Pacem in Terris and the Just War Tradition

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One of the most influential documents of the Roman Catholic Church in the area of international relations is the papal encyclical *Pacem in Terris* (Peace on Earth), issued by Pope John XXIII on April 11, 1963. Written two years after the erection of the Berlin Wall and mere months after the Cuban Missile Crisis, the encyclical addresses many of the policies and resultant anxieties surrounding the Cold War. It could, accordingly, be regarded as a narrowly historical document, a response to a limited set of political conditions which, once past, might render the encyclical less important. However, this is not the way the document itself or its abiding admirers portray its significance. *Pacem in Terris* presents itself as a timeless articulation of the requirements of world peace under any conditions. Unlike most encyclicals, it is addressed not only to the Catholic faithful, but also to “all men of good will.” And to this day, many men of good will (though not necessarily of sound judgment) regard it as deserving of high praise.

This is not my view, however, and I wonder if now might not be a good time to reevaluate this document. The 50th anniversary of *Pacem in Terris* is fast approaching. Panels and papers are already being prepared at the Vatican and in the academic community for a celebration in 2013. We can of course expect to hear continued praise about the way *Pacem in Terris* brought the church more in line with modern liberal hopes about the prospects for world peace. But we might ask, at the same time, whether these modern liberal hopes are themselves of sound mind; and we might ask whether they are, after all, compatible with the historic teaching of the church. The argument I make here is that *Pacem in Terris* marks a serious departure from the teaching of mainstream Christianity in terms of its view of rights, its understanding of war and its philosophical anthropology. And I argue that in all three of these aspects the departure is a mistake. The older position known as the just war tradition is superior in theory and practice to the unmistakably modern idealist position embraced by this encyclical.

The Just War Tradition

We do well to begin with a basic description of the just war tradition, since despite the spate of recent books on the subject, many of which are very fine, people in general remain confused about what this tradition is.\(^1\) The just war tradition is a tradition of religious and ethical reflection. Its purpose is to explain how war can be reconciled with man’s desire to be good—whether “good” here is understood in religious or secular terms. In other words, if war is necessary, how can it be fought in ways that least compromise the ethical aspirations of the agents involved? That is the basic question of the just war tradition.

The most common way of misunderstanding the tradition is to suppose that its goals are basically identical to those of two rival perspectives, realism and pacifism, and then to blame it for failing to achieve those goals as effectively as it could. International realism or *raison d’état* comes in many varieties and is thus challenging to define.\(^2\) But one of its hallmarks is certainly its programmatic doub

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that the relationship among states will ever be governed by the moral constraints found in domestic affairs. Because of this doubt, realists tend to focus on questions of “interest,” how the goods of one state might be secured and advanced vis-à-vis others. And since for many realists the relationship among states appears as a perpetual “state of war,” whether this takes the form of actual battle or of more subtle peacetime posturing, they tend to advocate the use of force, as well as the threat of force, dispassionately, without excessive scruples, lest their nation suffer in the balance.

Pacifism, by contrast, is the doctrine that war (in the words of the popular bumper sticker) is “not the answer.” (I suppose this depends on the question!) Pacifism, too, comes in many varieties, religious and secular; and it can stem from pragmatic or deontological considerations. Pragmatic pacifists argue that war is wrong because its costs always outweigh its gains or because less destructive options are always available. Deontological pacifists argue that war is wrong because it violates universal principles of right that define what is moral for individuals in any context. But however pacifism is construed, it diverges from the just war position in its blanket or near-blanket rejection of war as a possible response to injustice and violence in the world. The just war tradition does not reject war as a possibility, though it does not relish it either.

The temptation to adopt either a realist or pacifist perspective is evidently very great. But whatever their merits, both leave something significant to be desired that the just war tradition supplies in abundance. Realism and pacifism leave their adherents with virtually no language, no conceptual tools, no guiding principles for evaluating the justice or injustice of particular wars or particular practices of war. The pacifist approach does not offer this because it rejects war in toto; and what is the point of parsing details when war per se is unjust? The realist paradigm does not offer this because its emphasis on strategic over moral considerations tends to make sustained discussion of morality seem naïve. The just war tradition is, then, the only framework that offers a rich, highly inflected language, a storehouse of categories, concepts, and commonplaces, developed over centuries of reflection, in which the moral particulars of war can be examined. One thus observes that when pacifists or realists must address specific ethical questions of war, they necessarily fall back on the language of the just war tradition, whether they like it or not.

This is not to say that the just war tradition stands completely at odds with realism and pacifism. The three approaches in fact overlap considerably. The just war tradition shares with realism a keen awareness that man is often incorrigibly violent and unjust, and that war is sometimes necessary in order to secure peace and to promote justice. At the same time, it shares with pacifism a profound sadness about war and an indefatigable love of peace as an animating motive. But despite these similarities, an important difference stands between these approaches—and it is a principled difference, not merely a difference of degree.

I like to clarify this by presenting the basic premises underlying the just war approach in terms of a practical syllogism. (I have Aristotle in mind here, not contemporary analytic philosophy.)

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and see Jack Donnelly, Realism and International Relations (Cambridge: Cambridge University Press, 2000) for a typology of realist approaches and paradigms.

1. In order to maintain justice and peace among nations, wars are sometimes (tragically) necessary.

2. Humans are by definition moral creatures who wish (anomalies aside) to act in ways that are good. And therefore,

3. Wars should to be fought—to the extent that they must be fought at all—in ways that are compatible with our moral sensibilities.

In this light, the just war tradition arises, again, as the attempt to respond to the challenges implied by man’s desire for the good by articulating moral guidelines for war. It differs from pacifism in that pacifism rejects (or questions to the point of paralysis) the claim (1) that war is sometimes “necessary.” Because pacifists reject this claim, they fail to face the challenge of setting out moral guidelines for war. Realism, for its part, rejects (or severely curtails) the claim (2) that humans are basically moral. Because they reject this or, what amounts to much the same thing, believe that moral aspirations have no hope of success in an anarchic international environment, realists likewise fail to face the challenge of (3) setting out adequate moral guidelines. That the three approaches thus differ in kind, not merely in degree, is revealed by how they categorically differ on the basic parameters of the problem. Only the just war tradition focuses first and foremost on the problem of reconciling the desire to act morally with the necessity of war.

Though the just war tradition has roots reaching back to Roman and Hebrew antiquity, its origin as a tradition can be attributed to St. Augustine (354-430 AD). Thus it begins as a distinctly Christian tradition, other major figures of which included Gratian (the father of canon law) and St. Thomas Aquinas, as well as both leaders of the Reformation, Luther and Calvin. Though in the early-modern period, the tradition began to take on a more secular cast, it did not do so all at once. Such “forefathers” of international law as Francisco de Vitoria (1492-1546), Francisco Suárez (1548-1617) and Hugo Grotius (1583-1645)—all of whom were theologians as well as students of law—began to add natural law arguments to traditional Christian texts and arguments. In other words, they appealed to a universal human nature, knowable by reason and regulated by a natural sense of justice, and thus produced texts more widely applicable than texts written only for Christians. The result was a fresh double footing for just war arguments. Although earlier Christian writers certainly employed natural law arguments on occasion, such arguments received significantly greater emphasis in the hands of Vitoria, Suárez and Grotius.

The trend continued so that by the time of John Locke (1632-1704), scriptural arguments were deemphasized to such an extent (although still not discarded entirely) that the just war tradition could be said to have been placed upon a completely new footing. That new footing was a secular theory of

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4 If tradition is understood as the transmission of something from one generation to the next (in Roman law, it was a piece of property), then the transmitted object (the traditum) needs to be sufficiently established for the receiver to know he has received something. I would argue that the breakthrough act of formation occurred in the work of Augustine, even while the formation was not ex nihilo, but drew from the past. Augustine’s importance in this regard can be verified by the extent to which later writers cited him as the initial source of their thinking on war. On this understanding of tradition in general, see further, Edward Shils, Tradition (London: Faber and Faber, 1981).

5 For instance, when Augustine defends political authority in Against Faustus the Manichaean (XXII.75) by claiming that “the natural order that accommodates the peace of mortal things, requires that the authority and deliberation for undertaking war be under the control of a prince, and also that, in the execution of military commands, soldiers serve peace and the common well-being.”
rights with self-preservation rather than salvation as its goal. However, while the ends became worldly, the underlying assumptions about human nature and the necessity of war were still much the same. For Locke, force could be used—and indeed had to be used—in order to punish and deter “aggressors,” those savage men who, like lions or tigers, violated the laws of mutual self-preservation in favor of unbounded self-interest. In other words, Locke viewed war as resulting from moral failure and yet constrained by questions of moral right. “Rights” according to this view were the inverse of wrongs (aggression), and helped to define precisely the just causes for which force might be used.

That the just war tradition changes so notably from Augustine to Locke and onward serves to highlight a final point that should be stressed, which is that the tradition is not a fixed doctrine as much as it is a set of basic parameters inside of which various styles of sometimes competing theorizing can occur. Some theorists, for instance, tend to emphasize Christian reasons for embracing the tradition, even today, while others argue from a legalist or secular-ethical vantage point. Some theorists stress questions of ad bellum—the conditions under which the move “to war” may be just, while others stress in bello or post bellum considerations. The tent is very large, and the effect over time of the pluralism therein is an ever evolving, ever more refined discussion of what constitutes justice in war. And yet the conversation, for all its pluralism, is bounded by those fundamental insights about human nature outlined above.

As such, the just war tradition has been a guiding force for more than sixteen centuries now, and it has consistently been the orthodox position of mainline Christian churches leading into the twenty-first century. The question I wish to consider now is how Pacem in Terris relates to this time-honored tradition.

Pacem in Terris

“Peace on earth, which all men of every era have most eagerly yearned for, can be firmly established only if the order laid down by God be dutifully observed” (§1, my italics). This is the first and overarching claim of the encyclical. Peace on earth really can be firmly established when the order laid down by God is dutifully observed. And this order can be dutifully observed. (There is not a hint in the encyclical that it cannot.) The only question is what the order is, and the business of the encyclical is to explain this.

Pope John XXIII divides his answer into four general sections. The first addresses the proper relationship between and among individuals—what is traditionally termed “ethics.” The second addresses the relationship between individual citizens and public authority—in other words, “political theory.” The third addresses the relationships among states—“international ethics.” And the last addresses the way individuals and states alike should act toward “the community of all peoples”—what we might term “humanitarianism,” although the Pope stresses that his target here has not yet come into existence: “the establishment of such a community being urgently demanded today by the requirements of universal common good” (§7). My analysis of the encyclical considers all four of these sections in

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6 “Much the same,” but not identical. Locke’s unbounded enthusiasm for improving man’s living conditions through private enterprise reflects a worldliness in tension with the Christian outlook. And this has direct consequences for his teaching on war. For instance, Locke opposes the confiscation of enemy land after war for the novel reason that the value of property so far exceeds any imaginable loss that it could scarcely be justifiable to seize it.
varying degrees, but my purpose is not to write a running commentary. I thus draw from each section only as necessary to highlight my concerns.

1. Rights

If we ask what the “order laid down by God” is according to Pacem in Terris, the answer from the outset seems closely related to the ideals of modern political philosophy, even while some Christian modifications are made. The opening paragraphs celebrate the “progress of science and the inventions of technology” just as Locke might have celebrated them. But where Locke attributed such advances to man’s industriousness more than to God, the encyclical relates these happily to both: God in his infinite greatness created the universe in such a way that an astonishing order reigns, and He created man such that he could understand that universal order and harness its powers to his own benefit (§§2-3). Also in the fashion of Locke, the encyclical opens with a twofold claim about the human condition—man is on the one hand prone to conflict, and yet, on the other hand, able to mitigate conflict if he will but consult those unique laws that should govern human interactions, laws which can be found nowhere else than “where the Father of all things wrote them,” viz., in the “nature of man.”

As quickly becomes clear, the “order of God,” which should be sought in the nature of man, is an order of rights (§9). This is a distinguishing feature of modern political philosophy as well as of Pacem in Terris. However, the rights that are articulated are not all of a kind that Locke would have recognized. The encyclical is in fact a hodgepodge of modern rights drawn from various (fundamentally conflicting) philosophical perspectives.

By my reckoning, at least 45 basic rights are enumerated in the first four pages of Pacem in Terris alone (§§11-27). It is interesting to think about the various visions of liberalism (Lockean, Millian, Marxian, etc.) from which these derive. In the spirit of Lockean liberalism, the encyclical mentions the rights to life, liberty (described here as “bodily integrity”) and private property, as well as the right to worship God privately and publicly according to the dictates of conscience. Locke would have recognized the provenance of such claims. Yet the way these rights are presented in Pacem in Terris differs radically from Locke’s conception, even while the words and phrases sound similar. For Locke, such rights were negative rights (as we now call them), i.e., things that cannot be taken away, without due cause, from a person who possesses them. In Pacem in Terris these are positive rights—things to which every individual qua person is entitled. I return to this important distinction below.

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8 Even though the dominant flavor here is modern rights theory, the encyclical makes some modifications for its Christian orientation. For example, the right of women to healthy working conditions must take account of their “requirements and their duties as wives and mothers,” a point not generally stressed in secular theorizing (§19).

9 Pacem in Terris, §4-6. Locke differs on this point only in specifying human reason as the sensorium of the natural law for man. Cf. Locke, Second Treatise (§§ 6-7, 11-12): “The state of nature has a law of nature to govern it, which obliges everyone: And reason, which is that law, teaches all mankind, who will but consult it....” The law of nature, which is reason and common equity, is “that measure God has set to the actions of men for their mutual security,” or that “rule and measure” which God has given to mankind. Therefore, the laws of various commonwealths are only so far right “as they are founded on the law of nature, by which they are to be regulated and interpreted.”

10 Maurice Cranston, “Pope John XXIII on Peace and the Rights of Man,” Political Quarterly 34 (1963), p. 389, noticed immediately that Pope John was in effect assimilating new economic and social rights to more traditional political and civil rights, and that this was dangerous because of the dependence of the new rights on sufficient...
Speaking at the same time in the spirit of John Stuart Mill, if not in the spirit of Locke, the encyclical enumerates the rights to freely form associations and to structure these associations as one sees fit. It also mentions the rights to free speech, to free investigation of truth, to the publication of one’s thoughts (a right that many young academics may want to press), to the pursuit of a profession of one’s choosing, to the pursuit of a lifestyle of one’s choosing (§15), and to a good general education.¹¹

Speaking further in the spirit of Karl Marx, the encyclical champions the rights to working conditions that do not threaten the worker’s physical or moral fiber, to conditions that do not jeopardize the proper development of adolescents to manhood, to be given the opportunity to work, to be allowed to take personal initiative in one’s work, to a wage sufficient to support a family and attain a standard of living consistent with human dignity (funds permitting), and to the ownership of productive goods or, in Marx’s terms, the “means of production.”

And, finally, in the spirit of the modern welfare state, the encyclical enumerates the rights to food, clothing, shelter, medical care, rest, to be looked after in the event of ill health or disability or widowhood or old age or unemployment, and, finally the right to the support and education of children. A dozen or so more rights are enumerated (the right to “be respected,” for example) but I will leave it at this. The question I want to ask now is how the approach to rights on view in this encyclical accords or does not with the just war tradition. For this “rights talk” clearly supplies the foundation for the encyclical’s later section on international justice.¹²

Rights are not alien to the just war tradition. In fact, the tradition can be articulated well in terms of rights,¹³ and the beginnings of this tendency reach much further back than John Locke, whose distinctly secular language of rights was mentioned above.¹⁴ However, the rights that find their way into the just war tradition are rights of a specific type. They are “negative rights,” generally speaking, and for good reason. The inverse of a right, according to this conception, is a wrong (culpa). And wrongs are defined precisely as something punishable by others—if necessary, by force. Thus Locke, for example, writes that the violation of the law of nature, “being a trespass against the whole species, and the peace and safety of it provided by the law of nature, [warrants] every man upon this score, by the right he hath to preserve mankind in general, [to] restrain, or where it is necessary, destroy things noxious to them” (§8). This is why the rights enumerated by writers in the just war tradition are few and tightly circumscribed. Basic rights include things like freedom from bodily injury (without due cause), freedom to act in ways not proscribed by law, freedom to possess property of various sorts, freedom to travel unmolested, even through foreign lands. Those who violate these basic rights open themselves up for punishment.

¹¹ Mill did not support publicly funded education, but he did support compulsory education for all children and public tests to verify results. The burden to educate fell on parents, not government. A good study of Mill on this topic is E. G. West, “Liberty and Education: John Stuart Mill's Dilemma,” Philosophy 40 (1965): 129-42.
¹² §80: “nations are reciprocally subjects of rights and duties…. The same natural law, which governs relations between individual human beings, serves also to regulate the relations of nations with one another.”
¹³ The classic example from our times is of course Michael Walzer, Just and Unjust Wars: A Moral Argument with Historical Illustrations (New York: Basic Books, 1977).
But what if the list of rights were extended to include all sorts of wished for human goods such as an adequate education, the personal respect of others, an infallible safety net for any hardship one might suffer, and so on. The problem is, of course, that rights such as these are not only frequently violated; they are necessarily violated at some time or another depending on social and economic conditions. And what should occur when these rights are violated? There is the rub. Are the “victims” entitled to compensation? If so, from whom? Is the compensation to be legally backed? If so, should those who refuse to comply be forced to comply? For a system of rights to work in tandem with a system of duties (in other words, for rights to have any meaning at all), individuals must know exactly what they are to do or refrain from doing, and such things must be achievable. The problem with rights as Pacem in Terris presents them is that either everyone becomes an aggressor or no one does, and thus the “rights” in question become nonsense—mere words without consequence.  

At the root of this problem with Pacem in Terris is a blurring of some basic lines that should not be blurred—not only the line between positive and negative rights, but also the lines separating various levels of obligation, and those between national and international rights and responsibilities.

There was a long phase of the just war tradition during which religious obligation was not clearly differentiated from moral or legal obligation so that, for instance, heterodoxy might cost someone his life. The distinctions among moral, religious and legal wrongs were hard won. And yet such distinctions are indispensable if individuals and societies are to function well. There is a reason why only crimes on the order of murder, rape and theft (not on the order of blasphemy, insult or lack of generosity) justify punishment by potentially lethal force. They are widely agreed to be the most socially harmful crimes, even among those with profoundly differing perspectives. They are, we might say, some of the plainest dictates of natural law written in the hearts of men. On this score, Pacem in Terris seems like a throwback to the times of Gratian, not because it endorses the use of force for religious and moral crimes (force is a bad word in Pacem in Terris) but because it similarly fails to distinguish them. In doing so, it flattens out crucial categories of obligation that make life according to rights possible. How can we live according to a system of rights when murder is not distinguished in any way from the failure of an employer to allow for “personal initiative” in an employee’s work? Either every crime becomes deathly serious or no crime does.

The encyclical also blurs the lines between national and international boundaries. Because Pacem in Terris presents all rights as “human rights,” it muddies the waters ever further when it comes to enforcing these rights. It is conceivable (though not necessarily advisable) to structure a local economy such that citizens are legally entitled to receive certain benefits, and specific individuals are responsible by law to bring this about. But when this well-meaning yet problematic entitlement model is expanded to the international sphere, the potential for undesirable consequences seems boundless.

If, for example, the United States should (due to a debt crisis, for instance) fail to keep up its full system of domestic entitlements, would the citizens who depend on those entitlements be within their rights to treat the problem as the fault of the other side?

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16 This is the case for instance in Gratian’s Decretum, Causa 23.

17 Maurice Cranston, “Pope John XXIII on Peace and the Rights of Man,” p. 390 similarly worried that “once the so-called universal right to a decent standard of living is seen to be an ideal or aspiration rather than a genuine categorical right, then people may come to think that the other rights of man—the right to life and liberty and so forth—are also mere ideals and aspirations; and the rights are thus robbed of their compelling and universal meaning.”
sue? If they fail in their suit, would they be within their rights to seek relief beyond U.S. borders? Perhaps another wealthy and socially attuned nation such as Denmark or the People’s Republic of China could intervene militarily in defense of these victims. All of this is, of course, nonsense. But it is dangerous nonsense that flows freely and necessarily from the undifferentiated hodgepodge of rights found in *Pacem in Terris.*

2. War

The teaching of the just war tradition is that military force should be used only as a last resort, and even then under very limited conditions. War is a public act and thus should be declared by a public authority. There must be a “just cause,” and these are very few in number. There must be reasonable hope of doing more good than harm. The agents involved should be animated by benevolence, not by hatred or the desire for revenge. The means used in war should be proportional to ends and should be such that innocents are left unharmed to the fullest extent possible.

The teaching of *Pacem in Terris* concerning military force is radically at odds with the just war tradition, despite the homage this encyclical pays to tradition as such and to gradualism as an approach to reform. Its teaching is quite simply that military force should never be used.

There can be, or at least there should be, no doubt that relations between states, as between individuals, should be regulated not by the force of arms but by the light of reason, by the rule, that is, of truth, of justice and of active and sincere cooperation. (§114)

Not only can it happen, but it actually does happen that the advantages and conveniences which nations strive to acquire for themselves become objects of contention; nevertheless, the resulting disagreements must be settled not by force, nor by deceit or trickery, but rather in the only manner which is worthy of the dignity of man, i.e., by a mutual assessment of the reasons on both sides of the dispute, by a mature and objective investigation of the situation, and by an equitable reconciliation of differences of opinion. (§93)

Passages such as these unmistakably reflect an Enlightenment view of man. They need to be scrutinized therefore in terms of their philosophical anthropology, as below. But my purpose here is simply to get to the bottom of the encyclical’s teaching itself. What is its position on war? Here we see that war is regarded as standing at odds with human nature, or at least with human dignity. It is contrary to truth, justice and sincerity. Therefore it should be abandoned altogether in favor of reasonable dialogue and equitable reconciliation.

Why? At first blush, the encyclical suggests that this new teaching is necessitated by new historical conditions, which is why it was not propounded before. We now live in an age of nuclear weapons and

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18 Consider §61 in this connection: “Thus any government which refused to recognize human rights or acted in violation of them, would not only fail in its duty; its decrees would be wholly lacking in binding force.”

19 Apparent moderation, see §162, discussed below.

20 For a striking contrast, cf. Thomas Aquinas ST 2a, 2ae, Q. 40, whose understanding is so much more nuanced. In Aquinas’ analysis war comes to light on the one hand as a vice opposed to charity and particularly to the charitable virtue of peace. This is the case when war is waged for no legitimate reason. But war can also be understood (and undertaken) as an act of justice, which is a virtue. This is the case when war is used to punish a wrong that cannot be effectively punished in any other way. In such instances, war itself can be described cautiously as a virtue—the virtue of justice in action. But it is a virtue that runs a high risk of being transformed into vice. That is to say, it is an act of justice that risks violating the requirements of charity.
arms stockpiles, as well as rampant fear of the destruction such weapons may bring. And it is for this reason that the historical teaching on war must be amended.

Men nowadays are becoming more and more convinced that any disputes which may arise between nations must be resolved by negotiation and agreement, and not by recourse to arms.

We acknowledge that this conviction owes its origin chiefly to the terrifying destructive force of modern weapons. It arises from fear of the ghastly and catastrophic consequences of their use. Thus, in this age which boasts of its atomic power, it no longer makes sense to maintain that war is a fit instrument with which to repair the violation of justice. (§§126-7)

It will be noted that the Pope is not referring in these paragraphs to his own teaching as much as to the lagging opinion of mankind, which, finally, thanks to the fear of mass destruction, is beginning to sense the irrationality of war. “It makes no sense,” or, more literally, “it is contrary to reason” (alienum est a ratione) to use war as a method of redressing injustice in the world (§127).

Careful reflection on the encyclical’s overarching argument, however, reveals that the grounds for its pacifist teaching run much deeper than a claim about contemporary weaponry. The reason war is rejected as an instrument of international justice is that force itself—all force, at all levels of human interaction—is regarded as irrational. Thus we notice that while political authority is referred to more than fifty times in the encyclical and described as a necessary ground of politics, it is never acknowledged as entailing the use of force, except dismissively (e.g., §§48, 138). What Pope John wants to stress is that public authority should rest on moral authority, not merely on force (which is true), and that political obedience should be the result of love, not of fear (which would be nice).

And here is the true root of the encyclical’s rejection of force: it is a teaching about the superiority of love over fear as a ground for social life. The teaching is stated explicitly only a few times in the text, but it nevertheless supplies the key to the encyclical’s social and political outlook. According to this view, any order that exists in human relations is the result of mutual love and should be perfected by endeavoring to bring about more love. The best way to do this is through meetings and negotiations, for in such settings men come to see what they have in common (§129). Fear, for its part, “cannot effectively move men to promote the common good of all,” and, even if it could, it should still be rejected as a means, because it is “altogether opposed” to man’s dignity as a rational and free creature (§48).

It is reasonable to ask at this point why the just war tradition insists on the necessity of force. Why does it not maintain that love, instead of fear and coercion, can become the glue that holds men and nations together? The answer has everything to do with the moral status of man and the political structures he creates. The question, then, is whether the just war tradition or Pacem in Terris has the better philosophical anthropology.

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21 The encyclical must begrudgingly “acknowledge” that the conviction stems from fear, because its teaching is that fear should be discarded in favor of love. The encyclical, in other words, cannot fully account for the rise of the healthy conviction in terms of its own teaching.

22 I find the Vatican translation of the Latin text less forthright than the Latin itself. An alternative translation is available here: http://www.osjspm.org/majordoc_pacem_in_terris_official_text.aspx I do not know the history of the two translations, both of which claim to be official. The Latin is available here: http://www.vatican.va/holy_father/john_xxiii/encyclicals/documents/hf_j-xxiii_enc_11041963_pacem_lt.html

23 §§46-60, 68, 74, 83-4, 98, 104, 134—42.

24 §§37, 48, 129, 149.
3. Anthropology

The twentieth century theologian Reinhold Niebuhr once remarked that the reason the biblical view of man ought to be embraced is not so much because it is Christian, but because it true. In other words, the biblical account fits the facts of human experience more perfectly than any alternative. And the hallmark of this account, Niebuhr went on to say, is the way it emphasizes two almost contradictory impulses in human nature, righteousness and sin. Here is Niebuhr.

Christianity is a religion which measures the total dimension of human existence not only in terms of the final norm of human conduct, which is expressed in the law of love, but also in terms of the fact of sin. It recognizes that the same man who can become his true self only by striving infinitely for self-realization beyond himself is also inevitably involved in the sin of infinitely making his partial and narrow self the true end of existence.  

Humans are at once able to envision a reality more perfect than the fallen one in which we live, and, at the same time, unable to escape the fact of sin. We are thus limited in what we can accomplish here on earth.

This sense of limitedness is fundamental to the just war tradition (whether presented in religious or secular terms) and informs the way it views politics on the national and international levels. According to this sober view, peace will never be perfectly instantiated on earth because individuals and the societies they create will always be prone to selfishness and injustice. And the only way to address this impulse effectively is through “resistance,” which is to say, force. That politics is and always will be infected by injustice was the point Augustine famously made in the City of God when he likened all kingdoms to bands of robbers:

Justice removed, then, what are kingdoms but great bands of robbers? What are bands of robbers themselves but little kingdoms? The band itself is made up of men; it is governed by the authority of a ruler; it is bound together by a pact of association; and the loot is divided according to an agreed law. If, by the constant addition of desperate men, this scourge grows to such a size that it acquires territory, establishes a seat of government, occupies cities and subjugates peoples, it assumes the name of kingdom more openly. For this name is now manifestly conferred upon it not by the removal of greed, but by the addition of impunity.

“Justice removed,” cities are scarcely different from bands of robbers. Taken in the broad context of the City of God, Augustine’s point is not that human politics will be corrupt as soon as justice is removed, but rather that human politics is necessarily corrupt, because humans can never be perfectly just this side of the eschaton. This is precisely why Augustine and just war thinkers in his wake characterize war

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26 City of God IV.4. The description of kingdoms as bands of robbers appears earlier in Cyprian Ep. 1.6 (ANF 5.277) and may have become by Augustine’s time a rather standard jab at the Roman tendency to equate empire with justice.
27 See City of God II.21: “Rome never was a republic, because true justice had never a place in it.... But the fact is, true justice has no existence save in that republic whose founder and ruler is Christ, if at least any choose to call this a republic; and indeed we cannot deny that it is the people's good. But if perchance this name, which has become familiar in other connections, be considered alien to our common parlance, we may at all events say that in this city is true justice; the city of which Holy Scripture says, ‘Glorious things are said of you, O city of God’.”
as a “necessary evil.” It is evil because it violates the principles of peace and love that ought to govern mankind. But it is necessary because man cannot live perfectly by those principles. Politics then, both domestic and international, will never be characterized by lasting peace.

It is telling that Pope John XXIII fundamentally misinterprets this passage of Augustine when he alludes to it in *Pacem in Terris*. That states without justice are like bands of robbers is taken simply to say that states should be good and not injure one another (§92). The inevitability of injustice sown in the nature of man has been set aside. In fact, it is remarkable that in this epic encyclical about human relations the word “sin” is mentioned only once—in the closing section of the document—and even then only to say that it has been “washed away” by Christ. Sin is acknowledged to be the “fountainhead of discord, misery and inequality” (§169). But since it has been washed away, it poses no problem for world peace.  

Setting aside any anthropological obstacles to world peace, the encyclical turns its attention to questions of historical progress. How fast can world peace be achieved and by what process? On the question of speed, the encyclical issues a word of caution: “It is the law of nature that all things must be of gradual growth. If there is to be any improvement in human institutions, the work must be done slowly and deliberately from within…. ‘Salvation and justice consist not in the uprooting of an outdated system, but in a well-designed policy of development.’” However, whatever must be done in terms of gradualism, the process of change can be exactly prescribed. What is needed is liberal political reform. Thus, contrary to the historical teaching of the church according to which man cannot be saved through human politics, the teaching of the encyclical places tremendous hope in liberal institutions.

What has so far been achieved is insufficient compared with what needs to be done; all men must realize that. Every day provides a more important, a more fitting enterprise to which they must turn their hands—industry, trade unions, professional organizations, insurance, cultural institutions, the law, politics, medical and recreational facilities, and other such activities. The age in which we live needs all these things. It is an age in which men, having discovered the atom and achieved the breakthrough into outer space, are now exploring other avenues, leading to almost limitless horizons. (§156)

The limitless horizons in question include moral and political horizons. They include the real possibility of peace on earth (§163). Of course, humans cannot accomplish such an exalted task without God’s help (§168), but the task is nevertheless achievable if we only devote our thoughts and care and energy to it (§167), and if we endeavor to reestablish human relations on the rights principles outlined in the encyclical itself.

What are we to make of this teaching? I think two things need to be said. One is that it owes more to the family of ideas associated with the early modern philosopher Immanuel Kant than it does to the Gospel. The other is that it should be repudiated as unsound and therefore dangerous compared to the wisdom of the just war tradition. Let me close the present section with a brief comparison to Kant, and then close the essay with my claim that the encyclical’s teaching on war should be rejected.

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29 §162, quoting an address of Pope Pious XII to Italian workers in 1943.
30 Reinhold Niebuhr, “Pacem in Terris: Two Views,” *Christianity and Crisis* (May 13, 1963), p. 81 ff., describes the encyclical as Pelagian in its view of human perfection and contrasts this with the Augustinian view of man’s limits.
It is actually shocking to notice the extent to which the teaching of *Pacem in Terris* resembles the general orientation of Kant’s political theory. I am not arguing here for a direct historical influence, though there may be one. That would be a separate question. But I am arguing that in terms of “families” of ideas, *Pacem in Terris* is more at home in the world of Kant than in that of the Gospel and its historical interpretation. I can illustrate this only briefly, but it will be worthwhile to do so.

Kant’s political theorizing had a distinct structure. He attended first to questions of moral duty, then to domestic political right, international political right, and cosmopolitan right (or what he termed universal hospitality). In texts where he addressed all four of these topics, he did so in precisely this order, as *Pacem in Terris* does as well. That the encyclical is structured around these four headings—the last of which is so distinctively Kant’s invention—suggests something fundamental about its genre.

But it is the substance, not only the structure, of the argument that so closely resembles Kant. In Kant’s famous essay, *Perpetual Peace: A Philosophical Sketch*, the Prussian philosopher argued that world peace, though difficult to achieve, might be imaginable if certain conditions were met. One of these concerned peace treaties. The widespread practice of agreeing to peace while maintaining “secret reservations” according to which old pretensions might be revived in the future, would have to stop. *Pacem in Terris* identifies the same problem and recommends a similar course: “let men give serious thought to the problem of a peaceful adjustment of relations between political communities on a world level: an adjustment founded on mutual trust, on sincerity in negotiations, on faithful fulfillment of obligations assumed” (§118).

Another precondition of world peace, according to Kant, was the abolition of standing armies. He was not opposed to armies *per se*, but he thought that standing armies were especially problematic because they “constantly threaten other states with war by the very fact that they are always prepared for it.” They “spur on the states to outdo one another in arming unlimited numbers of soldiers,” and they may even spur states to “mount preventive attacks.” Readers of *Pacem in Terris* will recognize both the language and the logic of Kant’s concern about standing armies in Pope John’s condemnation of the nuclear arms race (§§110-113).

There is a common belief that under modern conditions peace cannot be assured except on the basis of an equal balance of armaments and that this factor is the probable cause of this stockpiling of armaments. Thus, if one country increases its military strength, others are immediately roused by a competitive spirit to augment their own supply of armaments. And if one country is equipped with atomic weapons, others consider themselves justified in producing such weapons themselves, equal in destructive force. (§110)

Pope John’s solution, like Kant’s, was to propose the abolition of the military threat. But he also recognized, along with Kant, that such a change could not happen overnight. Some kind of “disarmament program” would have to be established, and the process would no doubt be gradual. But however the task was to be undertaken, its success would be a prerequisite of peace.

Yet another precondition of world peace identified by Kant concerned sovereign integrity: “No state shall forcibly interfere in the constitution and government of another state.” The reason is that states,

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31 A plausible genealogy might run from Kant to the twentieth century architects of the League of Nations and the United Nations, and from there to Pope John XXIII. But I do not pretend to have studied the question.
33 Ibid., pp. 94-5.
34 Ibid., p. 96.
like individuals, are considered bearers of rights and, as such, must be treated as the only legitimate judges of how they wish to live. So too does *Pacem in Terris* teach “the inviolable principle that all States are by nature equal in dignity,” and that therefore “no country may unjustly oppress others or unduly meddle in their affairs.” (§86, 120).

The three preconditions for world peace just mentioned were presented by Kant as prohibitions—things states would have to stop doing before peace could be possible. However, Kant also specified three “definitive” articles of world peace which he expressed as affirmations. These were (1) that every nation shall have a republican constitution, (2) that the right of nations should be backed by an international organization, which Kant called a “federation of free states” and (3) that cosmopolitan right should be limited to conditions of “universal hospitality.”

It is, again, remarkable to consider the extent to which such ideas are present in *Pacem in Terris*, as well. Although the encyclical does not come right out and say that all legitimate government is republican (i.e., democratic and representative) in nature, it does say that for government to be legitimate it must acknowledge the individual dignity and rights of its citizens, including the right to active political participation (§73); it must be a constitutional regime in which all rights are enumerated explicitly and guaranteed by law (§69, 74); and it should exhibit a tripartite separation of powers—legislative, executive and judicial (§68).

Perhaps the most profound correspondence between Kant’s political philosophy and *Pacem in Terris* concerns the need for some international organization to guarantee world peace. For Kant, this was a fraught question, and he placed his hopes (somewhat groundlessly) in a voluntary federation of free states. For Pope John the question is less troubling because he believes he sees a workable solution before his very eyes in the United Nations (§137-45). Even though the United Nations has provoked “reservations” from some political onlookers (§144), it is Pope John’s hope that the organization will “as quickly as possible” become “an effective safeguard for the rights which derive directly from [man’s] dignity as a person, and which are therefore universal, inviolable and inalienable rights.”

One could go on to draw out the comparisons between Kant’s *Perpetual Peace* and Pope John’s *Pacem in Terris*. Kant’s hope that through commerce, for example, people will come to peace through mutual benefit, finds its parallel in Pope John’s reflections on international cooperation and association (§130). Certainly the Pope has been inhaling the fumes of modern liberal idealism. But I would like to close this comparison with one arresting difference between Kant and Pope John XXIII, a difference which reveals the Pope’s perspective to be significantly more idealist even than Kant’s. For Kant the difficult historical trajectory towards world peace did not require man to fundamentally change his nature. Man’s selfish predilections would rather lead him to commerce; commerce would lead him to trade; and trade would lead him—like it or not—to peace, because one cannot trade while fighting. Kant’s providential mechanism, therefore, resembled something like the “invisible hand” of Adam Smith. But Pope John XXIII differs in this regard. For him, the providential path to peace entails man’s abandoning his selfishness and replacing it with love. It entails a fundamental and universally successful change in the very nature of man. (Hegel could scarcely have imagined anything so thoroughgoing.) “The world will

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35 Ibid., pp. 99-107
37 Groundlessly, because, as I’ve noted elsewhere, such an organization did not meet Kant’s own requirements of an “assurance” that agreements would be broken. See David D. Corey and J. Daryl Charles, *The Just War Tradition* (Wilmington: ISI Books, 2011), ch. 9.
never be the dwellingplace of peace,” writes Pope John, “till peace has found a home in the heart of each and every man, till every man preserves in himself the order ordained by God to be preserved” (§165). Yet again, there is no hint that this is impossible or that it cannot be accomplished fairly soon.  

**Conclusion**

*Pacem in Terris* may have many good things to recommend it, but I have not tried to focus on its virtues. The flaw in the document is too serious for mealy-mouthed assessments. That flaw is a categorical rejection of the just war tradition and thus of the church’s historical teaching on human conflict.

The advantage of the just war tradition is that it offers a realistic understanding of man’s nature here on earth and a way of responding to human sin in the name of justice. Neither is sin denied, nor is justice abandoned. The key ingredient in this mix is the judicious use of responsive force as a check upon the temptations of sin. The check is not perfect, and often (it must be admitted) it pulls its practitioners down into sin as well. But the alternatives are unacceptable. Without some use of force as a check on injustice, villains will overrun the structures of civilization, and ordered life will be impossible. Yet, without some *guidelines* for using force, those who fight will likely corrupt themselves and contribute to an escalation of violence rather than an ordered peace. Such possibilities are too serious to play around with. For all the rationalist gymnastics we find at the realist and pacifist extremes, little can be said to alter the very real dangers of villainy on the one hand and self-corruption on the other. Thus anyone with common sense can see that the world will not be benefited either by a refusal to meet injustice with force or by a relaxing of our moral sensibilities when responding to injustice.

The problem with *Pacem in Terris* is that it is so idealist as to be flatly unworkable. It propounds a laundry list of rights the size of which has been scarcely imagined by any political philosopher. It has nothing to say about how to guarantee these rights, except that this falls to “political authority” as well as to men of good will. It then prohibits the use of force as a tool for supporting rights or as a response to their flagrant violation. And it does all of this because its vision of man takes its bearings not from life on earth as we know it, but rather from life as it could be in some ideal world where love animates all.

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39 George Weigel, “*Pacem in Terris,*” p. 68 similarly faults the encyclical for its idealism, but expresses this in theological terms: “the creative tension between the Augustinian or realist pole of the classic Catholic tradition of social ethics and the Thomistic or idealist pole tended to collapse in *Pacem in Terris,* to the point where idealism was in danger of decaying into naiveté or romanticism about the human prospect.”

40 Though the encyclical’s anthropology is unrealistic and, in this sense, unworldly, there is another sense in which it is all too worldly. I have in mind the extent to which it embraces physical life and physical living conditions as ends in themselves. This of course reflects the modern political philosophical tradition from which the encyclical’s teaching hails, but one wonders whether this is a properly religious perspective. Are poverty, injustice and even death the worst things that can happen to a person? Should Christians be quite so concerned with what happens in terris as this encyclical seems to be? I am, of course, no theologian. Yet there seems to be some tension between St. Paul’s admonitions in Romans 13 (“Every person must be subject to the governing authorities, for no authority exists except by God’s permission. The existing authorities have been established by God” (§13)) and the claim of *Pacem in Terris* that “No one wants to feel subject to political powers located outside his own country or ethnical group” (§43). Similarly, the encyclical teaches: “It must not be concluded, . . . because authority comes from God, that therefore men have no right to choose those who are to rule the state, to decide the form of government, and to determine both the way in which authority is to be exercised and its limits. It is thus clear that the doctrine which we have set forth can be fully consonant with any truly democratic regime” (§52). Of course, that is not really in question. The more obvious question is whether the doctrine is consonant with the historical teachings of Christianity.
Because the teaching of *Pacem in Terris* is unworkable, it is dangerous to endorse. Indeed, it is folly to attempt things that are not possible, and often the results are simply catastrophic. Would Hitler’s heart have been softened if we refused to resist him by force and approached him instead with loving hearts? Perhaps then Hitler would not have attacked Poland. Would Saddam Hussein have left Kuwait if we simply asked him nicely enough and hoped? Did the UN peacekeeping approach in Rwanda ensure justice for the people of that rights-bearing state? Examples abound to demonstrate that pacifist impulses mixed with wishful thinking lead to injustice rather than justice. For this reason, I think that the upcoming 50th anniversary of *Pacem in Terris* should be marked by some serious reflection on the differences between this document’s teaching and the tradition of just war. And I think that as the differences become clear, we should consider replacing this encyclical as a set of guiding principles with a vigorous restatement of the premises and conclusions of just war thinking as it has been practiced for the past sixteen centuries.