



Killing As A Duty

dealing with conscience and guilt

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Table of Contents

INTRODUCTION	4
Dealing with the Conscience of Military Personnel	
Finding Conscience Building Stages	
Dealing with Their Guilt	
PART ONE - Preserving Sovereignty	7
I. The State, Its Laws, Its Military	
II. Laws of State - Creating Order Out of Chaos	
III. The Military - Defending the State.	
IV. War - Ultimate Military Duty	
V. Laws of War - Legitimate Use of Force.	
VI. A Duty to Kill - "that's an order."	
PART TWO - Moral Development	19
VII. Moral Judgment - divine command and natural influences	
VIII. Moral Judgment - shaped by empirical influence	
IX. Ethics - decisions to do right or wrong	
X. Objection - pacifism	
PART THREE - Knowledge of One's Actions	31
XI. Conscious Motivation - awareness of one's own interests	
XII. Conscience - ability to make judgments	
XIII. Moral Action - duty vs reason	
XIV. Guilt - feeling the effects, a conclusion	
A Modest Epilogue	
APPENDIX	43
A. End Notes and Citations	
B. Reference Bibliography	

INTRODUCTION

Dealing with Conscience of Military Personnel

Personnel serving in the Armed Forces of the United States of America are property of the United States federal government.

The moment a person takes and swears to the Code of Conduct for Members of the United States Armed Forces they immediately give up certain rights of personal privilege and freedom. At that very moment they place themselves in the unquestioning control of their commanding officers, including all chains of command up to the highest rank of Commander in Chief - President of the United States. This includes all active-duty armed services personnel of the Army, Navy, Marine Corps, and Air Force; and of the US Coast Guard (a paramilitary division under the new US Department of Homeland Security). It also includes members of the Armed Forces Ready Reserves and National Guard.¹ These peoples' sworn allegiance of service and duty to the USA places them under a strict obligation to obey orders.² Those orders may include the legal command to kill another human being. It is this situation of a military personnel being given a legal order to kill, and having killed under that legal order, which is the arena for this research. It was designed specifically for those helping-professionals, primarily outside of the military, who find themselves dealing with an individual whose conscience is suffering under a blanket of guilt for having successfully followed a given order to kill. The goals of this research were to develop a landscape of understanding and a survey of information for nonmilitary persons practicing in counseling areas who are involved with these military personnel - during or after their active-duty.

This research report does not debate the right or wrong of war - just or unjust - nor, of the legality of orders to kill. It does discuss the classical and contemporary theories and commentaries surrounding the ethics of defending the state, standing a military, and waging war. It does discuss the duty and obligations prescribed under the laws of the state, the military laws, the laws of war, and the laws of killing during war. It brings forth background resources on the development of personal morality and conscience through divine and natural law, and philosophical theory. This report does not approach any techniques of treatment as found in psychiatry, psychology, or other mental disfunction and spiritual counseling. In addition, it cannot and does not approach the treatment of Post Traumatic Stress Disorder (PTSD), formerly known as "Combat Fatigue." In other words, this research report is directed solely at creating a resource, an informational base, an info tool box, for those helping-professionals involved in psychological, therapeutic, spiritual and pastoral counseling activities. It is specifically tuned to aid in the healing process for persons of faith, and persons not of faith, who are suffering from a guilt of conscience, for having had no choice but to kill another human being as a duty.

Finding Conscience Building Stages

The research began with an outline of subjects which could identify the developmental stages of a person's moral judgment and conscience, as related to the requirements of military duty. The collection process was directed at reviewing historical, philosophical, and theological sources in both classical literature and contemporary writings. The goal was to find an assortment of primary sources specific to this research. The first set of stages included the historical need and sovereign right for states to protect themselves; the need and utility of a military; and, the reasons and criteria for states engaging in war. The range of eras explored began in the Holy Roman Empire and ended in Vietnam. Writers from the Holy Roman Empire era onward offered sufficient material on the formation of government, military, and waging war. The twentieth-century Vietnam War was considered as the stopping point. First, it was a time familiar to this writer. Second, and very important, it was the last major war involving the USA in which the combatant pool was developed in part through conscription. This fact is important in that those individuals who were drafted by federal conscription law did not willfully offer themselves to be put under the obligations of military service and participation in war. This is not to say that those military personnel who did voluntarily enlist, as did this writer, were not individuals worthy of concern under this research. It does say that it is possible those who freely chose military service were more likely to accept, to some level, the possibility of being given an order to kill than those personnel involuntarily placed into the same situation.

The second set of stages, those in regard to conscience, surveyed the sources of a person's moral development and their ethical systems. These sources included family upbringing, faith base and religious upbringing, natural influence, existential understanding, philosophical learning, and infusion by divine command - all leading to development of a conscience. The research included theological laws of God, laws of nature, classic and contemporary philosophy, and the concepts of pacifism and objection. The range of sources reviewed began with the Roman and Greek philosophers, both BCE and CE, classic and contemporary Jewish and Christian theologians, and other historical, religious and philosophical thinkers. The range of eras stopped in the present.

This research report was prepared in such a way that both sets of stages - duty under law and personal morality - were worked in parallel. They were then made to converge at a point where the military person would contemplate or disregard their own moral judgments and conscience (eg. before obeying or disobeying a dutiful command to kill under legal orders). It is at this convergence point that a person must consider all factors within moral development and conscience, duty and reason. It is here that a person must recognize and weigh the consequences of their decision. This process of making a choice from moral judgment and conscience is amplified by Christian ethicist John Gallagher: "Having understood a fact, one then identifies the realities involved as good or evil, and one recognizes each as a relatively great or small good or evil; one must decide whether the good is sufficiently important to outweigh the accompanying evil."³ That person, that "one," may have made the decision that it was good to follow the

order to kill (and maybe not), and afterwards they may have found themselves dealing with the evil that lingers in their guilt of conscience - either for having or having not followed orders. Herein lies the basis for this research.

Dealing with Their Guilt

As indicated earlier, members of the Armed Forces have a Code of Conduct. One of those codes under the General Orders category is “never abandon your post.” Another is “obey orders.” Under the Uniform Code of Military Justice (UCMJ), a failure or refusal to obey orders from a superior is a crime. When military troops are sent into battle, the objective is to kill and destroy. When military commanders order “shoot to kill,” that is the expected result. To be ordered to shoot and kill most certainly creates a conflict for one’s conscience. To do as ordered may bring guilt, shame and turmoil to one’s personal morality. The necessity to kill in combat (by muzzle, sword, cannon, or hand) may be without alternative, ie. to kill or be killed, or to face punishment. Not obeying the order could result in criminal charges and imprisonment under US UCMJ Article 92; if not already in death by the opposing force. Having done as ordered is certain to leave scars on the conscience of military personnel, both for the troops and for the commanders.

When a person takes a life, it challenges a person’s moral character. It challenges the moral fiber of human society. It challenges the laws of God. When a person chooses to kill, it may or may not challenge their own conscience. Dealing with the trauma and malfunction of the human psyche is the venue of medical professionals and, professional therapists and counselors. This research into Killing As A Duty provides those professionals with a survey of the requirements of an obligation to protect the citizens of the state, an obligation to perform a duty, and an obligation to obey a military order to kill. It provides a review of the sources of human reason, moral development, moral judgment and consciousness, along with a survey of theological bases. The research is meant to work as a resource of information and understanding, to aid the nonmilitary (faith or non-faith) counseling professional to utilize their professional training and expertise in answering these questions:

- a) How can a person who is legally ordered and obligated to kill justify their actions to themselves ?
- b) How does a counselor explain, console, and mitigate the emotions of a soldier who has been sent into combat, been ordered to kill another human being, done it, and is now battling with guilt and shame ?

In total, Killing As A Duty is designed to provide the helping-professional with the background on the military and on war which they will need to be successful in this work with military personnel.

PART ONE - Preserving Sovereignty

I. The State, Its Laws, Its Military

Thus, Julius Caesar, Alexander of Macedon, and all such men and excellent princes always fought at the head of their own armies, if any of them ever lost their power, he simultaneously lost his life with it and died with the same virtue he had displayed while he had lived. 1

The necessity for a unified authoritative power - a state of governance - found its roots in the fifteenth and sixteenth centuries. During the mid-fifteenth century, an unstable balance of power emerged in Italy. The Holy Roman Empire was having difficulty in suppressing feudal warfare. What they could not accomplish on the large continental scale, was becoming more successful on a smaller regional scale.² When cordial relations between the various republics and principalities faltered, the movement towards a system of nation-states began as a means for defense.³ As the sixteenth century Reformation rolled along, individual royal dominions in western Europe began to form alliances for defense and security. These alliances eventually grew into unified nation-states. Along with this new form of governance came a debate over the nature of its power, ie. "whether the state was to be a moral organism or simply a power block."⁴ Advocates of a morally ethical state were Erasmus and Thomas More and, of an amoral state was Machiavelli. Desiderius Erasmus and Niccolo Machiavelli were both Catholics as was More, but, this common religiosity did not drive a consensus in their ethical viewpoints. Each of their views was tempered by the mechanisms used to keep the peace within the political environment surrounding each of their own nation-states

Erasmus' knowledge of peace was based on the harmony existing in the relations between his Holland and its neighbors. Erasmus described his experience of this governance as utilizing "constraint, conciliation, and the application of reason to politics."⁵ Erasmus believed the whole purpose of political science was an ethical one; and, the sole purpose of political activity was the maintenance of peace within society. His views followed the philosophies of Aristotle, Plato, and Aquinas, in that, the chief concern of governance was moral collective action. For him, the spirit of a state's governance over its people needed to be akin to "the relationship between the soul and the body."⁶ In short, Erasmus believed that each state and its rulers should denounce imperialistic tendencies and concentrate solely upon good government within the boundaries of its own domain.

On the other hand, Machiavelli's view of peace, in his Florence, was based on a balance of power maintained by "eternal vigilance and a callous disregard for scruples of conscience."⁷ His political interests ignored religious, moral, and social considerations. Machiavelli's political theories found solid planting in the later republicanism of seventeenth century England and eighteenth century colonial America.⁸ He focused mainly on the means: the mechanics and power of government; and, the methods of power being used by its rulers and its military. Machiavelli believed rulers should protect

the state through a policy of intolerance for any challenge to its security by forces inside and outside the domain. Contemporary of both men, Martin Luther, took a position between the two.

He was on the side of Erasmus in regarding the state as a moral organism, though very much less optimistic than Erasmus as to the possibility of a European peace or of regulating human affairs around a conference table. He was closer to Machiavelli's pessimism regarding human behavior and looked to force rather than to persuasion to hold the recalcitrant in check. 9

Luther called for use of the sword in order to suppress any rebellion not authorized by Scripture to take up the sword, such as, treachery or violation of the traditional code of just-war. Such was his view on the Peasants' War. He repudiated "the sword in the hands of the citizen without magisterial office, and in the hands of churchmen," such as that which was happening in that war.¹⁰ For Luther, defeat of the wicked was a judgment by God for breaking God's laws. Luther viewed law as the necessity of order: "laws bridle the wicked."

For the devil reign throughout the whole world,
and enforceth men to all kinds of horrible wickedness.
Therefore God has ordained all kinds of magistrates, parents, teachers,
laws, bonds, and all civil ordinances, that, if they do no more,
yet at least they may bind the devil's hands, [...]. 11

II. Laws of State - Creating Order Out of Chaos

The true goal of governance is the guarantee of "good" for society.

As this new system of authoritative power developed over the next centuries, a guarantee for the good of society required establishment of a formal set of laws. Through sound lawmaking, the states became instruments of beneficence. "Order was indispensable to prevent human life from becoming a war of every man against every man."¹¹ The laws of society - those demanded, accepted values and norms - became the groundwork for order and justice. Erasmus' concept of peacemaking and Luther's attachment to law carried forth. Philosophers and Christian ethicists like John Locke, Immanuel Kant, and John Stuart Mill continued to delve into the responsibilities of governance. Jean Jacques Rousseau considered human intellect essential to the power of law.

All justice comes from God, and only from him,
but if we were able to receive it directly from that exalted source,
we would have no need for government or laws.

Agreements and laws are therefore needed to join rights to duties
and direct justice towards its object. 2

Even though this new structure of good governance provided for protection,

there were forces which opposed the balance of harmony and common welfare. The result was a need for the states to enforce their authoritative powers. As Tolstoy wrote in *War and Peace*, law was essential for the future of humanity.

If one man only out of millions once in a thousand years had the power of acting freely, it is obvious that a single free act of that man in opposition to the laws governing human action would destroy the possibility of any laws whatever governing all humanity. 3

The rule became: “society without coercive power was generally impossible.”⁴ This need to protect from dangers inside and outside the state echoed the call by Machiavelli for “external vigilance,” and Luther’s use of force “to hold the recalcitrant in check.”⁵ Rulers found that protecting the state’s domain could not be left solely to Erasmus-style diplomacy. Responsibility for the state’s security became the specific duty of a formal military. Luther agreed with Erasmus that the state had moral obligations for peace. He also agreed with Machiavelli that at times, force is better than persuasion. “For if the sword were not on guard to preserve peace, everything in the world would be ruined because of lack of peace.”⁶ Luther’s words offer a credible basis for the state’s maintenance of a military; as long as it upholds the state’s moral responsibility for protection and peace.

III. The Military - Defending the State.

*A soldier would not be a soldier
if there was no authority to command that soldier.*

A military is an entity charged with protecting and defending the state. It is an entity which must be a powerful force - a force to be feared by all. Control of this military force, by the rulers of state is essential for the state’s stability. Military leaders require order and discipline to control the military’s effectiveness. Machiavelli theorized, “there is no case whatsoever in which the utmost exact and implicit obedience is as necessary as in the government of an army.” This form of Machiavellian government was a “rigorous and severe” military law. His example was the Roman legions’ use of extreme coercive means to extract implicit obedience: death was the punishment “for those who failed in their duty, or abandoned their post in time of battle.”¹ Luther wrote on obedience of the military. “If worldly rulers call upon them to fight, they ought to and must fight and be obedient, not as Christians, but as members of the state and obedient subjects.”² Napoleon demanded obedience. Order and discipline was the only way victory could be achieved. His journals record instructions to his commanders.

When you issue orders, take measures to assure that they are executed and punish those who commit such a serious fault.

An order must always be carried out;
when it is not, it is a crime, and the guilty man must be punished. 3

The lowest military element (the warrior) is involved in, and the closest to, the harshest of duties. Tolstoy vividly describes this ranking in *War and Peace*.

The soldier himself does the stabbing and hacking, and burning and pillaging, and always receives commands to perform these acts from the persons in the plain above.

The general does nothing but command the army, and hardly makes use of a weapon.

The commander-in-chief never takes part in the action itself, and simply makes general arrangements as to the movements of the masses. 4

There is inequality in the military's hierarchal structure, that is, it is a warrior's unquestionable-unalterable duty to follow orders - all orders. But, the commanders who have the power to order warriors to perform violent acts, also have the power to apply severe punishment for disobedience of those orders. Machiavelli's books tell about the techniques which Roman commanders used. They would "deprive them of all means of saving themselves except victory; it leaves men no other alternative but to conquer or to die."⁵ They also used religion as a motivator. "Beyond the threat of punishment was the instilled concept of vengeance from the gods."⁶ Luther used God in his own justification for obeying orders to commit violent acts, It appears in his sermon *Whether A Soldier Too, Can Be Saved*: the sword "is a divine and useful ordnance, which God does not want us to despise, but to fear, honor, and obey, under penalty of punishment; St Paul (Rom 13:1-5)."

The concept of threats of death as a means to enforce obedience, have survived the centuries, even into the twentieth. Written into the Articles of War of the United States, prior to World War II, was this clause from Article 64, "Willfully Disobeying a Superior Officer:"

Any person subject to military law who, on any pretext whatsoever, willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct. 7

Today, the situation is different. US military personnel have a just military law. The United States Uniform Code of Military Justice (UCMJ) regulates all military personnel of the United States - commanders and warriors. It spells out their obligations, expectations of obedience, and the penalties. UCMJ establishes controls on the types of orders given by commanders, and gives military personnel specific rights and access to justice.

IV. War - Ultimate Military Duty

'The real objective of having an army is to provide for war.

- Elihu Root, US Secretary of War., early 1900s 1

Personnel in the military enter it by volunteering for enlistment, or by being drafted into service by legal conscription. Currently, the Armed Forces of United States of America is an all-volunteer force. This was not the case up through the Vietnam War of the sixties and seventies. Conscription through the "draft system" had brought hundreds of thousands of non-volunteer warriors into US military service for WW II and Vietnam. This is not to ignore the hundreds of thousands who did enlist, and those who had willfully volunteered for other wars of the twentieth century

Historically, conscription has been the mainstay method for adequately filling the ranks of a military, especially during wartime. Conscripts, mercenaries and soldiers recruited by force had done most of the fighting before the age of the French Revolution. This trend changed as the French Revolution raged on. An appeal for volunteers rang out and two hundred thousand came forward, even as the French Assembly (1792) was placing a levy on all males capable of bearing arms in order to fight the war. This previously unseen rush to patriotism, prior to the French Revolution, has since interested historians. "Why did young men in great numbers rush to colors, eager to face death and acquit themselves in battle when they had not done so before the French Revolution?"²

During World War I there was also a rush to the "glory of war." George Mosse offers an explanation for the change in attitude towards "joining up." He calls it, "The Myth of War Experience: that idea of personal and national regeneration which, so it is said, only war can provide."³ Whether it has been "machismo," heroism, or patriotism, volunteering has been a significant and continuous man powering factor since the French Revolution, on through the Second World War - and, to a lesser degree, Korea and Vietnam. Regardless of the means of entry into a military, conscription or enlistment, warriors have been looked upon with both admiration and scorn. Luther's sixteenth century view foretold this paradox.

When I think of a soldier fulfilling his office by punishing the wicked, killing the wicked and creating such misery, it seems an unchristian work completely contrary to Christian love. But when I think of how it protects the good and keeps and preserves wife and child, house and farm, property, and honor and peace, then I see how precious and godly this work is, and I observe that it amputates a leg or a hand, so that the whole body may not perish. 4

The reality of Martin Luther's words have held true, even to the twentieth-century. Warriors have been heralded with high esteem, as seen in World War II; and, have been labeled villains and brutes, as experienced during the Vietnam War. Returning WW II vets

were proclaimed heroes, "The Greatest Generation." Ticker-tape parades welcomed home the troops. Veterans returning from, or serving during, the Vietnam War were "Baby Killers." Their welcome home was invisible, ignored, and indignant.

This dichotomy of praise and scorn for military service in these wars was based on different world contexts and political agendas. Some of these differences came from a just-war debate, and some from the results. World War II sufficiently fulfilled the just-war criteria as established in antiquity. Warriors were serving an honorable purpose. It was a war accepted by the populace. Vietnam War was hotly, violently, contested as an illegitimate unjust war. Warriors and the public alike saw no logical understanding why the US was there.

Restricting this particular discussion specifically to the Vietnam War, the debate went far beyond the criteria for a legitimate just-war. Many of the debated elements tended to conflict with the criteria for a just-war. These included: how the US was politically dragged into the war; the truth behind its entry; the methods and weapons being used in the war; the reasons for its escalation; and, the means used to fill the ranks of the military. While conscription was intended to be an "equitable" system during Vietnam, its result was actually a skewing of the draft against the less advantaged. Middle and upper class men had more of a chance to evade the draft, by applying for either a work, college, or marriage deferment. (Some of these were later eliminated when high casualties depleted the ranks.) Those of lesser education, income, or employment found no escaping the draft. The US military during Vietnam had a high ratio of minority troops. This fact being stated, it must again be acknowledged that there were plenty of volunteers and members of the armed forces who were not of minority groups.

The emotional stress being put on all warriors of Vietnam was horrendous. As Dan C (a US intelligence officer at the DMZ) explains it, "it's not the 58,000 who died, it's the million who came home totally screwed-up." His "screwed-up" can describe after-war behaviors from debilitating injuries, mental disorders, PTSD, drug addiction and, crime and homelessness. Then there were the war zone horrors of the witness of massive death - especially by the enemy's primitive non-conventional weapons like punjisticks - to self-inflicted wounds, intentional friendly fire, "fragging" of officers and, accidental and purposeful killing of noncombatants (both by order and by revenge. Of course, never to be forgotten are the Vietnamese casualties and innocents.) John Stoessinger, in his evaluation of twentieth-century wars, succinctly summarizes the lunacy of Vietnam, "The awesome truth about Vietnam is clear: it was in vain that combatants and civilians had suffered, the land had been devastated, and the dead had died."⁵ His analysis begs the rhetorical question whether the US leadership during the Vietnam War met the just-war criteria.

V. Laws of War - Legitimate Use of Force.

In the classic doctrine, the just war was a war of execution, an act of vindictive justice, taken to punish an offending state for a wrong done and unamended. 1

The human instinct to defend one's self is a natural phenomenon. As Cicero wrote, "From the beginning all species of living creatures have been endowed by Nature with the instinct to protect their own lives and bodies." Cicero contrasts this personal instinct with a state's need to protect itself and prevent its own death, "for a state should be so constituted as to be eternal."² Augustine agreed with Cicero, "a state should engage in war for the safety which preserves the state permanently in existence;" and, that a ruler has the power "of undertaking war if he thinks it advisable, and that the soldiers should perform their military duties."³

The concept for a just reason to go to war may have begun with Cicero, "Wars should never be undertaken save to make possible a life of peace and safety."⁴ Augustine again agreed with Cicero, in his City of God.

I am aware that Cicero, in the third book of his De Republica, if I mistake not, argues that a first rate power will not engage in war except either for honour or for safety.

It is therefore agreed that, according to Cicero, a state should engage in war for the safety which preserves the state permanently in existence, 5

Augustine believed the only evils of war were "a love of violence, revengeful cruelty, fierce and implacable enmity, and the lust for power."⁶ He issued his own theory of a just-war, in Contra Faustum,

Yet the natural order which seeks the peace of mankind, ordains that a monarch should have the power of undertaking war if he thinks it advisable, and that the soldiers should perform their military duties in behalf of the peace and safety of the community. 7

Luther's interpretation of a justly cause for war reads this way:

What men write about war, saying that it is a great plague, is all true. But they should also consider how great the plague is that war prevents.

The small lack of peace called war of the sword must set a limit to this universal, worldwide, lack of peace which would destroy everyone. 8

He based his comments on Scripture.

If the waging of war and the military profession

were in themselves wrong and displeasing to God,
we should have to condemn Abraham, Moses, Joshua, David,
and all the rest of the holy fathers. kings and princes in Scripture.

For what is just war but punishment of evildoers
and the maintenance of peace? 9

The seed for a just-war criteria came from Thomas Aquinas, stated in his *Summa Theologica* (Book II-IIae q 40). Every nation has a right to its existence and independence. That right includes defense of its sovereignty by waging war to defend itself from aggression; or, to intervene when a weaker nation is defending itself from a stronger nation; or, when it is under domestic tyranny.¹ Today's established criteria for engaging in war evolved from all the theories issued by Cicero, Augustine, and Aquinas. The criteria for a just-war - a legal war - now traditionally accepted is quoted here, from a Christian ethics text by Tom Beauchamp.

The first four conditions are meant to morally justify entry into wars, whereas the last three are meant to morally justify strategic means once the war has been entered.

1. The enemy must be an aggressor
forcing one or more nations into a posture of self-defense.
2. The objective of the war must be some good (including peace)
that is in the general interest of those who fight it
and not against the general interest of mankind.
3. The war must be declared by an authority with legal standing.
4. All reasonable means of peaceful negotiation
must be attempted before war is declared.
5. Damage done to the enemy must not intentionally surpass that
 - (a) necessary to win the war,
 - (b) appropriate and required after the war, as punishment.
6. War activities must not violate recognized laws of war.
7. Every attempt must be made to avoid killing the innocent. 11

Aquinas' original postulate was based on defense; it didn't include a potential for aggression. Addition of an aggressive war theory into the "modern version of *Bellum Justum*," appeared in a report from the Roman Catholic Second Vatican Council, 1960s. Aggressive war was justified when undertaken with right intention and last resort. It was a means to restore justice when justice was violated by an offending state. Aggressive war permitted redress of an injury, enforcement of one's rights, and a means to forestall injurious action.¹²

Just war theories are compromises which acknowledge both the moral act of not harming anyone and the obligation to protect the innocent. They set theoretical limits for entering war, and limits on the violence. Some define when “an exception to the general ban against violence may be allowed and restraining force employed with tragic sorrow but still with good conscience.”¹³ History has shown that while a war is underway, the set limits on violence are sometimes forgotten or overlooked, ie. those limits which prohibit the “violence and suffering that are not connected in any direct or important way with the waging of war.”¹⁴ A state’s desire for a quick victory in war, may result in orders for victory at any cost, with no limits on the methods used to win that victory. Those orders may direct a military to use an overwhelming force which surpasses the boundaries of any legal-war criteria. These decisions walk a fine line, since “war is largely constituted by acts that would be both immoral and criminal if performed in time of peace: killing, stealing property, intentionally wounding, etc.”¹⁵ In 1983, the US Catholic Bishops National Conference issued a white-paper entitled “Challenge of Peace: God’s Promise and Our Response.” It included a discourse on war, and the consequences of it before and during: “Every party to a conflict should acknowledge the limits of its ‘just cause’ and the consequent requirement to use only limited means in pursuit of its objectives.”¹⁶ According to Michael Reisman’s survey of international laws of war, only one concept is universally accepted as a totally illegal act of war: annihilation - one group’s objective to obliterate the other. “Modern international law recognizes certain military actions as lawful and prohibits uses of force whose principle goal is annihilation.”¹⁷

Military laws necessary to conduct a war have no equivalent civil law. General laws of society are insufficient to cover the conditions of military activity. Beauchamp asks the question, “can one reasonably expect to use ethical standards to formulate laws that govern conduct in an obviously immoral context?” Richard Wasserstrom’s article “Morality and Laws of War” basically says, yes.

There are some things that on moral grounds ought not be permitted even in time of war. Admittedly, the place to draw the line between what is permissible and impermissible is different, is “lower, ”in times of war than in time of peace, but the guiding moral principles and criteria remain the same. 18

There are certain war doctrines and war methods which are considered legal by certain nations, and not by others. There are two strategic doctrines concerning the use of violence which are considered permissible in military decision-making. The first is the “Doctrine of Military Necessity.”

The doctrine does not merely create an explicit exception, ie. as in “devastation not justified in military necessity,” instead, it functions as a general justification for the violation of most, if not all, of even the specific prohibitions which constitute the portion of the laws of war.¹⁹

The other is the “ Doctrine of Military Utility.”

The laws of war really prohibit some wrongful practices that also lack significant military value.

The laws of war permit and treat as legitimate almost any practice, provided only that there is an important military advantage to be secured. 20

These two doctrines seem to be saying, it is legitimate to use whatever method necessary and available for use, in order to defeat an enemy. Even though the elemental concepts of war are death and destruction, the basic laws of war hold to the principle that “in war it is still wrong to kill (or maim or torture) another person for no reason at all, or for reasons wholly unrelated to the outcome of the war.”²¹ That principle and those doctrines which conflict with that principle allude to the bottom line of this research discussion. When a warrior is placed in the situation of being ordered to commit violent acts, what becomes that warrior’s guiding moral principle? Is it their strength? No, writes Jean Jacques Rousseau.

The strongest man is never strong enough [...] If might makes right, the effect changes with the cause. Any cause greater than the first will take over its right. 22

Is it the appeal of Utilitarianism - the best consequences for all? Probably not, writes contemporary ethicist Michael Walzer.

The result to war is at best a wager that things will be better, [...] than they would be if it were never fought. 23

Where does this put the warrior who, as Tolstoy described it, does all the violence?

VI. A Duty to Kill - “that’s an order.”

He will be called brave who is fearless in face of a noble death. Aristotle 1

When a person enters the US military they make a commitment to defend and protect the United States of America, even if ordered to war. That solemn commitment is made with their oath to the Code of Conduct. It is a code of honor, a code of obligation and duty, and a potential for self-sacrifice:

I am an American, fighting in the forces which guard my country, and its way of life. I am prepared to give my life in their defense. 2

The arena where this potential to give and take a life exists is the battlefield. Tolstoy poignantly and accurately describes the whole concept of the battle ground through the protagonist of his novel War and Peace, Prince Andrey.

The object of warfare is murder. They meet together to murder one another, as we shall do tomorrow;

they slaughter and mutilate tens of thousands of men, [...] supposing that the more men that have been slaughtered the greater the achievement. How can God look down from above and hear them? 3

Tolstoy's phrase, "how can God hear them," seems to express the pain that God must feel in seeing and hearing His children doing such violence to each other. This pain directly affects the warriors themselves, in their following orders to kill. It is the pain of conscience and guilt. (This will be discussed in Part Three.)

Warriors are chess pieces - the pawns - in the hands of military commanders. They are the instruments for defense of the state, and the military's tools for victory. They are human weapons of death and destruction. It is their duty to be successful as weapons. Their training is directed at making them experts in killing - to become murderers. Previously, the words of early philosophers and theologians described the legitimacy of being a warrior and of waging war. Now, it is important to discuss the legitimacy of a warrior killing another warrior. Basically, is this murder? Is this a crime? Is it breaking the law?

What is murder? Murder is a form of homicide. Homicide is defined in civil criminal law as the killing of one human being by another human being, under any circumstance. This makes killing in war a homicidal act. Homicide, as defined in civil criminal law, is broken into several different grades: murder; manslaughter; and, involuntary manslaughter. Murder sits at the top. To be categorized into one of these grades requires a test of the circumstances. Murder requires an unlawful killing of a human being with "malice aforethought."⁴ The operative tests are "unlawful" and "malice." A killing is unlawful unless it comes in the justifiable or excusable category.

Homicide is justifiable if it is either commanded or authorized by law, for example, the killing of an enemy on the field of battle as an act of war and within the rules of war. 5

In a pure reading of criminal law, killing in war falls under the excusable umbrella. This would make killing in war, by civil standards, not a criminal offense. By military standards, the same tests for the elements of murder are applied. United States Uniform Code of Military Justice, Code 10, Statute 918, Article 118 Murder, states, "anyone who, without justification, unlawfully kills a human being (intentionally with malice) is guilty of murder." UCMJ also permits killing under orders as a justifiable and excusable act. This could include killing of noncombatants and prisoners of war.

Generally, killing noncombatants and prisoners is illegal under military law. But, there are instances and arguments which blur the fine line of military legality. The argument states that civilians who choose to be engaged in the war effort, such as munitions factory workers or civilian military staff, could be considered combatants. Those "who are engaged in activities that are directly connected with the prosecution of

the war can reasonably be expected to understand that they will be subject to attack.”⁶ This could even include the commander-in-chief. This argument goes further, by distinguishing between those who have been rendered incapable of fighting back (eg. the wounded and prisoners of war) and those who may be unable to fight back (eg. as in soldiers in billet or at mess.) Killing of these participants becomes a command decision which would fall under the Doctrines of Military Necessity and Military Utility (described earlier). Obeying an illegal order to kill these types of war participants is itself illegal. In addition, intentional brutality - inflicting great bodily harm, besides death - towards combatants and noncombatants is illegal under the UCMJ. This is an awkward consideration, as the violence inflicted in war is itself brutal. Any of these acts usually are dealt with through criminal charges under the UCMJ.

Legally, a warrior’s killing of another under legal orders while at war is deemed a non-criminal act by military and civil criminal law. This absolution may not be enough to abate a warrior’s feelings of guilt. Earlier, theologians and philosophers were quoted on their beliefs in the “rightness” of soldiering, engaging in war, and acts of violence in war. Quotations from Scripture and the sages are not enough to quell a guilt that may arise in a warrior’s mind for having done the ill-deeds of war. They may not be enough to settle a warrior’s conscience for forsaking their own moral code in the fulfillment of their obliged duty. Finding the source of one’s moral consciousness is the subject of Part Two. The second part of this research report deals with the developmental stages of a person’s morality, judgments and their ethical systems. These sources include the laws of the divine, laws of nature, philosophical theory, and existential understanding - all leading to development of a moral conscience.

PART TWO - Moral Development

Nothing is more conducive to genuine peace than a sincere desire that comes from the heart. Those who favor it make it their duty to promote it at every opportunity.

- Erasmus 1

Killing is an ugly, gruesome, and vile experience.

The act of killing another combatant during war is a lawful act, under legal orders. By fulfilling their duty to follow those orders, warriors do not commit murder. Is this knowledge enough to waive feelings of guilt for a warrior who has killed? Part Two of this research discusses the development of a person's morality. In this section, classic and contemporary primary sources have been collected which relate to Divine and natural law, and philosophical theory of moral development.

VII. Moral Judgment - divine command and natural influences

Grant, O Lord, that our soldiers may be brave in battle, highhearted in hardship, dauntless in defeat and gentle in victory. Amen.

Vocation in Military Life 2

Humans make moral decisions based on a multitude of factors.

As one grows through the ages, piece by piece a multiplicity of influences becomes the basis for a person's morality. Familial upbringing is an initial stimulant in moral development. Faith beliefs and religious traditions are another source. Laws and accepted norms of society are involved. Philosophical theory and ambient context offer other influences. Persons of faith receive their influences through religious teaching. Right at the beginning of their formal church experience they are exposed to Scripture and the commandments of God. "Religious beliefs give a particular view of what it means to be human, they influence the views of what one ought to have toward the world; they help to interpret the morally relevant factors of a situation; they can provide reasons for acting in a certain way; and, they are co-determiners of the response one makes to the world."³ Persons aligned with philosophical theory, with or without religious influence, usually receive this input through parental and institutional education. "In contrast to religion so understood, philosophy is here regarded as the process, reaching from the time when reflection first became independent to its contemporary crisis, the letting go of God."⁴ Often it is not until a person matures and develops their mental faculties that their moral development is solidified; as in the three-stage development theories put forward by Jean Piaget and Lawrence Kohlberg:

Pre conventional stage - sticking to rules backed by punishment;

Conventional stage - living up to expectations of others, fulfilling duties;

Post conventional stage - recognizing that a variety of values and opinions exist. 5

It is the effect of all influences that rounds a person's ethical reasoning.

"The exercise of moral judgment is not confined to a few rare moments in life; it is

integral to the thinking process we use to make sense out of the moral conflicts that arise in everyday life.”⁶ This discussion now looks at these influences, as they relate to killing as a duty.

When the research began, several Christian clergy were asked for their views on dealing with the conscience of a warrior who has killed under orders. Their response directed attention specifically to Scripture as a source of justification. On the issue of killing, the guidance found in Scripture is contradictory. As an example, in the book of Genesis, God spoke to Noah and issued a set of laws: “Whoever sheds the blood of man, by man shall his blood be shed.”⁷ In the book of Exodus, God gave Moses the Covenant Code and the Decalogue. Both included prohibitions and punishments for causing death, for example, “He who fatally strikes a man shall be put to death.”⁸ According to Scripture then, there are prohibitions to not kill - direct from God. God gives only one authorization for a human to kill another, which was to Abraham. But in contrast, God destroys all life in the floods of Noah and at Gomorrah. God issues death threats to Moses and to the people of Israel for any disobedience. And, God (Yahweh) kills Egyptians on two occasions, one as an act of “war.”

Scripture does not provide clear answers to the question of killing in war. Classical and contemporary theologians and philosophers have long contemplated the morality of humans killing humans. St Augustine excused two types of killing, in *City of God*:

there are some exceptions made by the divine authority to its own law, that men may not be put to death.

He to whom authority is delegated,
who is but the sword in the hand of him who uses it,
is not himself responsible for the death he deals;

they who have waged war in obedience to the divine command, or in conformity with His laws have represented in their persons the public justice or wisdom of government;

such persons have by no means violated the commandment
“Thou shalt no kill.”⁹

St Bonaventure sanctioned the killing of evildoers, only if certain criteria were met: a) “No one is to be killed out of revenge;” and, b) “Killing is a defensive measure deemed necessary for the sake of good people and of society as a whole.” Bonaventure required “just cause” as the requirement for legitimate killing, as determined by the “public authority.”¹⁰ Martin Luther preached that God manifested killing as a just act. “God honors the sword so highly that he says he himself instituted it (Rom 13:1) For the hand that wields the sword and kills with it is not man’s hand but God’s.”¹¹ These three clearly find exceptions to the strict Scriptural command, “do not kill.”

Luther’s comment brings Divine Command into this discussion, that is, God’s morality infused in humans. Luther echoes St Thomas Aquinas.

In order for man to carry on those actions which are ordered to the end of eternal life, there is divinely infused in man first and foremost grace, through which his soul has a certain spiritual existence. 12

Divine Command Theory prescribes that all ethical actions come directly from God. The DCT, as it is labeled, is grounded in the belief that all human morality is conceived by three basic elements: God requires; God permits; God forbids. In other words, all human action is “theonomous,” not “autonomous.” Human autonomy falls under the conceptions of philosophy. There has been a perennial debate between the two factions. Philip Quinn’s literary works on DCT are referenced by several ethicists. Here, he describes the pro/con debate on DCT.

Most modern philosophers subscribe to some version of the thesis that morality is autonomous. Such philosophers emphatically reject the claim that what is ethically right or wrong depends upon the command or choice of God. It is often said the divine command theories of ethics are preposterous or obviously untenable. 13

A person of open mind to all concepts on morality could understand the divide. One could clearly grasp objections to DCT if Louis Pojman’s definition is accepted.

We can analyze DCT into three separate theses:

- 1) Morality (ie. rightness and wrongness) originates from God.
- 2) Moral rightness simply means “willed by God,”
and moral wrongness means “being against the will of God.”
- 3) Since morality essentially is based on divine will,
not on independently existent reasons for action,
no further reasons for actions are necessary. 14

It would seem that Pojman’s third thesis creates the most difficult roadblock to a universal acceptance of DCT. If thesis three were to be accepted, there would never be human reasoning. There would never be a need for a moral conscience in human action.

The pinnacle of a DCT structure is God. At the bottom is humanity. In the middle are God’s laws and the laws of society. Humanity is expected to observe and obey all forms of law, divine and societal. Immanuel Kant’s deontological stance sets God as the ultimate lawgiver and judge:

all laws are expressly designed to promote the morality of actions;
all single individuals must be subject to a public legislation,
and all the laws which bind them must be capable of being regarded
as commands of a common law giver;

a people cannot itself be regarded as the lawgiver;
this is the concept of God as moral order ruler of the world.

Hence an ethical commonwealth can be thought of only as a people
under divine command, ie. as a people of God. 15

Benedict de Spinoza adds a utilitarian dimension to a difference between the laws of God and laws of society.

Law is nothing but a manner of living;
 it seems that law must be distinguished into human and divine.
 By human law a manner of living which serves only to protect life and the state;
 by divine law, one which aims only at the greatest good,
 that is, the true knowledge and love of God.
 I call this law divine because of the nature of the greatest good. 16

Paul Tillich places laws of society as a step stone on the pathway to God.

Social laws transcend the ritual element and produce a holiness of
 “what ought to be.” Under protection of the law, life is possible and satisfying.
 God is the God who has given the law as a gift and as a command.
 He can be approached only by those who obey the law. 17

God’s divine command influences humanity’s morality and ethical choices. Scripture is expected to be the source of guidance from God, but Scripture does not give adequate guidance for all matters of morality. As significant as divine command is to human morality, people of faith do not leave behind other personal qualities when they seek guidance from Scripture. “They bring personal and cultural biases, insights, habits, and past experiences, all of which affect their moral judgments.”¹⁸ Ethicist John Gallagher agrees that Scripture alone is not the definitive source of justification for moral, and amoral, actions. “In cases where Scripture does not give adequate criteria to settle the issue, we should still use human resources to make as good a moral judgment as we can.”¹⁹ Tillich would have agreed with Gallagher. “All decisions of faith are existential, not theoretical, decisions.”²⁰ Tillich’s and Gallagher’s opinions fit the Piaget/Kohlberg formula. Religious teaching and Divine Command fit the Pre conventional stage; Laws of Society fit the Conventional; and, existential influences fit the Post conventional stage, ie. recognizing that a variety of values and opinions exist. In this way, the formula expresses that it is essential to consider that humanity receives additional moral influences from sources beyond Divine Command.

Natural law is one of those influences beyond the Law of God. The Natural Law conception does recognize that God has created in humans a rational nature to find the greatest good. It also recognizes that “even without knowledge of God, reason, as the essence of our nature, can discover the laws necessary for human flourishing.”²¹ Aristotle was among those to discuss reason as the essence of human good.

If reason is divine, then, in comparison with man,
 the life according to it is divine in comparison with human life;
 strain every nerve to live in accordance with the best thing in us;

even if it be small, much more does it in power and worth surpass everything.²²

Aquinas extrapolated Aristotle's philosophy: first, "to the natural law belong those things to which a man is inclined naturally, and among these it is proper to man to be inclined to act according to reason;" second, "there is in man an inclination to good in accordance with the nature which he has in common with all substances, inasmuch as every substance seeks the preservation of its own being, according to its nature;" and third, "the natural law, in its universal meaning, cannot in any way be blotted out from men's hearts."²³ In regard to these two philosophies, a humanist might argue that humans are provided the "good" of their character without the influence of God. A theologian might argue in contrast that, yes, natural law is part of human nature but, it exists because of God, and complements the laws of God. A consensus must be found to satisfy both those who identify only with God, and those who have an understanding that there exists a melange of influences. NHG Robinson amplifies the need to bridge the divide: "unless the intolerable doctrine is to be entertained that there are two entirely independent moralities, there must be some common ground between natural morality and Christian morality."²⁴ Process theologian Charles Hartshorne offers a possible working "doctrine" which could provide the middle ground between divine command and natural law. "The sole bargain or convenient to make with God is that we do our best and trust him to salvage what can be salvaged from our failures, and to make the most that can be made of our successes."²⁵ If accepted, this could be read as, God gives humans free choice to make it or brake it on their own, but God is always there as a back-up - if humans choose to believe.

VIII. Moral Judgment - shaped by empirical influence

*What one perceives in a situation,
and the responsibilities one believes
he or she has, depend on one's character.*

Character in turn shapes one's decision and actions. - Richard Gula 1

Human beings are creatures different from the lower animal species in that they have a consciousness of certain standards and judgments. This drives the most significant difference, a conscience. Within the human species there are different conscious responses to society's standards, its norms, and its moral expectations. "Different people hear its demands with a greater or lesser degree of clarity; but neither of these differences upsets or challenges the fact that all normal human beings possess as one of their distinctive marks a moral conscience."² How a moral consciousness is developed has been discussed so far under the auspices of God and religion, with and without natural influences. Formal religions, as in Christianity, profess a set of moral expectations. These are the "handed down" doctrines of a particular church. But as noted previously, those who prescribe to Scripture and church doctrine bring to its interpretation other cultural biases, insights, and past experiences. The result is a necessity to consider influences beyond religious education. Thomas Aquinas

understood this: “the good of man consists in many things; this varies according to diverse conditions of persons, times, places and the like.”³ This is the substance of existential influence.

Existentialism focuses on the human situation outside of divine influence. In existentialist terms, existence in this world is the major problem of humanity. How humans manage their existence is beyond specific description of either scientific or religious explanation. Humans are free to act based on their situation. Morality, then, requires responsible participation by humans through their actions. In other words, Pojman’s third thesis of the DCT is invalid as claimed, such that, morality is not based on divine will, but has independent existent reasons for action. Because of this viewpoint, existentialism is sometimes seen by people of faith as a nihilistic philosophy, and is often made mentally invisible. The explanation being, existentialism is attributed to and descriptive of atheism. This may be a pejorative belief, akin to that of the Karl Marx stance on religion. Marx, in relation to religion, is often labeled by his “opium of the people” quote. In fact, that short “sound-bite” has been excerpted from a more involved statement. “Religious distress is at the same time an expression of real distress and the protest against real distress. Religion is the sigh of the oppressed creature, the heart of the heartless world, just as it is the spirit of a spiritless situation. It is the opium of the people.”⁴ Karl Marx is not anti-religion, he is a-religion. He seems tolerant of religious believers, but has no need for it himself. In his own words from “Critique of the Hegelian Dialectic,” he wrote:

I deny real religious sentiment, and the really religious man.
But at the same time I assert them, in part, within my own existence
or within the alien existence which I oppose to them
- for this is only their philosophic expression -
and in part I assert them in their own original shape,
for they have validity for me as the apparent other-being. 5

Why is this Marxian review interjected into the discussion? It is an example of the open-mindedness that is essential for dealing with morality. For persons of faith and existential humanists alike, there is for both a valid “other.” Existentialist and theologian David Roberts makes this clear. “A study of existentialism brings into sharp focus the basic struggle between contemporary Christianity and so-called ‘secularism’.” Roberts discounted the implied one-way connection of existentialism to atheism. He believed that study of existentialism could bring a thinker either to or from God. “In all its forms, existentialism should be of compelling interest to the Christian.” Roberts based this on three factors: it protests against the intellectual and social forces destroying independent freedom; it calls humans away from “stifling abstractions and automatic conformity;” and, it requires an answer to the most basic inner problem, “what it means to be a self.”⁶ It also presents a more important quest:

it bids each individual thinker to wrestle with these problems
until he has grown into personal authenticity,

instead of simply taking his answers from someone else. 7

Roberts is not alone in accepting both theology and existentialism. Included in the ranks of this dual tradition are Soren Kierkegaard, Rudolph Bultmann, and Paul Tillich. Kierkegaard, a Christian, is held in high esteem as the initiator of existentialism. His contribution brought about themes of an emphasis on the individual, subjectivity and, anguish as the central emotion of human life. Bultmann stressed freedom and authenticity. Tillich worked on themes which connected individualism with theology. On the non-theological side were Friedrich Nietzsche, Martin Heidegger and Jean Paul Sartre, among others. Nietzsche emphasized individuals seeking their own value outside of any influence from God. Nietzsche coined the "God is dead" attitude. Heidegger worked on human freedom, authenticity and nothingness as a positive. Sartre brought together the themes of other existentialists: freedom, death of God, authenticity, anguish, and nothingness as a basic. The list of existentialists and theologians could go on for pages. They are presented here as a door to further investigation outside this report.

An open-mindedness to all influences is needed when considering morality. The inquiry into a person's moral criteria and a justification for their actions is not exclusive to either intellectualism, empiricism, or doctrinal influence. Existentialism itself cannot stand alone as a self-sufficient philosophy. Neither can Divine command or natural law theories, or guidance from Scripture. The inquiry must contemplate both the scientific and "the impassioned concerns of the individual;" the subjective is to be considered as well as the objective.⁸ Regardless of which source influences a human's moral development, the bottom-line for human morality is the rightness or wrongness of the action. How one chooses to do right or wrong, good or evil, is the essence of their character.

IX. Ethics - decisions to do right or wrong

*Act as if the maxim of thy act
were to become by thy will a universal law of nature. - Immanuel Kant*

Choosing to make decisions that are "right" or "wrong" is based on a person's moral judgment, based on some function of their moral development. There is no refined list of what is correct moral judgment. What can be listed are some of the factors that affect a human's judgment. For instance, they can include "the idea of duty, or obligation, or goodness, and with the truths, or judgments, or statements, in which these ideas occur."¹ It is difficult to assess judgment until the assessment can determine whether the action taken was successful or unsuccessful. That is, did it bring about an action of the "approved kind," or did it bring an action of the "condemned kind." In this regard, the measure of success must be weighed with consideration to the character and circumstance of the maker of that judgment. One could interject the thought, as an example, of a killing in war under orders. If the killing was successful, would that be a good or bad action. The "good" in the successful following of orders and the success of making a death compares to the "bad" of making the death. The killing of an enemy

combatant may bring the victory closer - this is good. The killing causes a loss of a human whose family mourns that loss - this is bad. Was the maker of the action successful or unsuccessful? In addition, did the maker of the death have a real choice to do it or not? These determinations are investigated through the ethical systems.

Generally, there are two main ethical systems. First is deontological ethics: rightness determined without regard to consequence. Deontological ethics is based on obligation and duty and "rightness" of behavior. This is the system most identified to Immanuel Kant. His main thesis was obligation to duty in all actions. He is best known for his "Categorical Imperative" which states, an imperative (law) is without condition. That is, act as if the law was universal. He also proposed a "Practical Imperative" which states, a person should be considered as an end and not a means, that is, all persons have value. So for Kant, killing a combatant under orders was an imperative. The obligation to follow orders and the duty to do the killing was a "rightness." On the other hand, one could argue that by killing the enemy the warrior did a "wrongness," in that the killing was a means not an end, and that the enemy had its own value. Generally, Kant would have likely sided with the good based on duty and obligation.

The other system is teleological ethics; rightness with regard to consequence. Teleological ethics is based on the value of the goal, that is, an obligation to others for reaching the final goal. This system is identified with Jeremy Bentham, who founded Utilitarianism. In Utilitarianism the goal is the achievement of the greatest good for the greatest number, that is, the best of all consequences, measured in pleasure. John Stuart Mill, more recognized to Utilitarianism, altered Bentham's philosophy to be the greatest number of highest pleasures. Thus, under a Bentham/Mill determination, the killing of an enemy could be a good action if it brought the war to a close, quicker. That is, the killing of one combatant would benefit more combatants and innocents. The conflict in this could be found in the examples of Hiroshima and Nagasaki. The question is begged: in whose eyes was the greatest good, the greatest pleasure?

Added to the study of these two ethical systems are other factors. These include: ethical relativism; value and virtue; egoism and altruism; fortitude; and, something called universalizability (if something is right or wrong for one, it must be right or wrong for all). These terms and explanations of ethical systems have been added to the discussion in order to offer potential avenues for further investigation, outside this report.

X. Objection - pacifism

*Is not war the destroyer of all things and the very seed of evil ?
No greater enemy of goodness or of religion can be found. - Erasmus 1*

Pacifism and conscientious objection are connected to the moral conflict between duty and reason in regard to military service and participation in war. Both of these moral ideologies must be considered in this discussion, although, neither of these may actually affect the warrior-subject of this research. First, the pacifist would not follow any order to kill and thus not be involved. Second, the conscientious objector would most likely not be on the battlefield. Even so, the underlying concepts of these two ideologies may have a bearing on the warrior's moral judgment.

To the pacifist, violence is wrong. Period !
Violence is the ultimate wrong - regardless of circumstance. This means when all circumstances are taken out of the event, an act of violence is a "wrong," in itself, disregarding any weight of circumstance. In true pacifism, violence is an absolute evil; even the circumstance of self-defense. There is obviously an argument against this position. First, there must be worse evils than violence. Second, what happens if one act of violence reduces the level of another act of violence, such as, killing an enemy in order to save the killings of one's own neighbors? Here is the conundrum: if violence is evil, then, no act of violence should be taken, even if it prevents more acts of violence, for example, those in war. This seems like a difficult position to support. A true pacifist would stand firm. Luther took an opposite position. "But they should also consider how great the plague is that war prevents."² Kant might say, if the obligation to community is to kill the enemy before the enemy kills the community, then the enemy should be killed. Mill might say, if the highest good for the greatest number (eg. one's community) is to kill the enemy in defense, then that is what should be done. This seems to be the premise behind the World War II fire-bombings of Tokyo, and the atomic-bombings of Hiroshima and Nagasaki. There, the obligation to the United States was to stop the war at any cost (to whom?). Unfortunately, the bombings were a mere symbol. Victims were mostly innocents. In this fashion a pacifist would say, there's the proof: violence is absolutely evil. In that circumstance they may be right. But, the opposing view may be right as well. The war was ended and more lives - on both sides - were saved from death.

Consider the example of a defensive war. What is the duty of defense? "Self-defense is not a duty," it is an individual choice. "But, do we have a duty to defend other people who do want to be defended, such as our countrymen in time of war?"³ Yes. Members of a society have the right to be defended, under siege or tyranny. The nature of the sovereign state is to be "an instrument of the community for the protection of its members and for harmonizing of their activities."⁴ Alternately, the pacifist view of any war - defensive or aggressive - is generally held to this credo:

war is in effect murder under the guise of nationalism;

passive resistance is psychologically efficacious in reorienting the attitude of the enemy, and if pacifism were a universal value the leaders of sovereign states would be forced by their subjects to negotiate rather than to resort to armed violence. 5

Tom Beauchamp reports that credo, but at the same time offers a counter-view.

In opposition to pacifism it has been argued that pacifist protests in wartime have almost always been totally ineffective in stopping war machines and that no powerful aggressive force has ever been or likely to be stopped by pacifism. 6

In either view, defense is the duty of the military and its warriors. Early on, this report discussed entry into the military, enlistment and conscription. There's long been a debate of the moral legality to conscript for the military or a war. It is this debate that becomes the entry point for conscientious objection. There exists a belief that "there is a 'right of conscience,' such that those whose conscience tells them that the war in question is unjustified, may not justly be required to participate in it."⁷ In contrast, there is the belief that the moral requirement of society does not allow anyone to do only as they please. In other words, laws of society compel action.

One very simple principle, as (government is) entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control [...];

the principle is that the sole end for which mankind are warranted, individually or collectively, in interfering with liberty of action of any of their number is self-protection. 8

John Stuart Mill adds to his view on liberty, or in this case interruption thereof, by claiming "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not sufficient warrant." Under this consideration, if the laws of society require the service of a person in defense of the state, conscription is considered a legal procedure. Even so, those whose conscience is such that they cannot, will not, would not, submit to the laws of society regarding military service can object to participation.

Historically, objection has existed since the earliest doctrines of Christianity. "The objection of military service on the part of the early church was not however derived from any explicit prohibition in the New Testament; but from an effort to apply what was taken to be the mind of Christ."⁹ Erasmus adds another theological dimension.

Whoever brings tidings of Christ brings tidings of Peace.
Whoever proclaims war proclaims him who is most unlike Christ.
Man should therefore ascribe every calamity he suffers
to the devil's dissensions. 10

Conscription is not in current use in the United States.

As discussed previously, it was used in earlier eras of US military history, and in the many eras of the world's military history. There have been numerous organizations who have objected to conscription, and who promote the standing of conscientious objection. One of the more notable voices is the Society of Friends. The Quakers have stood fast for centuries on the moral illegitimacy of conscription.

Compulsory military service is sometimes claimed as a duty attaching to citizenship. But it is not true social service.

On the one hand it is a part of the attempt to maintain peace by force, and on the other it is training in methods that are contrary to highest moral standards recognized by man. The training of men to kill each other is a violation of the sacredness of personality, for it is a crime against that of God in every man. 11

Even though conscription, the draft, was a legal policy during the Vietnam War, plenty of young Americans objected to it, and the war, mostly on pacifist grounds. Some of these young men went out of the country to avoid the draft. Others filed for Conscientious Objector status, CO for short. This was a right given to them in order to explain their beliefs for objection. Some of these filers were exempted. Some were assigned noncombatant jobs. During that war, a network of Conscientious Objector counselors aided these filings. One of the first requirements for achieving CO status was proving that anti-violence and antiwar ideals were a part of one's religious beliefs. The Supreme Being clause was one of the "means tests" for successful CO status.

The draft law before 1967 defined religious training and belief as 'a belief in a Supreme Being involving duties superior to those arising from any human relation.' 12

One CO handbook provided a list of sample questions which were typically asked by draft-boards in review of CO applications.

Why is it wrong to prevent evil from happening to others?
Do you object to killing, or to being killed?
Why is it wrong to defend your country's interests?
Do you object to other boys being drafted, or just yourself?
If God told you to defend your country, what would you do? 13

The last question seems to have been asked to befuddle the applicant. A reasonable answer could have been used from earlier thoughts in this report, along with a theological interpretation of civil obedience quoted here from E Clinton Gardner.

Christians not only might, but indeed ought to obey the civil authorities except in those instances where it is impossible to obey the laws of men without at the same time

disobeying the commandments of God. 14

Thus, one answer could be: if God said defend the country in war it should be obeyed, except God commanded to Not Kill and participating in war might mean killing; so, it would be impossible to obey the civil law because it does not obey God's law. Considering that there is contradiction in the Bible, this answer might not hold up.

Those who prescribe to pacifist ideology or claim conscientious objector status may not be among the ranks of warriors on the battlefield. This would be especially valid for the true "thoroughgoing pacifist" who refuses to fight anywhere, anytime for any cause. There is the potential though, that a warrior may be a "selective pacifist." That is, a general pacifist who will fight when personally convinced the cause is just. This warrior may have feelings of peace in its heart, duty and obligation in its mind. This warrior may believe in the Utilitarian greatest good to protect its neighbors. It may recognize the value of human life, as in the Kantian Practical Imperative. This warrior may have belief in and love for God, and a solid religious upbringing. And, this warrior may have learned, observed, and lived a variety of experiences. This warrior may just simply and solidly question the logic of it all.

*Peace, love, and understanding;
tell me is there no place for them today ?
They say we must fight to keep our freedom.
But lord, lord, lord. there's got to be a better way !
"War," lyrics by Norman Whitfield*

PART THREE - Knowledge of One's Actions

The soldier cannot dwell too much on the sufferings of the enemy; for war is not a tremendous evil, there are even worse ones. 1

Hundreds of thousands, millions, of people have served in the armed forces. Some make it a career. Some enter the military for the benefits that are available. Others are pulled into it involuntarily by the draft - conscription. The draft system of the United States during the Vietnam War era was a successful tool to reach the pool of young men eligible for military service. The draft notice began with, "Greetings from the President of the United States." This was certainly not glad tidings for thousands of boys who didn't come home. Military service during the late 1960s and early 70s was mostly directed at Vietnam. US Army basic training was held at numerous Army forts around the nation. Fort Leonard Wood Basic Training Center was known as "Little Korea." It was a bleak, cold, grey, muddy, ugly place in the middle of nowhere Missouri. What was being taught there was ugly, as well. They called it "self-defense."

There was physical training which developed strength and endurance. There was mental training which developed discipline, focus and fortitude. There were "important" personal training activities which developed marching, bed rolling, boot shining, saluting and addressing officers, and following orders. Then there was self-defense training. Self-defense included activities like, rifle marksmanship, hand-to-hand combat, bayonets and knives, grenades, stealth. Never in any of the "self-defense" classes, demonstrations, manuals, or exercises was the word "kill," or aggressive force, ever used. It was never used on the rifle range which was filled with human silhouettes. Nor was it used in the hand-to-hand training pits, or on the bayonet-dummy course. Only a brain-dead individual would have not grasped that the other purpose for this self-defense training was killing training. Even so, it was never discussed. Considering the next stop after training for most troops was Southeast Asia, whether it was for self-defense or killing, the training was a matter of life and death. Why was the Army not specific, not straight forward? Was it merely to reduce the conscious awareness of the killing skills being taught? Regardless, all the skills that were taught were of absolute necessity for survival.

XI. Conscious Motivation - awareness of one's own interests

it is axiomatic that we are not consciously aware of all that motivates us.
- Charles Hartshorne

"Self-defense" training in the US Army served two purposes. It created a human fighting machine that served the military's purpose in war; and, it provided skills for the warrior-fighter to protect itself during the war. Primary military motivation for training the defensive skills was to preserve the warrior-asset during the battle, and then have it available for the next one. Hiding a real agenda for that training fits the concept of biological consciousness. Richard Alexander writes, "Consciousness and related aspects

of the human psyche (self-awareness, self-reflection, foresight, planning, purpose, conscience, free will) are hypothesized to represent a system for competing with other humans for status, resources, and success.”¹ In other words, it is a “game” to comprehend effectively what thoughts are on another’s mind before they act on those thoughts in reverse. So, in regard to the hidden training agenda, psychologically the Army understood: “There are reasons for believing that one does not need to know his own personal interests consciously in order to serve them as much as he needs to know the interests of others to thwart them.”² Or, simplified to the subject at hand, kill before you are killed, a *lá*, self-defense. This concept reinforces those of Cicero, as noted earlier, that all humans are ingrained by nature to protect themselves.

Karl Marx claimed consciousness was nothing other than “conscious existence,” with existence of mankind as a “life process.”³ Consciousness has been also described by others as a “stream” of awareness which applies the current experience to the preceding experience. As humans build on these experiences, they develop a moral consciousness. At the same time, their moral judgments are being influenced by various factors. This discussion has already moved through a number of them, including: laws, duty, honor, fear, God’s commands, religious doctrine, family, education, natural influence, intuition, consequences, and obligation. Even so, this evolution of awareness does not require, or expect, that the person’s own self interests will result in an automatic obligation to the interests of others. According to Alexander, “Consciousness, foresight, self-awareness, conscience and related aspects of the human psyche have evolved a set of ‘overrides’ of more widespread generalized indicators of immediate costs and benefits.”⁴ Whether in ethics or public policy, a cost-benefit analysis of future actions provides judgment indicators based on facts, norms and, most of all, consequences. It is an assessment of the potential good or evil that may come from the action, weighed against the good or evil which is at the expense of the person acting. The analysis is also a recognition of what is desirable versus what is acceptable, and the knowing of what means should be utilized to accomplish the ends. This is the substance of Utilitarianism. Thus, consciousness is the awareness of a moral balancing act in which one’s own interests must be assessed, measured against the good or evil of the consequence, and then calculated as to the cost to one’s own interests when acting for or against another’s interests.

XII. Conscience - ability to make judgments

Conscience is practical reason which, in every case of law, holds before man his duty for acquittal and condemnation.

- Immanuel Kant 1

Conscience is the inner voice of reason or, as Bishop Joseph Butler defines it, the faculty of mind which is capable of choosing right and wrong.

There is a superior principle of reflection or conscience in every man, which distinguishes between the internal principles of his heart, as well as

his external actions; which passes judgment upon himself and them, [...] which, without being consulted, [...] approves or condemns him.

This principle in man, by which he approves or disapproves his heart temper, and actions, is conscience; [...] . 2

Butler's conception is similar to those of Thomas Aquinas and Immanuel Kant: conscience is a "faculty of judgment;" it evaluates action using moral principles; it "accuses and excuses;" and, it is "both internal and intrinsic to human nature."

Kant writes, "What makes the conscience that marvelous faculty in us is its function in bringing the moral law and the moral will together."³ Society of Friends, Quakers London Yearly Meeting, published in 1879 a wonderful definition of conscience, based on divine grace of God.

As the eye is to the body,
so is conscience to our inner nature the organ by which we see;
and as light and life are essential to sight in the natural eye,
so conscience, as the inward eye, cannot see aright
without the quickening and illumination of the Spirit of God. 4

Judgments of conscience are developed within a person's psyche. Conscience as seen through the study of biological morality is developed from both heredity and conditioned reflex. Some people have a higher preponderance in conscience than others - "it's in the genes." Other sources of conscience come from conditioned reflex, an "internalization" of external rules and precepts reinforced by an anxiety of some negative outcome. Anxiety is a conditioned fear which becomes, after repetitive experience, a conditioned response for doing or contemplating bad actions. This is often attributed to parental guidance and training with the setting of rules and some form of subsequent punishment for wrongful behaviors. (The reverse is true for positive conditioned responses based on good behaviors.) After experiencing the immediate response of punishment for bad actions, the conditioning of anxiety becomes an internalized foreknowledge - a precondition. This frame of reference embraces the Piaget/Kohlberg formula of moral development in which the first stage is the Pre conventional stage, defined as, sticking to rules backed by punishment.

Judgments of conscience require knowledge of facts and norms. Knowledge of facts includes what is actually present, what might possibly happen, and the appropriate means by which the ends can be achieved or avoided. Knowledge of norms comes from an awareness of desires at a particular moment. It is knowledge which is derived within one's self without input from anyone else. Ethicist John Gallagher theorizes the steps in making Judgments of Conscience: recognition of the realities of good or evil that are involved; recognition of the relative great or small of the good or evil; weighing of what is morally good or evil in a particular situation; and, if the choice requires a good which produces an accompanying evil, weighing whether the good is sufficient to outweigh the evil.⁵

A person with a mature moral conscience has the ability to choose, on their own, what ought to be done on behalf of their own interests. Thomas Aquinas identifies this ability as free choice (not free will). "We are moved by free choice because of our free choice we choose to be moved." A person's free choice, to be morally a right choice, must be developed from within the background of their consciousness, the moral weighing of their interests. "Man, judging about his actions through his power of reason, can judge concerning his choice insofar as he can know the nature of the end and of the means to the end,"⁶ Aquinas, here, recalls the discussion of Utilitarianism's "best of all consequences," and the personal cost-benefit analysis of consciousness in choosing right and wrong. People define themselves by the choices they make and the actions they take. Spinoza proposed in his Ethics, "absolutely nothing can do us good or harm, unless it is something in common with our nature."⁷ Richard Gula believes, how a person sees themselves fitting into their world, comes from a reaction to their moral development, the "stream of life" process. "The morally mature person must be able to perceive, choose, and identify the self with what one does."⁸ A colloquialism describing this demarcation is "watch what I do, not what I say." In a contemporary context, this statement may be exhibited in a political sense. A fiscal conservative may stand for budget limits but support more social programs. Their judgment of conscience may recognize the facts of today's situation, realize the benefit to people (good) in those programs, while weighing the fact that to not do so will cause potential budget distress in the future (evil). The result is the conservative retains their fiscal values while acting in good conscience. They recognized the facts and weighed them against their own norms with a conscious awareness of the situation's greater good, and the spirit of their own conscience inner-voice. Again the concept is stated, this time rephrased, "actions speak louder than words." After all this, is the actor a conservative or a liberal? Do labels really matter? The example highlights Kant's belief that conscience is the bond between duty and obligation, bringing moral law and moral will together. "An action which may be called good as a means to something else comes under the hypothetical command of law; an action which may be said to be good in itself comes under the categorical command of law."⁹ Here, Kant's Categorical Imperative is recalled:

an imperative (law) is without condition (it is good in itself);
thus, act as if the law is universal (universalizability).

"Duty is the necessity of an action done from respect for the law." 10

XIII. Moral Action - duty vs reason

We call a thing good or evil, when it is of service or the reverse in preserving our being, that is, when it increases or diminishes, helps or hinders, our power of activity. - Benedict de Spinoza 1

This report now considers where duty meets reason, or in Kantian terms: moral law of military duty meets moral will of conscience. In relation to duty, this report has surveyed the obligation of sovereign states to protect its citizens, the duty of the military to carry out that function of protection, legitimacy of the laws of state and military and war, and the requirements of military warriors to obey military orders at all times. In relation to reason, this report has surveyed moral and conscience development through divine and natural influences and empirical experience, moral judgments based on ethical and ideological understanding, conscious awareness, and the human inner voice of reason - one's conscience.

This report has presented classical resources of religious thought which can accept the need for war, and can accept the need for killing of enemies. Even as Scripture contains laws which prohibit killing, it also condones its use. Alternate classical theological interpretations of God's laws were presented from Augustine, Aquinas, Bonaventure, Spinoza, and Luther. All seem to point to an authority in God's law to kill in war. Legal determinations of the act of killing have been offered. Both civil and military criminal laws have held that killing in war is not illegal. Allowable military necessity has prescribed the use of violence, sometimes at any level, as an expedient means to seek victory. Contemporary views from theologians and church leaders have sanctioned certain types of war and certain types of violence in war, including the killing. Consideration of the ethical factors of war and its killing included the obligations to duty and the evaluation of consequences. All these factors add to a sum total which allows and accepts war and its killing.

These factors only represent the objective, legalistic side of the issue. This report has also addressed the subjective side, which involves the human agent. It was shown that the warrior was the one element in the war equation which stood on the poorest legal ground to not do the killing, if ordered to do so. Of course, as was indicated, the warrior first could object to military duty. Then, if found within the situation of being given an order to "shoot to kill," they could do it, or do nothing and be subjected to punishment or their own death. This decision-making was, as Aquinas expressed it, their "free choice." That choice came from a conscious awareness of all the factors listed above. It is a choice from within their conscience, one to do right or wrong in regard to their own interests made knowingly, or not, from within their own ethical nature. It is the area of one's own self interests that becomes the final section of this report. To exhibit the factors involved in making a conscious decision between obligations of duty and obligations to self, the following examples are offered.

November 1968, a recent college graduate, now a middle corporate manager,

opens an envelope from the county draft board : “Greetings from the President...” The reluctantly anticipated notice of induction (conscription) has arrived. The young man has been holding number 312 in the draft lottery. Number 312 has been drawn. War news from Southeast Asia has not been good. The body count has been rising heavily. US casualties have caused a domestic crisis. There seems to be no stoppage of this war. It’s nowhere in sight, only escalation. During this same time, numerous reports surface of young men leaving the USA, going mostly to Canada, to avoid the dreaded draft. At the same time, numbers of other Americans are enlisting in the military and reporting to their Selective Service boards (draft boards) as required. The young man in question is put to the task of what to do about this event. Does he accept or avoid the call to duty? Does he “skip out” to escape conscription?

The young man, call him YM, contemplates his being called to duty. He knows the facts: this war is not popular with or sanctioned by the public; there are high probabilities of negative personal outcomes; boys he knew in school are not coming home - breathing, or in one piece, physically and mentally; and, others are seeking and finding ways out of the call to duty. He weighs his own norms: the honor of his family; his personal pride (aka, ego); obligation to country; and, his fears of the future gamble with death in this war. He recognizes his learning of respect for authority before God and country from his parents, religious instruction, his education, and his own nature. He keeps hearing that “inner voice” - it seems to really exist - saying “do your duty.” YM, in fact, accepts the call as to not dishonor himself or his family. Luckily, the outcome was turned to advantage by enlisting in advance of induction, resulting in a non-war zone duty station for his entire military service period. 2 YM considered his obligations, judged the good and evil, weighed the consequences and made a judgment of conscience to do right, so to speak, rather than wrong. There were other young men who did not have as lucky an outcome. It is clear by this story that YM was not in a position, in the war zone of Vietnam, to receive an order to kill, or experience the killing and violence of that war. There is a sidebar to this story before it continues, one of guilt. It is a guilt experienced by the now older YM as he meets and discusses his military service with other now older men who did experience war in Vietnam.

Without being in the midst of war violence, its true ugliness remains unseen. Stories, news reports, even personal accounts cannot replicate its sounds and sights: the devastation to surroundings; the carnage on display; cries of the forelorned; anguish of the wounded; the horrific sight of mangled living and dead bodies brutalized by all sorts of weaponry; and, the putrid smell of stale blood and death. No wonder YM feels guilt for not being equal to those who were there; not from missing that glory attributed to the “Myth of War Experience,” but from shades of shame from being, maybe, “not as brave” as they.

Even without having the war zone experience of others, YM offers a theory for some of the reasons warriors may have allowed themselves to participate in the violence and the killing. Before enlistment or conscription, one could ask the “why” questions:

why was the USA in Vietnam; why was this war labeled just and honorable; why did the government use such vicious means to fight the war? Once inside, the questions were no longer to be asked openly. The military virtues of discipline, order, and war were *a priori* - nothing else. Military basic training is just that, it is learning the basic virtues of being a warrior. All those "important" things mentioned above were drilled into the trainees. The military concept was pure and simple: "break you down to build you up." That is, the military needed its personnel to forget who and what they were, so they could make them become the individual and the way the military needed them to be. It was necessity-training, directed at losing one's "self" and one's authority. This is understandable: if one had to be there, one had to know what to be, and how to be, especially if one was to be confronted with an enemy and death.

Presented earlier was the idea of a military basic training in "self-defense." During Vietnam, as well as other wars, training also taught "the enemy is evil." In Vietnam, "Charlie," the VC, the Viet Cong, the gooks, were the evil. "Hate VC !" The Viet Cong were killing our boys in all sorts of unconventional and cruel ways. "Be careful of the gooks, a sleeping US soldier on guard is a dead US soldier." It was training to learn how to hate viciously. "Hate the gooks!" The training essentially taught fear of the enemy, and fear of punishment. It psychologically reverted one's intellect back to the moral Pre Conventional stage. Then it turned to the Conventional stage - fulfilling duties and expectations. This was the creation of a preconditioned reflex and "internalization." One could say, although with great prejudice, the military internalized vengeance. The reader of this report may not accept any of this. To validate the propositions set by this report and by YM, the reader can refer to a video produced by Columbia University as part of the "Ethics in America" series. It is entitled Under Orders, Under Fire which is referenced in the bibliography.

The military taught weaponry, not killing, along with self-defense. The use of firearms was to shoot at "targets," maybe even a thousand feet away. If one was in the artillery, as was YM, the target was several miles away. The M-16 semiautomatic rifle, with its lightning speed firing-action, was to be used by spraying bullets across an area, rather than a single shot. This was a most advantageous technique since the VC were hiding in the jungles. Spraying allowed the soldier to possibly shoot a person without seeing them. The enemy was an invisible target not a human being, unless the situation came face to face. This is where YM does not relate. YM was trained to use the M-14, a powerful weapon with an effective range far beyond other rifles. This weapon was a personal weapon. It was a device used to make the killing more specific and direct, from a longer distance.

YM admits he has never known any current or former military personnel who has actually said or even hinted that they had killed anyone in wartime. YM tells the stories of some of his friends and family who have been in war. YM's father was an Infantry Staff Sergeant in WW II, fighting along the Seigfreid Line. The battle zone was a line of barricades set by Nazi troops to prevent invasion. YM's father tells only one vignette of

an artillery round exploding a few yards away. He never talked about anything he saw or did. He would only tell the funny stuff. YM's uncle was in the battle of Anzio Italy. He was shot twice there. Uncle is a wise gentle man, quiet in demeanor and rich in compassion. He'll show you the scars from his bullet wounds but he'll never tell you about them. Several of YM's friends - he and they now all middle-aged - spent their military duty in the war zone of Vietnam, "in-country" they called it. Bill was YM's college roommate, now an accountant, who was PFC in the Infantry. In a letter to YM, Bill relates how on his second day in-country he was on a mission. As the squad disembarked the helicopters, a fire-fight broke out with the VC. "All hell broke loose." Bill was honest about his fear, but wouldn't say what he saw. When he returned to camp, he immediately found a way to be reassigned. Dan, now a good friend of YM, was a battalion Warrant Officer far into the jungle. Dan is now a banker, and to YM he has always seemed quiet, calm and peaceful. YM never knew Dan had been in Vietnam, nor did YM know he was in the army. Once, he asked Dan why he did not seem like other Vietnam vets: "messed up," Dan replied, "when I left there, I left it all there." Kris served two tours in Vietnam, receiving two Purple Hearts (wounded in action). Kris is mostly a happy-go-lucky kind of guy. He'll do almost anything to help. When he's not around, his wife will tell stories how he still wakes during the night in sweats and screaming. He refuses to tell her or anybody what is in his mind. And then there is Walter. He is a small business owner who travels to sell. Walter lives in a hedonistic fashion. He loves the ladies, parties too much, and drinks alcohol "in quantity." On the occasion of a dinner with YM years ago, Walter slugged down his typical half-dozen or more martinis. When he reached the very talkative stage he started talking about Vietnam. Walter was in a confidential squad of paratrooper infantrymen. Their mission was the assassination of regional VC military and political leaders. Walter could tell that much. The rest he kept to himself. YM always wondered if Walter's lifestyle was a form of death wish on himself. As this report is being written, a US military secret squad of assassins in Vietnam has been revealed. Stories about the "Tiger Force" have recently appeared in the Toledo Blade and New York Times newspapers, and on PBS television.

Unlike YM - in regard to Bill, Dan and Kris - author Mark Baker was able to break through the code of silence with hundreds of returning Vietnam vets. "Until now most of them have been as silent about their experiences and as invisible to society as their dead brothers. Once I was trusted, the words rushed out like prisoners released from solitary confinement."³ What follows are short extracted phrases from Baker's interviews. Some are ugly. They are only a few of the excerpts that pertain to the duty of killing, and beyond. It is important to be redundant: these excerpts have been chosen to emphasize this report's analysis. Not all Vietnam vets acted on or experienced these things. Please recall the earlier comments made in this report about self-defense, a preconditioned reflex to "Hate the VC," and the internalization of vengeance.

They got there and found out that their talent was killing and they were good at it. They had the taste of killing and they liked it. (#137)
The rifleman's position:

Get as close to the ground as possible, hold your gun up over your head about a foot and shoot indiscriminately in the direction of the enemy. (# 36)

Every death sound there is, you start to detect it - you know it. You start to know if death is going over you, or coming at you. (#55)

I heard this scream. I knew I had really blasted somebody for the first time. The gurgling went on for thirty or forty seconds, a retching scream for a long time. The consequences for having pulled the trigger came home to me when I found blood, hair and tissue all over the place (the next morning). I probably killed the guy. (#56)

I started to enjoy it. I enjoyed the shooting and the killing. I was literally turned on when I saw a gook get shot. When a GI got shot, even if I didn't know him - that would bother me. An American get killed, it was a real loss. A gook get killed, it was like going out there and stepping on a roach. (#59)

The anger came from within, for seeing the guys blown up. The unspoken words behind the anger were, "You f---' bastards, you're going to get it now. Let me find you and you're going to die. I'm going to blow your brains out." (#64)

You don't always fire "in anger." It took me a long time to adjust to the fact that I wasn't killing people out of anger. That I turned my mind off to it scared me later. I thought, "Geez, if I can turn my mind off to doing something like that and say it doesn't count, wiped clean, that's freaky. You're not supposed to do that. What's wrong with me?" (#133)

XIV. Guilt - feeling the effects - A Conclusion.

If the action ought to have been pursued, even though the evil effects of the action could have been foreseen, and could have been prevented, the action is good and not evil. 1

#133's questioning of himself, opens the door to the discussion of guilt. Guilt is a "psychological suffering." It is a pain beyond physical suffering. Guilt is an emotion resulting from a breach of conduct; for doing something wrong. It can result when a person sees they have caused another's distress. In recognizing the distress caused and the blaming of one's self, guilt arises. There are two types of guilt to consider. One is the reality, the other is the feeling. These are also termed the personal or true guilt and, the psychoanalytic guilt. The first is a result of the commission of the act and the true harm done. The second is based on an anxiety over a loss of acceptance, and of self-blame. These two forms fit right into the words of #133. There is also an emotion

known as survivor-guilt, termed existential guilt. This comes when “despite a person’s own plight, he may feel guilty if he feels he is far better off than others.”² This may answer YM’s feelings of guilt when talking to Vietnam vets. His is a feeling of guilt that is not true guilt because nothing wrong was done. In the case of a warrior having to kill another human being, both true guilt (for having done the act) and the feeling of guilt (sense of self-blame) may be felt. Shame is the conscious awareness of the feeling of guilt. Psychoanalyst Martin Hoffman, using the Piaget/Kohlberg moral formula, has attached certain psychological characteristics to guilt and shame. He uses these to assess a person’s reactions to certain events: reaction to participation in war and killing in war - shame has high value; reaction to sympathy and compassion for another’s suffering - guilt has high value. Guilt also has a high value in the desire of punishment for deeds done wrong.³ This may account for Walter’s lifestyle, ie. the abuse to himself is his punishment.

It is clear there is a deep root to the feelings of guilt and the pain of shame. Christian ethicist James Pike believes this root is a set psychological boundary. “The gap between the ought and the is, wherever the line of the ought is drawn, is sin and the resulting condition is usually a sense of guilt.”⁴ In dealing with the guilt of a warrior, it is important to recognize the background and circumstance in which the real or psychoanalytic guilt is generated. Conditions which trigger emotions of guilt and shame may be internal and external. Mark Baker’s interviews with returning Vietnam veterans found that their feelings, upon coming home from the war zone and upon leaving the military, included consternation over their guilt, anger at the government and, shame caused by their participation and by the ridicule of others. Again, the excerpts below are quoted with the same disclaimer as before.

If you don’t think about it and just keep on going, it doesn’t bother you.
But, if you stop long enough, it gets to you. (#242)

I was not equipped to deal with any of the things I had to deal with.
I probably did okay, but I was walking a fine line the entire time.
None of it was what I wanted to be happening.
There was no solace anywhere. There was nobody to talk to. (#244)

I still don’t know exactly what that did to me.
It was something that I haven’t gotten over and don’t expect to, somehow.
And shouldn’t really, not just because of the insane waste of it all,
but because of the way in which it was dealt with
by people in positions of authority. (#195)

I went along with the people criticizing me and I almost believed that war was bad.
I told myself, “Play it cool, play the role, don’t let it get to you.”
But when I went home by myself, I cried.
All I got from them was “Shame, shame, shame.”
Even the guys I came back with, we used to talk in whispers

when we talked about the war. I blocked it out. (#256)

I keep thinking I'm past that now. I'm on top of that.
I'm in control and there's no reason for this anger anymore.
I'm over being mad. But I'm not. Anger is a part of me now.
I'm going to go through my entire life dealing with my anger.
I get so angry when I realize that people are doing bad things with awareness.
That's the ruthless side of me. I wouldn't feel any of this
with this much passion if I hadn't been to Vietnam. (#246) 5

A Modest Epilogue

This research has not found or been able to propose any magic formula for dealing with the guilt and the shame experienced by the war zone warrior. Each individual warrior has their own experiences driving this emotional suffering. As this report is being concluded, thousands of young Americans, and numbers of other nations' soldiers, are fighting a war on another continent. These US Army and Marine Corps warriors include the regular troops, plus significant numbers of what are called citizen-soldiers or "weekend-warriors." These are civilians who serve in the ready reserves and state national guards. In time of war they may be called, as they have been, to fight alongside the regulars. These citizen soldiers are supposed to be prepared for the horrors of war but typically they are not. When they and the regular troops come home, they will be the next batch of current or former military personnel who will be dealing with their conscious decisions made during the war experience. They may have faced the situation of being ordered to kill, or of having killed in self-defense to protect the lives of the innocents, their comrades or themselves. If the counselor has never been in a war zone or has never served in the military, success in counseling these returning military individuals may not come easily.

The questions posed by this research may be the focus of that counseling. Those questions were: a) how to justify the warriors' actions to themselves; and, b) how to console and mitigate the emotions of guilt and shame for killing? Success in answering these questions may be determined by the counselor's ability to understand the fundamentals of the military as defender of the state, its obligation to duty, its military training, and the exposure to consequences of war. The counselor must also be able to equally address this counseling in regards to both theological and philosophical considerations and theories. Pike agrees that both considerations are necessary.

For the religious Jew or Christian
the means will be the grace of the forgiveness of sins.
Those who recognize no authority higher than man, deny responsibility
or feel they can relieve the sense of guilt by greater moral endeavor.
Whatever the system of thought that operates at this point, it is trans-ethical.
[...] we have definitely left ethics and entered the realm of religion. 6

Moving a mountain may be easier than getting a war zone vet to counseling. Many no longer accept "commands," and many resist the mainstream of anything. This has been especially true with Vietnam war zone veterans. Exclusion, depression, homelessness, addictions, and continuing anger affect many. Other veterans may seek their own remedies to set things right within themselves. "If man's peace of mind depends on being right, he is foredoomed to failure in its achievements or to suffer a superficial peace purchased at the price of numbing of self-criticism and the poisoning of unconscious levels."⁷ Local veterans' outreach centers and the Veterans Administration Health System may be a source of help and further information or background for counselors. As author Mark Baker reflected on his interviews, trust is essential. The outsider was entering a world of secrets of the mind. Helping-professionals are most conscious of trust. This type may be different. There is a loyalty to the comrades - both living and dead. Not just any person can enter that inner sanctum. Professionals may need to use a complementing intermediary, eg. the vets' friends. Baker found that he needed the approval and reference of one vet to get to another. Now that the military's citizen elements have been activated for war, local citizen chaplains who were attached to those active duty units could be available for a first hand understanding of what the troops had seen and done. Their charge is the spiritual care of the warrior, before, during and after the battle. They may be the best intermediary.

The final statement of this research report is a call to action. It is a demand, which must be accepted as doctrine: the well-being of the military brethren, both physically and mentally, to the lowest ranking person, must never be left behind either in battle or when they arrive home. A lesson learned well after Vietnam.

*Reverence for the infinity of life means removal of alienation,
and restoration of empathy, compassion, sympathy.
And so the final result of knowledge is the same as that required of us
by the commandment of love. - Albert Schweitzer 8*

APPENDIX

End Notes and Citations

INTRODUCTION

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