', to fit into the sovereign state structure of the world, that the contradictions among the Roman Catholic church

leaders, and between themselves and the papacy, have arisen. (Of course, the establishment of a church with the head of the state as its 'supreme governor', as in the Church of England, is equally inappropriate). In my opinion a church which is truly catholic cannot long continue with this outdated structure. Catholicity must entail the development of a new way of coping with the crises of the world, given the obsolescence of the sovereign state system which the anti-EU politicians want to go back to. I wonder if Pope Francis understands this?

II The Melt-Down of the Nation State

In any case I want to question the common thesis that the best benchmark for judgement about war is 'the national interest'. For this notion takes the division of humanity into separate sovereign nation states for granted. This is a serious mistake. The division of human beings into separate sovereign states is really quite recent, being (roughly) a consequence of the peace of Westphalia in 1648. Of course before then human beings lived in a multitude of different kinds of community and naturally these communities were often in violent conflict with each other. But wars between them were not quite what war between nation states is today. For St. Augustine, in fourth century Africa, war was very different from the wars envisaged by St. Thomas Aquinas in the middle ages, or by Grotius in post-mediaeval imperialist Europe. Twentieth-century war between sovereign states is different again. And today we have to ask ourselves whether the conflicts in Ukraine or Gaza or Iraq amount to war or should be thought of in another way. Some European governments, such as the Lithuanian government when it was in the lead at the European Union, seem to regard the Ukrainian crisis as one of war between the EU and Russia. But other EU leaders don't agree, hoping that the conflict can be resolved by the imposition of sanctions, presumably because war with nuclear-armed Russia is practically unthinkable. I think they are right. War between nuclear-armed states *is* practically unthinkable. That is the point of nuclear deterrence, which is a substitute for war. (Whether deterrence is ethically supportable is another question)¹. Further down the line we also have to ask ourselves whether ISIS terrorism is war or not. We

¹ For an argument that nuclear deterrence is ethically insupportable see my Double Effect in *New Blackfriars*, Vol. 90, No. 1028, July 2009 pp. 449-457.

have hardly begun to address this question. Until we do so we cannot begin to assess the justice of war in the twenty-first century.

It is necessary to recognise that the doctrine of 'just war', just like other Christian doctrines, is subject to development over time. This implies not only that the concept of justice in war has 'developed', but that war itself has developed as well. In his great work on *The Development of Christian Doctrine*, Newman says that 'when some great enunciation . . . about human nature, or present good, or government, or duty, or religion is carried forward into the public throng and draws attention, then it is not only passively admitted in this or that form into the minds of men, but it becomes a living principle within them . . . moreover, an idea not only modifies, but . . . is modified or at least influenced by the state of things in which it is carried out'. Now what Newman means by an *idea* is a 'living principle' in the minds of people. For example, in 1850s Dublin he found it necessary, against the wishes of his Irish hosts, to formulate the 'idea' of a university: i.e. to spell out what essentially a university is and what it is designed to do. Now the *development* of an idea is not simply its history. For while an idea, a 'living principle', can develop faithfully over time, it can also be corrupted. Hence in his treatise on 'development' Newman spends most of his energy formulating seven tests by which we can distinguish genuine from corrupt developments of an idea. These tests include preservation of type, continuity of principles, power of assimilation, early anticipation, logical sequence, preservative additions and chronic continuance. Newman defines what each of these tests implies, and gives examples of how each has been applied in the history of the church and its doctrines.

He had already studied the heresy of Arius in the fourth century, and recognised that Arianism was rejected through the activity of those who were against the clerical establishment. The 'definition' of papal infallibility in 1870 can be understood as illustrating the same point. Like a good many other theological historians at this time, Newman did not want this doctrine 'settled' in 1870 because, though he did not have qualms about the doctrine itself, he thought it untimely – as indeed it was, its full context in the doctrine of the church as a whole being inadequately 'developed'. Furthermore, discussion of its implications was squashed by the Franco-Prussian war of 1870-71. Perhaps not until the second Vatican Council in the 1960s was the doctrine of the 'collegial' church sufficiently 'developed' to accommodate papal infallibility within it.

Where does the 'idea' of a just war fit into this framework? Well, for a war to be just it has to be pursued according to certain principles 'developed' from the thinking of Augustine and Aquinas, including the immunity of the innocent from intentional attack. But sometimes discussion of these principles today is not genuine 'development'.

For example, the tests for justice in the *practice* of warfare are commonly formulated in terms of a) proportionality and b) immunity of the innocent, the two being taken together. In other words refusing intentionally to kill the innocent is not seen as an absolute ban, since such killing can be licit as long as it is *proportionate*, as David Fisher suggests in his *Morality and War* (O.U.P. 2011). But this surely is a mistake. For the ban on intentionally killing the innocent, at least within the Roman Catholic tradition, is absolute (as Finnis argues in his *Nuclear Deterrence, Morality and Realism*, Oxford 1987) despite the difficulties inherent in any such principle. There is no question of intentionally killing the innocent being licit as long as it is 'proportionate'. On the contrary it is absolutely forbidden. Yet whatever the theorists may say, the practice of warfare in the last century or so has made intentional killing of the innocent routine. The twentieth century has put killing of the innocent at the centre of just war's moral agenda. For example what began in 1914 with soldiers on horses trying to stem the German advance on Paris ended in mass-slaughter on the western front with machine guns, poison gas and tanks. War was no longer a 'casual comedy' but had been 'transformed utterly'.

Yet even in 1914-18 it was still possible to distinguish soldiers from civilians. Innocents among the civilians were not yet threatened with murder on a mass scale. But years later, at Hiroshima and elsewhere, mass civilian casualties were inflicted intentionally. This intentional killing of the innocent by atomic bombs brought the second world war to an end. Leonard Cheshire, who was invited by the British government to witness the dropping of the Nagasaki bomb, thought this mass killing was justified because it brought the war to an end. He drew this conclusion long after he had become a Catholic and had embarked on his subsequent charitable work. But other Christians, including the Vatican's spokesmen at the UN, thought differently, insisting that intentionally killing the innocent (i.e. those intending you no harm) is always forbidden whatever the circumstances.

Whichever view is true, the use of weapons of mass destruction has transformed 'hot' war into 'cold'. In the nuclear age big states can no longer fight each other. They have had to conduct their differences by other means, exporting their military activities to less 'developed' parts of the globe, while keeping some sort of peace among themselves. And since 1989 cold war has itself been transformed into a kind of cold peace. But today a new kind of war is being conducted in Ukraine and in the Middle East. In Ukraine a local civil war is being fought while the nuclear states look on, being unclear as to how to react to it. And in the Middle East war is being turned into terrorism, in order to create a new state in place of the states created after 1918. This involves the killing of the innocent not as a military tactic, but simply to make a political point, as with the

beheadings by ISIS of their innocent hostages. And in New York a few years ago an attack by the use of civilian aeroplanes to destroy a particular building heralded yet another kind of conflict, by people committing suicide in order to ensure a target is destroyed. Is this war at all?

III War and ‘National Security’

Both President Obama and Prime Minister Cameron have justified their decision militarily to confront ISIS in the Middle East by reference to the danger it presents to American and British ‘national security’. ‘National security’ is thus still seen as the basis for waging a ‘just war’. But as I have suggested recent developments in the ‘idea’ of war itself have transformed the grounds for this assumption. Pope Francis has said that we are embarking on the third world war even though war is ‘madness’. The whole doctrine of ‘just war’ is thus open to serious challenge. Indeed in the twenty-first century the very concept of the ‘national interest’ as the basis for just war is becoming incoherent because globalisation is turning the planet into a ‘global village’. The issue of immigration into Britain illustrates the difficulty. Faced with many persecuted refugees from countries in Eastern Africa and elsewhere, who are trying to smuggle themselves into the UK via Calais, the Conservative government insists that its primary duty is to ‘protect our borders’ by preventing anyone who lacks proper paperwork from getting into the country. But why are lines drawn on a map so important by comparison with the desperate needs of refugees? And what does it mean to talk of ‘our’ borders? Many Scots don’t recognise them, so why should the refugees? Or consider the recent meeting of more than thirty foreign ministers meeting in Paris to confront ISIS. Francois Hollande, who chaired the meeting, insisted that it is a ‘global threat’ which requires a ‘global’ response.

But there are people in Britain who want to get rid of the EU because they fear that (for example) enabling people to be extradited to other European states for trial, through the European arrest warrant, is an infringement of ‘our’ (i.e. British) system of justice. Of course it *is* an infringement. For the point is that Europe needs its own system of justice, and sovereign states need to give up some of their sovereignty to bring it into existence. Inevitably the various systems of sovereign state justice need to be brought into a coherent alignment with each other as the process develops. This will inevitably be a complex and messy process. But ‘infringement’ of ‘our’ national security is exactly what is needed in the globalising world.

To conclude: thinking of the ‘national interest’ is not helpful in trying to assess the justice of war. We need to look at it in a new

way, to meet the challenges of the twenty-first century. What matters is not the justice of fighting for one's nation, but fighting (or not) for the benefit of the whole world, or least for the benefit of some trans-national grouping which is pointing in the right direction, such as the EU. Present worries among national governments about the state of the 'global economy', not to mention the global implications of such developments as the Ebola crisis and the dangers of HIV/Aids, all reinforce this truth. 'Just war' has to be rethought in the light of the 'globalisation' of the world. What such rethinking will in the end produce is something that this article cannot predict. But it must inevitably be a profound reappraisal of the whole 'just war' tradition.

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