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The Weapons Policy of the Canadian Forces Chaplain Branch: A Multi Theoretical Analysis

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**The Weapons Policy of the Canadian Forces Chaplain Branch:
A Multi-Theoretical Analysis**

Kevin Edward Klein

**Thesis submitted to the Faculty of Philosophy,
Saint Paul University, in partial fulfilment of the requirements
for the degree of Master of Arts in Public Ethics**

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TITLE

The Weapons Policy of the Canadian Forces Chaplain Branch: A Multi-Theoretical Analysis.

ABSTRACT

Military chaplains of all countries are vehemently debating the issue of chaplains bearing arms. On both sides of the debate, various arguments are advanced which get to the very nature of the chaplain's role as non-combatant and minister of religion. However, there is not a consensus between military chaplaincies or even within military chaplaincies whether or not chaplains *ought* to carry weapons for their own protection or the protection of others especially in the present security environment. Within the Canadian Forces chaplains are expressly forbidden from ever bearing or using personal weapons in combat operations.

This thesis analyzes the question of chaplains bearing and using personal weapons from an ethical standpoint. Three ethical views will be explored: J.J.C Smart's act utilitarianism, Alasdair MacIntyre's virtue ethics, and Alan Gewirth's ethical rationalism. By using these three meta-ethical perspectives, the dialogue on chaplains bearing arms within the Canadian Forces can be advanced and policies re-evaluated.

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INTRODUCTION

We need to reconsider our weapons policy because if the chaplain does not carry a weapon he¹ will be unable to go where the troops go. Then, he will be unable to give religious service to the soldiers. Credibility with the troops will be lost.

-Capt. Harry Crawford, Battlegroup Chaplain, Task Force Afghanistan 2007 at the Army Chaplain Lessons Learned Conference, June 2007.

Chaplains, like any other individual, cannot be denied the right to self-defence. The policy of the chaplain branch should be revisited, especially in places like Afghanistan.

-LCol. Terry Cherwick, Operational Command Chaplain at the Operational Chaplain Conference, October 2007.

Chaplains do not carry weapons because they represent hope for humanity - the hope that weapons will someday not have to be carried by the people of the world.

-Chaplain Branch Recruitment Video, 2008.

The three quotes above are but recent examples that indicate the Canadian Forces chaplain branch is currently struggling with the question of chaplains bearing and using weapons in dangerous combat situations. In a realm where chaplains seek to minister to troops, but where the battlefield is rapidly changing, the issues surrounding this question will have profound effects upon the way that chaplains go about their ministry.

Especially during difficult and dangerous missions like the present counter-insurgency operations in Afghanistan, soldiers' demand for spiritual assistance increases. In the hostile environment of a combat operation, chaplains draw close to soldiers and their occasional desire for spiritual stability. Extreme exposure to enmity, sorrow, injury, taking life, crisis and the threat of

¹ Though the masculine pronoun is used for reasons of stylistic flow in this thesis, it is meant to refer to both genders, especially as the Canadian Forces Chaplaincy employs both male and female chaplains.

death, gives rise to questions that servicemen and women normally do not ask themselves with the same urgency in ordinary circumstances back in Canada. Soldiers make use of the services provided by chaplains who share their situations and live under the same circumstances while devoting themselves to the spiritual well-being and religious ministrations of those same troops. Religious personnel, like other professional services in the armed forces such as military psychologists, psychiatrists, dentists, and physiotherapists serve an indirect but important military purpose. Chaplains, themselves supported by a religious spirituality, provide valuable assistance to soldiers by interpreting experiences from a religious perspective.² By their presence, a radical “ministry of presence,” chaplains convey a sense of human solidarity to those in hardship. This is the essence of the chaplain’s work.

However, spending time with soldiers and going where they go, while vitally important to the work of the military chaplain, is not and never has been a safe endeavour, especially due to the fact that Canadian Forces chaplains are not permitted to bear or use personal weapons at any time. Since the end of the Cold War, non-uniformed, intra-state actors who wage insurgency operations in unconventional manners have become the most common enemy for the Canadian forces and its allies.³ Today’s battlespace is typically asymmetrical and no location within the battlespace is safe. This security environment,

²Lunze, Stefan. “Serving God and Caesar: Religious Personnel and their Protection in Armed Conflict,” *International Review of the Red Cross*, No 853, (31 Mar 2004), 72.

³Department of National Defence, *Future Security Environment 2025*, <http://www.vcds.forces.gc.ca/dgsp/pubs/rep-pub/ord/fse2025/intro_e.asp, 2004>.

juxtaposed with the chaplain's mission of being present to soldiers, has brought about concerned debate and discussion regarding the bearing of arms for Canadian military chaplains.

The Geneva Conventions of 1949 lay down the principle that "chaplains attached to the armed forces . . . shall be respected and protected in all circumstances."⁴ They may not be subjected to military attack. This protection applies at any place and at any time throughout the duration of an armed conflict, both on the battlefield and behind the lines. In accordance with the legal definition of Article 8(d) of Additional Protocol I, religious personnel are defined as,

[M]ilitary or civilian persons such as chaplains who are exclusively engaged either temporarily or permanently in the work of their ministry (spiritual assistance) and attached to the armed forces or to medical units, medical transports, or civil defence organizations.⁵

The Geneva Conventions are silent on whether chaplains may bear arms. However they do state in Protocol I, 8 June 1977, Art 43.2 that chaplains are non-combatants, that is, they do not have the right to participate directly in hostilities:

Members of the armed forces of a Party to a conflict (other than medical personnel and chaplains covered by Article 33 of the Third Convention) are combatants, that is to say, they have the right to participate directly in hostilities.

The Geneva Conventions are very clear in stating that medical personnel who are non-combatants are allowed to carry personal weapons for the purpose of

⁴ See the *Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*. Geneva, 12 August 1949, chapter IV, article 24 at <http://www.icrc.org/IHL.NSF/COM/365-570030?OpenDocument>

⁵ Cited by Lunze, *Serving God and Serving Caesar*, 74.

self-protection and the protection of the injured. Norms afforded medical personnel by the Geneva Conventions are commonly applied to religious personnel as well. Both groups wear the “Red Cross,” are identified by non-combatant ID cards, and are to be afforded similar privileges upon capture as stipulated in Chapter III of the First Geneva Convention. Moreover, the International Commission of the Red Cross (ICRC) states that, “the generally recognized principle of self-defence should not be withheld from chaplains and carrying arms and their use in self-defence is permitted.”⁶ Nevertheless, many countries, while allowing their medical personnel to bear arms, have chosen not to equip their religious personnel with weapons. In fact, they officially forbid their chaplains from bearing arms. The United States, Canada, Great Britain, and Australia, are four of the most notable examples. However, there has not been a rational argument put forth by these countries explaining why they deny the military chaplain the right to carry weapons besides the inadequate explanation that “chaplains are non-combatants.”⁷

The policy of the Canadian Forces chaplain branch is quite clear on the issue of chaplains bearing arms: chaplains shall not at any time carry weapons or use weapons, even in the most hostile of situations. The only time that a weapon may be handled by the chaplain is during the Basic Officer Training

⁶ Lunze, “Serving God and Serving Caesar,” 76.

⁷ Regarding Australian Defence Force chaplains and the bearing of arms, see the discussion paper, “Chaplains and the Bearing of Firearms” at <http://www.anglicanadf.org.au/RecentAddresses-bearingarms.pdf>; American chaplains see http://www.goarmy.com/chaplain/about_army_chaplain.jsp; British Chaplains see <http://www.army.mod.uk/chaplains/chaplains.aspx>; Canadian chaplains, see recent interview with Chaplain General BGen Stanley Johnstone at <http://news.therecord.com/printArticle/335476>.

Course at the initial stage of a chaplain's career and for the purposes of slinging a rifle during the Basic Parachute Course,

For Canadian chaplains appropriate conduct has been clearly defined by Branch policy. That this policy may differ from that of other nations and forces is ultimately not relevant. The current Branch Policy is clearly defined in 5111-0 (DPOCS 2), 16 Dec 97, which states: IAW well established and long standing custom, the Chaplain General directs that Chaplains of the Canadian Forces Chaplain Branch shall not bear arms or carry personal weapons under any circumstances... (W)eapons training at BOTC, the slinging of rifles as part of the Basic Parachute Course and safety familiarization during land force warrior training [which no longer exists within the CF] are the only occasions when chaplains are permitted to handle weapons. The ban on chaplains bearing arms also applies to crewserved weapons of any type in any service environment or on any weapon platform. There will be occasions when the chain of command might inappropriately direct a chaplain to participate in weapons handling or the bearing of weapons. Chaplains are not to acquiesce to such direction, and should immediately seek the intervention and support of the chaplain chain of command.⁸

The Canadian chaplain is categorically denied the right to bear a weapon or use it in combat scenarios no matter the circumstances. This holds even if his own life is threatened or the lives of others, including unarmed civilians. The only reason that the Canadian chaplain receives weapons training is to learn to make weapons safe if the need should ever arise.⁹

Though the Geneva Conventions and ICRC allow the practice of self-defence for chaplains, other non-combatants bear arms, and the battlefield of today has become much more dangerous and uncertain than ever before, the chaplain of the Canadian Forces is not allowed to carry a weapon for either self-protection or the protection of others. The chaplain is the only member of the Canadian forces who is denied the right to carry or use a weapon. There are

⁸ National Defence, *Land Force Chaplain's Manual* B-GL-346-001/PT-001 (2005), 117-118.

⁹ The Anglican Church of Canada, "Caring for Troops an Honour for Military Chaplains", *The Anglican Journal* (1 Nov 2007), <http://www.anglicanjournal.com/issues/2007/133/nov/09/article/caring-for-canadas-troops-an-honour-for-military-chaplains-1/?cHash=9617b7cf98>.

few reasons given for this policy and the ones that are offered are insufficient. Understandably, this issue is presently under intense debate within the Canadian Forces, the chaplain branch itself, and within other military chaplaincies around the world.

Chaplains and militaries of many countries are vehemently debating the issue of chaplains carrying weapons using a variety of arguments: the right to self-defence; the refusal of insurgents and terrorists to follow the Geneva Conventions, thus negating the chaplain's (and medic's) necessity to be identified with the Red Cross; the traditional pacifist approach of the Christian church that serves as the basis for Western chaplaincies; the definition of a non-combatant (in uniform); the professional virtues and values of serving the role as a "minister of peace"; over identification with the military; the safety of chaplains, soldiers, and civilians. These arguments, which get to the very nature of the chaplain's role and non-combatant character, have sparked intense controversy and discussion among military chaplaincies of many countries.

The role of the military chaplain is often so vague and imprecise vis-a-vis personal security that in 2004, the International Committee of the Red Cross felt compelled to publish a paper on the issue of the chaplain's protection in conflict, entitled "Serving God and Caesar: Religious Personnel and their Protection in Armed Conflict" to help clarify the challenges and limits chaplains face today as they exercise their spiritual functions within the framework of "complex military

missions.”¹⁰ This document strives to elucidate the role of the military chaplain and therefore bring clarity to the question of chaplains in relation to weapons, combat, and security.

However, a clear determination of the non-combatant role of the chaplains is difficult. As chaplains are supposed to be devoted to ministry, they are not to be seen as taking a direct part in the war effort. Therefore, they must not offensively operate weapons or weapon systems in combat. Moreover, they are not permitted to engage in back-up military efforts such as carrying or conveying military intelligence, planning military actions, transporting weapons or ammunition, translation and interrogation or the assessment of data for military purposes. Recently, Father Emmanuel Rukundo, a former military chaplain of the Rwandan Armed Forces was indicted by the International Criminal Tribunal for Rwanda for genocide and crimes against humanity after issuing orders to attack Tutsi refugees who had fled to church facilities in 1994. His guilt was predicated on the fact that he had abused his role as a chaplain in violation of his non-combatant status.¹¹

Some commentators go so far as to assert that activities by the chaplain, which are solely designed to support the morale of the troops, jeopardize his protection under the Geneva Conventions.¹² An understanding of chaplaincy

¹⁰ Lunze, Stefan. “Serving God and Caesar,” 69.

¹¹ International Criminal Tribunal for Rwanda, Indictment of Emmanuel Rukundo, <http://69.94.11.53/ENGLISH/cases/Rukundo/indictment/rukundo.pdf>.

¹² Lunze, “Serving God and Caesar,” 81.

as a means to reinforce military discipline and the efficiency of the fighting force by strengthening the role of religion in the military existed in modern western armies into the late 1960s. Enhancing the soldiers' patriotism and loyalty was seen as one of the chaplain's responsibilities, while blessing the tanks, guns, and aircraft that were to bring destruction upon the enemy was commonplace. In this way, the chaplain's role was to support operations, if not be involved in them.¹³ Even today, chaplains are often referred to as "force multipliers."¹⁴

However, questions remain: What constitutes support for military operations? What about advocating values that happen to be conducive to soldierly performance and playing down values that are potentially dysfunctional? Where is the dividing line between admissible and inadmissible activities of chaplaincy? When does such an activity become hostile? Does serving the spiritual needs of soldiers indirectly also serve to uphold their combativity, their capacity to engage in warfare and thus enhance military efficiency?

To give a general answer to these questions and draw a clear understanding of the role of the chaplain is quite complex. What is clear, though, is that the purpose of the chaplain is to serve religious and spiritual

¹³ Father George Zabelka's account of blessing the bomber crews that dropped the atomic bombs on Hiroshima and Nagasaki is the best known example of the chaplain's role being questioned. Zabelka lamented in a 1985 speech at the University of Notre Dame that he "blessed the bombs," believing that he had "denied the very foundations of his faith by lending moral and religious support to the bombing." For a text of this speech see, <http://www.chartwellchurch.org/index.cfm?PID=16434&PIDLIST=16427,17345,16434&ArticleID=26>.

¹⁴ Ed Waggoner, "Assessing the Role of Chaplains in the U.S. Armed Forces," Paper presented at the annual meeting of the Southern Political Science Association, New Orleans, LA, Jan 03, 2007, http://www.allacademic.com/meta/p_mla_apa_research_citation/1/4/3/6/3/p143634_index.html.

needs as aspects of human dignity instead of serving the military effort. The military chaplain's role is to be a benevolent presence to the individual, irrespective of the military endeavour.

An example of this understanding of the chaplain's non-combatant attitude was given by the United States Navy in a policy letter addressed to all its chaplains shortly after the incidents of 11 September 2001.¹⁵ This letter set out restrictions on chaplains' conduct and demanded "a non-combatant state-of-mind" from each and every chaplain.

Nevertheless, tension regarding the role of the chaplain has existed with military chaplains for centuries and exhibits itself in the modern context internationally. This role-tension especially manifests itself when it comes to chaplains bearing arms because a "non-combatant state of mind" and a "ministry of presence" can be interpreted in different ways and they are not necessarily mutually exclusive. Does this include protecting others who cannot protect themselves? What does a chaplain do if he cannot minister to troops due to personal danger?

Since 1909 the United States chaplaincy has prohibited chaplains from carrying weapons, instead supplying them with a bodyguard called a chaplain's assistant. Nevertheless, there have been several cases of U.S. military chaplains carrying weapons in order to minister to the troops. One U.S.

¹⁵ See Policy Letter, US Department of the Navy, Office of Chief of Naval Operations, Chief of Chaplains, Chaplain of the Marine Corps and Deputy Chief of Chaplains for Total Force, 1730 Ser N097/01301, 8 November 2001, cited in Jonathan G. Odom, "Beyond Arm Bands and Arms Banned: Chaplains, Armed Conflict, and the Law," *Naval Law Review*, Vol. 49, 2002, pp. 20 ff.

chaplain became certified as a tank driver, then a tank gunner – both entirely illegal, and considered imprudent by his chaplain superiors. He was subsequently removed as a chaplain.¹⁶ However, a well known and heavily decorated U.S. military chaplain who served in Vietnam, chaplain Jerry Autry, regularly carried an M16 assault rifle as the chaplain to the 101st and 82nd Airborne divisions. He was nicknamed the “Gun-Totin’ Chaplain” and commonly “rallied the troops and led the charge.” He states in his book *Gun-Totin’ Chaplain*, that he carried a weapon because he had to defend his soldiers and could only accompany them on missions if he was armed. Like many chaplains who went on patrols or flew on combat sorties with airborne troops, he had discovered that his unarmed presence made “the men jittery because they had to be concerned about protecting him in combat.”¹⁷ Though he openly carried a weapon, no official action was ever taken against him. In fact, he was awarded nine medals for valour.¹⁸

Within the British chaplaincy a current controversy exists regarding the chaplain’s role and the bearing of arms. British Army chaplain Clinton Lanston on the BBC website states,

My job as a padre - as the Army refers to its priests, chaplains and so on - is not to oil the wheels of war but to help the humanity caught up in it. We do wear fatigues, but the fact that we do not carry weapons is symbolic of our peaceful role.¹⁹

¹⁶ Donald F. Crosby, *Battlefield Chaplains: Catholic Priests in World War II*. (Lawrence, Kansas: University Press of Kansas, 1994), xxi.

¹⁷ Jerry Autry, *Gun-Totin’ Chaplain* (San Francisco: Airborne Press, 2006), inside cover.

¹⁸ Autry, *Gun-Totin’ Chaplain*, inside cover.

¹⁹ British Army Chaplain Clinton Lanston, on the BBC website at http://www.bbc.co.uk/religion/religions/christianity/priests/armychaplains_1.shtml

Despite this quote and the fact that British chaplains are forbidden from carrying weapons, recent British Royal Marine chaplains in Afghanistan have insisted on carrying weapons of self-defence because the enemy, Taliban insurgents, ignore the international rules of war that protect non-combatants. Unlike wars of the past where combatants were signatories of the Geneva Conventions, chaplains in the present security environment are likely to be targeted, and if captured, tortured in complete violation of the laws of armed conflict.²⁰ These chaplains argue that they will not contravene their role as chaplains by carrying weapons. Instead, bearing arms will allow them to be more effective at ministering to the soldiers under their care by allowing them to go where soldiers go with greater protection.

Similarly, countries themselves differ on whether or not chaplains should be allowed to bear arms. Norway, Denmark, and Sweden make carrying a weapon a matter of conscience for their chaplains while Estonia makes carrying a weapon contingent on whether the enemy they are fighting is a signatory of the Geneva Conventions.²¹ Clearly, there is no international consensus on the issue of chaplains bearing arms. Even within countries that prohibit the practice, there is debate regarding its rationale.

Within the Canadian chaplaincy such role tension regarding weapons has been and continues to be an issue. In the tradition of the British chaplaincy

²⁰ Matthew Hickley, "Navy Chaplains Want Right to Carry Weapons to Protect Themselves Against the Taliban." *The Daily Mail*, 18 Dec. 2007.

²¹ Information gained from the author's conversations with International Security Assistance Force (ISAF) chaplains at Kandahar Airfield, Afghanistan, July 2007 and at the Canadian Forces Chaplain School and Centre, CFB Borden, September 1999.

from which it emerged, the Canadian Forces chaplaincy has denied chaplains the right to bear arms as a point of policy, believing that it is not in accordance with the chaplain's role. Yet, a number of incidents have occurred within the history of the Canadian chaplaincy that bring this policy into question. Three of the best known situations involve well-known chaplains from three key periods of the modern Canadian chaplaincy: World War II, the FLQ crisis of 1970, and the Somalia peacekeeping operation of the early 1990's.

The first occasion concerns Chaplain John Weir Foote, the only Canadian chaplain to win the Victoria Cross. At Dieppe on 19th August 1942 Captain Foote was chaplain to the Royal Hamilton Light Infantry. The commendation for his Victoria Cross reads as follows:

Upon landing on the beach under heavy fire he attached himself to the Regimental Aid Post which had been set up in a slight depression on the beach, but which was only sufficient to give cover to men lying down. During the subsequent period of approximately eight hours, while the action continued, this officer not only assisted the Regimental Medical Officer in ministering to the wounded in the Regimental Aid Post, but time and again left this shelter to inject morphine, give first-aid and carry wounded personnel from the open beach to the Regimental Aid Post. On these occasions, with utter disregard for his personal safety, Honorary Captain Foote exposed himself to an inferno of fire and saved many lives by his gallant efforts. During the action, as the tide went out, the Regimental Aid Post was moved to the shelter of a stranded landing craft. Honorary Captain Foote continued tirelessly and courageously to carry wounded men from the exposed beach to the cover of the landing craft. He also removed wounded from inside the landing craft when ammunition had been set on fire by enemy shells. When landing craft appeared he carried wounded from the Regimental Aid Post to the landing craft through heavy fire. On several occasions this officer had the opportunity to embark but returned to the beach as his chief concern was the care and evacuation of the wounded. He refused a final opportunity to leave the shore, choosing to suffer the fate of the men he had ministered to for over three years. Honorary Captain Foote personally saved many lives by his efforts and his example inspired all around him. Those who observed him state that the calmness of this heroic officer as he walked about, collecting the wounded on the fire-swept beach will never be forgotten.²²

²² Al Fowler, *Peacetime Padres: Canadian Protestant Military Chaplains, 1945-1995* (St. Catharines, ON: Vanwell, 1996) 33.

Padre Foote became a hero to the chaplain branch and the Canadian Forces, for his brave actions. However, a popular oral tradition exists both within the chaplaincy and the Canadian Forces at large that describes Foote picking up and firing a machine gun at the enemy in order to protect the wounded and retreating soldiers. Though this verbal story is related to new chaplains at the Chaplain Basic Officer Training Course every year, there is no written evidence to corroborate this claim. Nevertheless, whether Foote did or did not use a weapon, the story mentioning the weapon is always told in the heroic sense.

Another situation involving a chaplain carrying a weapon occurred during the FLQ crisis. In October of 1970, the Canadian Forces including a number of chaplains were deployed to the province of Quebec in what was called “Operation GINGER.”²³ Due to the seriousness of the situation, all personnel who left the fortified camps were to be armed. As part of the chaplain’s role, the chaplain’s duty was to visit the troops who were standing guard at various locations outside of these fortified camps. Though the rule of carrying a weapon caused concern to the chaplains, no one was permitted to leave the garrisons unless they were armed. Everyone was to report to stores and pick up five

²³ Op GINGER was the name of the military operation that was ordered by Prime Minister Trudeau to protect vital points of Canadian interest in Quebec and the National Capital Region from the Front de libération du Québec. The Canadian Forces newspaper, *The Maple Leaf*, described the situation in the following way on 12 October 1970: The FLQ is a Montréal-based terrorist network that intends to bring about a workers’ revolution in Quebec to separate it from Canada and create a Marxist republic. FLQ cells began robbing banks, stealing weapons and planting bombs in 1963, and Quebec prisons now hold 23 “felquistes” sentenced for crimes of violence, including four convicted murderers. The latest FLQ outrages—two political abductions—are particularly unsettling because they indicate a change of strategy. A British trade official kidnapped at gunpoint from his apartment on October 5 and the deputy premier of Quebec snatched from his front yard on October 10 are being held to coerce the Quebec and Canadian governments to comply with a long list of demands. The FLQ is undeniably the worst threat to Canadian domestic security since the Second World War, and Ottawa, Montréal and Québec City are in turmoil.

rounds of ammunition. Padre Milne, an infantry chaplain from CFB Shilo in Manitoba deployed to Quebec first believed that the rule regarding weapons did not apply to him. However, the regimental sergeant major informed him that the order was clear: everyone leaving the compound would be armed and there were no exceptions. Chaplain Milne picked up his ammunition and pistol and hid them in his respirator carrier. Subsequently, he would show the weapon to the guards when he left the camp but then hide it in his pocket. He later explained to his commanding officer that “he did not want the soldiers to know that he was armed, but that he had no other way to carry out his duties.”²⁴

The most controversial incident to involve a chaplain bearing a weapon occurred in 1996. In that year the *Globe and Mail* as well as the *Toronto Sun* ran a photo taken in January 1993 as part of Operation DELIVERANCE, the peacekeeping and humanitarian-aid operation in Somalia. The picture portrayed a group of young Somalis sitting on the ground, blind-folded, their feet bound together, with their hands tied behind their backs. Above them, a sign reads, “I Am a Thief”. Behind them, stands Canadian Forces chaplain, Mark Sargent, holding a C7 assault rifle. His stance suggests that he is not merely holding the weapon as if to transport it, clean it, or make it safe. Instead, his physical posture portrays a readiness to use the weapon, holding it in an aggressive manner, though it is not clear from the picture against whom the weapon is to be used.

²⁴ Fowler, *Peacetime Padres*, 171-2.

In the light of the revelations that members of Canada's Airborne Unit had tortured and murdered a Somalian teenager, many Canadians were quick to jump to the conclusion that this Roman Catholic chaplain was somehow complicit in the maltreatment of Somalis. His bearing of arms was considered proof of this. Padre Sargent was vilified, the object of considerable hate mail. Furthermore, he was unable to defend himself against any accusations and explain the context of the picture because the Canadian government had called an inquiry into what became known as the Somalia Affair and ordered all involved to stay quiet about the situation until they testified.²⁵ But that day never came. The inquiry was halted before Sargent had a chance to take the stand. Sargent who was greatly affected by the negative publicity, resigned from the chaplain branch. The acting Chaplain General at the time, BGen. Jean Pelletier stated that his own internal investigation showed that Chaplain Sargent, one of his best and most capable chaplains, was innocent of any wrongdoing. However, he did not give an explanation for the incriminating photograph. He simply stated in 1997, "I investigated this matter and I am satisfied that there was no cause for a disciplinary or ecclesiastical reprimand."²⁶ However, a Canadian Forces Ombudsman's report indicated that Padre Sargent was actually protecting the captives from village elders who wished to harm the Somali young-people. This report was made public on the Ombudsman's website in 2001 but has been subsequently removed without any reason given.

²⁵ Lois Sweet, "General Defends Somalia Chaplain," *Anglican Journal*, (Sept, 1997), electronic format at: http://findarticles.com/p/articles/mi_7042/is_/ai_n28701080?tag=artBody;coll.

²⁶ Sweet, "General Defends Somalia Chaplain."

Nevertheless, the incident created very strong feelings among members of the chaplain branch and galvanized its policy that chaplains shall not bear arms or ever be seen, let alone photographed, holding or handling weapons in any circumstances except for those related to basic training and the parachute course.

The debate over the chaplain's role and the bearing of arms is occurring within the Canadian Forces chaplaincy today, arising at every level and using various arguments (see the quotes above). The issue was raised at the Army Chaplain Lessons Learned conference in June 2007; it was hotly debated at the chaplain Operational Council in 2007; and, it was the subject of a controversial briefing note from the Land Force Doctrine and Training Systems chaplain to the Army Command chaplain in December 2007. Yet, there has not been an in-depth ethical analysis of the issue to date.

Certainly there is a need to advance the ethical discourse on the chaplain branch's weapons policy. I believe that by analyzing the question using three major meta-ethical theories – utilitarianism, virtue ethics, and rights theory – as represented by J.J.C. Smart, Alasdair MacIntyre, and Alan Gewirth, great insight can be gained into the question of whether or not chaplains should be allowed to bear arms. Certainly, assessing the consequences, investigating the values and virtues of the chaplain branch, as well as analyzing the rights of both chaplains and soldiers with regard to self-defence and the defence of others, will add great insight into this policy issue and the present controversy.

This thesis will entail a three-fold structure. First, it will be argued that while the policy of the Canadian Forces chaplain branch precludes the bearing or using of weapons, a closer philosophical examination and critique of the problem is required. Second, the problem will be analyzed through three different ethical constructs: J.J.C. Smart's act-utilitarianism, Alasdair MacIntyre's virtue ethics, and Alan Gewirth's ethical rationalism. Each of these philosophical theories, using vastly different foci, will indicate that the bearing of arms for reasons of self-defence and the defence of others must be permissible for Canadian Forces chaplains.²⁷ Third, a re-evaluation of the present policy on chaplains bearing arms will be encouraged. Through these means an ethical assessment of current military policy regarding the chaplain's use of weapons will be made and the dialogue regarding the issue will be advanced.

Chapter one will offer an analysis of J.J.C. Smart's act-utilitarianism. This meta-ethical theory will be studied drawing upon Smart's major works on the topic, *An Outline of a System of Utilitarian Ethics* and *Utilitarian Ethics: For and Against* (co-authored with Bernard Williams). This theory will be studied, critiqued, and applied to the question of chaplains bearing and using weapons.

Chapter two will study the values and virtues of the chaplain branch. Historic and modern values rooted in community and tradition will be analyzed using Alasdair MacIntyre's virtue ethics to shed further light onto the question at

²⁷ This thesis is a conceptual thesis drawing upon the ideas of three specific writers. Of course, not all utilitarian, virtue-ethics, and deontological arguments are explored. Furthermore, I will argue that the theories entail the thesis regarding chaplains, that is, the circumstances of the chaplaincy will be used to prove the thesis. Differing interpretations of these circumstances could be used to render different conclusions.

hand. MacIntyre's writings will be studied, with particular emphasis on his works, *After Virtue*, and *Whose Justice? Which Rationality?* His conception of virtue ethics will then be critiqued and applied to the issue of chaplains bearing arms.

Chapter three will explore the rights-based approach of Alan Gewirth's ethical rationalism. Particular note will be taken of Gewirth's Principle of Generic Consistency and the essential components of freedom and well-being as laid out in his works *Reason and Morality* and *The Community of Rights*. Furthermore, Gewirth's notion of the duty to rescue will be studied and critiqued with emphasis on how it applies to the question of chaplains bearing and using arms in regards to the actions taken by a prospective purposive agent. Chapter four will conclude by drawing conclusions, underscoring the distinctive issues and considerations, and making policy recommendations.

Like a portrait that can be viewed from various angles and perspectives to gain understanding, the issue of the Canadian Forces chaplain branch weapons policy will be analyzed through three different meta-ethical theories. Indeed, the very role of the chaplain will also be considered. Through such an analysis, it is hoped that the dialogue will be advanced on this complex and critical policy.

CHAPTER 1

Utilitarianism is the first ethical theory to be used in the analysis of the problem, especially as defined by one of utilitarianisms fiercest modern proponents, J.J.C. Smart, professor of Philosophy at Monash University in Australia. Utilitarianism is a doctrine that in its standard nineteenth-century formulation, directs us to produce the “greatest happiness.” Its classic proponents were Jeremy Bentham (1789), John Stuart Mill (1861), and Henry Sidgwick (1907) who defined the utilitarian maxim as some state of mind, most notably, “happiness, the balance of pleasure over pain, as that which was supposed to be maximized.”¹

The two predominant forms of contemporary utilitarianism are “act” and “rule” utilitarianism. Whereas rule utilitarianism states that one should choose among rules (habits, norms, patterns of behaviour) in such a way as to maximize overall utility, act utilitarianism assesses each separate act according to whether it maximizes pleasure over pain. It claims that an act is morally right if and only if that act maximizes the good, that is, if and only if the total amount of good for all, minus the total amount of bad for all is greater than this net amount for any incompatible act available to the agent on that occasion.² Act utilitarianism says that each action, one by one, should be chosen so as to maximize overall utility.

¹Robert E. Goodin, *Utilitarianism as a Public Philosophy* (New York: Cambridge University Press, 1995), 3.

²G.E. Moore, *Principia Ethica* (Cambridge: Cambridge University Press, 1903), 198.

Act utilitarianism states that, when faced with a choice, one must first consider the likely consequences of potential actions and, from that, choose to do what one believes will generate the most happiness. The rule utilitarian, on the other hand, begins by looking at potential rules of action. To determine whether a rule should be followed, he looks at what would happen if it were constantly followed. If adherence to the rule produces more happiness than otherwise, it is a rule that morally must be followed at all times. The distinction between act and rule utilitarianism is based on a difference about the proper object of consequentialist calculation. Whereas rule utilitarianism states that the morally right action is the one that is in accordance with a moral rule whose general observance would create the most happiness, act utilitarianism states quite simply that the right action is the one which produces the greatest amount of happiness or pleasure for the greatest number of people.

John Jamieson Carswell Smart, a career philosophy professor teaching in Australia, and the most prominent proponent of utilitarianism lays out his theory of act utilitarianism in two important works: *An Outline of a System of Utilitarian Ethics* which he penned in 1961, and *Utilitarianism: For and Against*, first published in 1973 with Bernard Williams and reprinted a staggering twenty-five times. In these writings he lays out his system of ethics based on act utilitarianism. As a utilitarian, he believes that the primary goal of any moral action must be the maximization of benevolence or goodness rather than

misery. Truly “benevolent and sympathetic men,” he states, have no choice but to accept act utilitarianism.³

J.J.C. Smart, as Bentham and Mill, before him is a “universalistic” utilitarian, that is, he believes that in evaluating an action, we can ignore none of the consequences upon any human. Furthermore, he claims that the rightness or wrongness of an action is a function of those consequences which actually affect all mankind, rather than of what the man choosing to act believes the consequences will be. This interpretation is borne out by the following quotation in which Smart makes a distinction between what is “right” and what is “rational”:

I propose to use the word ‘rational’ as a term of commendation for that action which is, on the evidence available to the agent, likely to produce the best results, and to reserve the word ‘right’ as a term of commendation for the action which does in fact produce the best results.⁴

According to Smart, it is rational to do what one reasonably thinks to be right, and what will be right is what will have the best results. Rationality is based on what one believes to be the right choice.

The purpose of Smart’s project, then, is to use the utilitarian criterion to provide a particular method of decision making and, quite simply, determine what to do, as determined by the following two formulations:

The rightness or wrongness of an action is to be judged by the consequences, good and bad, of the action itself.⁵

And,

³ J.J.C. Smart and Bernard Williams, *Utilitarianism: For and Against* (New York: Cambridge University Press, 2007), 31.

⁴ Smart and Williams, *Utilitarianism*, 47.

⁵ Smart and Williams, *Utilitarianism*, 4.

Let us say then that the only reason for performing an action A rather than an alternative action B is that doing A will make mankind (or, perhaps, all sentient beings) happier than will doing B.⁶

The benevolent person, argues Smart is one who simply wants to choose the actions that yield the *better consequences* when confronted with two choices.

He illustrates this idea in the following quote:

Suppose we could predict the future consequences of actions with certainty. Then it would be possible to say that the total future consequences of action A are such-and-such and the total consequences of action B are so-and-so. In order to help someone decide whether to do A or to do B we could say to him, 'Envisage the total consequences of A, and think them over carefully and imaginatively. Now envisage the total consequences of B, and think them over carefully. As a benevolent and humane man, and thinking to yourself just as one man among others, would you prefer the consequences of A or those of B? That is, we are asking for a comparison of one (present and future) *total* situation. So far we are not asking for a *summation* or *calculation* of pleasures or happiness. We are only asking for a comparison of two situations. And it seems clear that we can frequently make such a comparison and say that one total situation is better than another. For example few people would not prefer a total situation in which a million people were well-fed, well-clothed, free of pain, doing interesting and enjoyable work, and enjoying the pleasures of conversation, study, business, art, humour, and so on, to a total situation where there are ten thousand such people only, or perhaps 999,999 such people plus one man with a toothache, or neurotic, or shivering with cold. In general, we can sum things up by saying that if we are humane, kindly, benevolent people, we want as many people as possible now and in the future to be as happy as possible.⁷

Smart rejects any normative ethics based on rules, other than the rules of the two statements above – that is, which claim that an action is right only if it accords with a right rule of conduct which is the maximizing of consequences. He accuses both rule utilitarianism and deontological ethics of superstitious “rule worship.”⁸ For example, he argues that there must be some cases in which avoidable human misery could be prevented only by breaking the precepts of

⁶ Smart and Williams, *Utilitarianism*, 30.

⁷ Smart and Williams, *Utilitarianism*, 32-33.

⁸ Smart and Williams, *Utilitarianism*, 6.

deontological ethics, that is, the rules. The adherent of deontological ethics can be accused of heartlessness (the opposite of benevolence) if he prefers abstract conformity with an ethical rule to the prevention of the misery of some fellow creature. Or if not of heartlessness, of some sort of confusion, or perhaps of rule worship which leads him to prefer conformity to a rule to the prevention of avoidable human suffering. The type of case which Smart envisages is one in which, according to deontological ethics or rule utilitarianism, an agent is morally obliged by a rule to perform an action which may cause misery.

Of course, one who upholds a rule ethic may claim that there exists a rule forbidding action causing unjustified misery, and that this type of case represents a conflict of moral obligations or a moral dilemma. There is no contradiction in the claim that by one rule a person is obliged to perform an action x and by another obliged not to perform x. However, in Smart's view there cannot be any such moral dilemmas.⁹ He defines a right action as "the action among those which we could do . . . which has the best possible results" irrespective of rules.¹⁰ The term "right" is used by Smart as a term of commendation for the action which does in fact produce the best results. To summarize, it is rational to do what one reasonably thinks to be right, and what will be right is what will have the best results. According to Smart, then, the rational way to decide what to do is to decide to perform that one of those alternative actions open to us (including the null-action, the doing of nothing)

⁹ Smart and Williams, *Utilitarianism*, 47.

¹⁰ Smart and Williams, *Utilitarianism*, 47

which is likely to maximize the probable happiness or well-being of humanity as a whole, or more accurately, of all sentient beings. The utilitarian position is put forward as a criterion of rational choice.

Smart does not reject the practice of relying on rules altogether. However, he states that the act utilitarian will regard these rules as mere “rules of thumb,” and will use them only as rough guides. Normally he will act in accordance with them when he has no time for considering probable consequences or when the advantages of such a consideration of consequences are likely to be outweighed by the disadvantage of the waste of time involved.¹¹ This is somewhat akin to R.M. Hare and his “two level utilitarianism.”¹² Smart makes frequent mention of Hare, but sees rules of thumb simply as procedures that have proven themselves as the best acts to perform because they yield the most beneficial consequences or effects. Such rules are nothing more than a quick form of act utilitarianism to garner the best results. The act utilitarian, then, follows what may be called an effects based model because the effects of the action are the sole concern.¹³

Though Smart believes that he has given benevolent actors a rather straightforward means to decide upon the right thing to do when the situation demands it, utilitarianism and especially Smart’s act utilitarianism faces numerous criticisms. No one wants to run one’s life like Gradgrind, the character in Dickens’ *Hard Times* who embodies the alleged selfishness of

¹¹ Smart and Williams, *Utilitarianism*, 30

¹² R.M. Hare, *Moral Thinking: Its Levels, Methods and Point* (Oxford: Oxford University Press, 1981), 25.

¹³ Goodin, *Utilitarianism as a Public Philosophy*, 81.

utilitarianism and its appeal to material self-interest. Moreover, no one could, since the calculative load imposed by utilitarian maximization would absorb all one's time and attention, leaving none for actually acting on the conclusions of the calculations. In personal life, most dramatically, there simply has to be more scope for considerations of affection, standing rules of conduct, and qualities of character. Utilitarianism is often criticized as an impersonal doctrine, disregarding people's idiosyncratic perspectives, histories, attachments, loyalties, and personal commitments.¹⁴

Utilitarianism is often regarded as a coldly *calculating* doctrine. In personal affairs this is considered to be an unattractive, "Gradgrindian," feature. One would like to suppose that certain sorts of actions proceed immediately from the heart without much reflection much less any real calculation of consequences. Among intimates it would be extremely hurtful to think of every gesture as being contrived to produce some particular effect.¹⁵ Thus, utilitarianism is criticized as something superficial and shallow, a philosophy that cannot genuinely accommodate "higher" concerns. None of us, critics scold utilitarian opponents, would want to live our individual lives in a universe so empty of external meanings and values. The classically utilitarian habit of asking, "of what use is it to me?" (or in more publicly spirited fashion, "of what use is it to us?") may be a crass way of judging what to do in one's personal

¹⁴ See Bernard Williams, in *Utilitarianism: For and Against*, 143.

¹⁵ Goodin, *Utilitarianism as a Public Philosophy*, 9.

affairs.¹⁶ As Bernard Williams states, the criterion of utilitarianism “would eliminate any desire at all which was not blankly and in the most straightforward sense egoistic.”¹⁷

But perhaps the chief criticism of utilitarianism is that it ignores justice because a number of situations would maximize the pleasure of the majority at great social cost to a minority. Under a strict utilitarian approach, it would, for example, be ethical to compel a few citizens to undergo painful, even fatal medical tests to develop cures for the rest of the world. Of course, for most people, however, such action would be unacceptable.¹⁸ Williams wonders how happiness or benevolence is defined and measured, where right and wrong fit into the theory, and how justice can possibly find a place in the utilitarian world.¹⁹

H.J. McCloskey uses “The ‘Sheriff’s Dilemma” to illustrate how utilitarians ignore justice. Suppose that the sheriff of a small town could prevent serious riots in which hundreds of people would be killed only by framing and executing, as a scapegoat, an innocent man. The sheriff has first-rate empirical evidence that he will not be found out and the sheriff knows that the man he ‘frames’ will be killed. In this case, it is argued that the act utilitarian must choose an unjust

¹⁶ Goodin, *Utilitarianism as a Public Philosophy*, 10.

¹⁷ Smart and Williams, *Utilitarianism*, 111.

¹⁸ John Marshal, “Egalitarianism and General Happiness,” pp. 35-41 in *The Limits of Utilitarianism*, Harlem B. Miller and William H. Williams, eds., (Minneapolis: University of Minnesota Press, 1982) 38.

¹⁹ Smart and Williams, *Utilitarianism*, 149-150.

form of punishment rather than a just one because the end result is less violence.²⁰

Similar counter-examples are often used to criticize the utilitarian position regarding justice. Instances of actions that are clearly right, but which on utilitarian grounds would have to be judged a wrong, or instances of actions which are clearly wrong, but which on utilitarian grounds would have to be judged as right are often used. Smart agrees that the method of offering counter-examples is sometimes relevant. He is sympathetic to these examples, though he still believes that act utilitarianism remains the best ethical methodology to decide on a course of action. He states that counter examples can be used to critique any ethical construct and that the results proposed by act utilitarianism are still better than the results of any other ethical system that, he believes, would bring about much greater human misery.²¹ Utilitarianism may not be perfect but it is much more palatable than any anti-utilitarian view. Smart states,

No, I am not happy to draw the conclusion that McCloskey quite rightly says that the utilitarian must draw. But neither am I happy with the anti-utilitarian conclusion. For if a case really *did* arise in which injustice was the lesser of two evils (in terms of human happiness and misery), then the anti-utilitarian conclusion is a very unpalatable one too, namely that in some circumstances one must choose the greater misery, perhaps *very much*, greater misery, such as that of hundreds of people suffering painful deaths.²²

Smart does not, frankly, see an alternative. He points out that “negative utilitarianism,” the view that “we should concern ourselves not so much with the

²⁰ H.J. McCloskey, “A Note on Utilitarian Punishment,” *Mind* 72 (1963), 599.

²¹ Smart and Williams, *Utilitarianism*, 72.

²² Smart and Williams, *Utilitarianism*, 71-72.

maximization of happiness" leads to some very curious and rather embarrassing consequences such as the extermination of the human race. The only alternative to acting in a utilitarian manner, and therefore for the benevolence of mankind, is to act in such a way that will bring about human misery. That, Smart makes clear, is crass, unjust, and cold.²³

Smart offers further counter arguments, such as referring to his rule of thumb construct to reduce the sheer calculative load of the utilitarian calculus. The rule of thumb saves time, assures the best result, and once again appeals to benevolence. "Who wouldn't want the best outcome for mankind?" states Smart.²⁴ Similarly, Smart deals with the calculative load through his 'ripples in the pond' concept. When an individual is faced with a choice and must hypothesize regarding the consequences, he does not know whether remote consequences will be good or bad. It might be asked whether it is really plausible to suggest (as act utilitarianism would allow) that it would be wrong for a person to kill another person in self-defence if one knows that the attacker is likely to bring about more good in the universe than him? Smart answers that this is like ripples in a pond in which it is impossible to see every consequence *ad infinitum*. As well, it is just as likely that those future consequences would be just as good as bad, thus, these considerations cancel each other out.

²³ Smart and Williams, *Utilitarianism*, 29.

²⁴ Smart and Williams, *Utilitarianism*, 7.

Therefore we cannot know what to do unless we can assume that remote consequences can be left out of account.²⁵

However, the strongest defence of utilitarianism, especially against the charge of injustice does not come from Smart. Instead, it comes from Robert Goodin in his seminal 1995 book, *Utilitarianism as a Public Philosophy*. In this work, Goodin notes that the strength of utilitarianism is as a guide to public conduct, a position that Smart does not develop fully.²⁶ “It is within the public realm,” states Goodin, “that utilitarianism’s vices, that is, the things that make people wince in recommending it as a code of personal morality, instead become considerable virtues.”²⁷ The best defence of utilitarianism according to Goodin is to remove it from individual circumstances. Indeed, utilitarianism might recommend feeding Christians to lions, if it so happens that the sum of the utilities of the spectators enjoying the show (plus that of the lions enjoying the meal) exceed the “disutilities” of the Christians being sacrificed. Or, utilitarianism might recommend dissecting one person and distributing her body parts to various others in need of transplants, if it so happens that the sum of the utilities of the recipients exceed the disutility of the “donor.” Using the sheriff’s dilemma, utilitarianism might recommend the hanging of an innocent person to assuage an angry mob, if it so happens that the sum of the utilities of those spared the mob’s wrath exceeds the disutility of the hanging victim.

²⁵ Smart and Williams, *Utilitarianism*, 33-34.

²⁶ Smart states on page 56 of *Utilitarianism*, “In this monograph I am not concerned with what our moral customs and institutions in fact are, and still less am I concerned with the question of why they are as in fact they are. I am concerned with a certain view of what they ought to be.” However, Smart does not discuss in any detail the notion of utilitarianism as public policy.

²⁷ Goodin, *Utilitarianism as a Public Philosophy*, 8.

Utilitarianism might even recommend giving all resources to a handful of people, if it so happens that those people are “super efficient pleasure machines” capable of translating resources into satisfaction at a fantastic rate. Or, it might recommend giving no resources to the handicapped, if it so happens that those people are particularly inept at translating resources into satisfaction. Goodin states that there is no denying that utilitarian prescriptions might turn out this way in particular instances. However, advocating utilitarianism as a *public philosophy* avoids the burdens associated with calculations at the margins of each and every case. It involves adopting institutions, practices and policies on a utilitarian basis that must, by their nature, be publicly accessible and relatively long lasting. Choices must be applied to standard situations recurring across protracted periods so that they will sooner or later become common knowledge. Put simply, act utilitarianism shakes off many of its criticisms if practiced as a public philosophy.

Many of the cases involving sacrificing the interests of the few to the many (or the many to the few) generate the purported utilitarian payoffs only if it never becomes public knowledge what is being done. Once it becomes public knowledge that, as a matter of policy, innocent people are hung to assuage a baying mob or to carve up one person to generate spare parts for others, then every individual starts worrying about who will be next. The anxieties associated with such thoughts systematically occurring across the whole population will more than suffice to cancel the utility advantages of carving up one person or

throwing one prisoner to the mob on any given occasion.²⁸ Utilitarianism, employed as a public philosophy, must by its nature adopt institutions and practices and policies suited to recurring situations and standard individuals. This is where act utilitarianism shows its considerable strength as an ethical guide to decision-making.

Using Smart's act utilitarianism then, and applying it to the question of chaplains bearing arms, one must ask what course of action will generate the best results. In a realm where chaplains seek to minister to troops, but where the battlefield is rapidly changing, the issues surrounding this question will have profound effects upon the way that chaplains do business.

Will carrying a weapon or not carrying a personal weapon generate the best results for chaplains in modern combat situations? Interestingly, Canadian chaplains deployed to Afghanistan, as well as all coalition chaplains in that country, already utilize an act utilitarian framework by refusing to wear the traditional red cross armband (the international symbol of a non-combatant) while deployed. They follow this course of action because wearing the armband draws more attacks from the Taliban insurgents than not wearing it.²⁹ In other words, the utility of the action, or inaction in this case, saves more lives and causes less human misery than the contrasting action of wearing it. In fact, there are currently no distinguishing features that identify the chaplain as a non-combatant. The chaplain dresses like a soldier in uniform, helmet, and body

²⁸ Goodin, *Utilitarianism as a Public Philosophy*, 22-23.

²⁹ *U.S. News and World Report*, "When the Red Cross Flag is Seen as a Terrorist Target," 28 November 2004, <http://www.usnews.com/usnews/news/articles/041206/6iraq.b2.htm>.

armour; and wears rank like a soldier. To wear the red cross or ride in a vehicle identified with a red cross would bring more harm than good, more misery than benefit. The consequences of being identified with it are worse than the consequences of not being identified with it. Commanders and chaplains practicing the benevolence to which Smart refers, are making the choice that will yield the best, that is, the safest, outcome.

A similar argument can be made in favour of chaplains carrying weapons. If a chaplain carried a weapon, he would be able to protect himself. This is certainly a benefit. Moreover, he would be able to actively protect the soldiers that are with him or act as a deterrent to attack, if visibly armed. Most significantly though, the bearing of arms would allow the chaplain the added benefit of going to more dangerous locations such as “strong points” in the very heart of enemy territory to offer religious ministrations in the most difficult of situations. These locations are currently off-limits to chaplains because of their unarmed status. Yet, this ministry of presence is a crucial part of their role and identity. The chaplain is supposed to go to the very locations where a chaplain’s presence is most keenly needed and appreciated. The consequences, when weighed, certainly fall on the side of chaplains bearing arms. Lives would be saved, human misery and death would be avoided, and the very role of the chaplain would be maximized as he brings spiritual stability and assurance to soldiers in dangerous locations. Much more benefit is gained from armed chaplains than misery.

If chaplains do not bear arms in combat situations with the result that others die, they could be accused of allowing human suffering. As well, they could be accused of being antithetical to benevolence and of being heatless. They could be accused of following some ethical rule that will allow human misery to the prevention of avoidable human suffering. In fact, it would show that chaplains have, as Smart calls it, a “disinterested benevolence.”³⁰ However, benevolence is part of the very identity of the chaplain so to bear arms in combat situations is more conducive to the chaplains’ identity. Smart’s act utilitarianism assists the chaplain branch in making a rational choice in such a situation, and the rational choice is to allow the bearing of arms.

Of course, one may argue that there would be undesirable effects if Canadian Forces chaplains were permitted to bear arms. Training time for chaplains would increase, decreasing the amount of time spent on more “spiritually specific” training. Furthermore, chaplains could injure themselves or others through negligent discharge of a weapon. It may also be argued that the carrying of a weapon would erode the pacifist or peaceful orientation of the profession and keep Canadian religious organizations from offering clergy for chaplain roles. However, this brings to mind Smart’s ripples in the pond analogy,

Someone might object that we cannot envisage the total future situation, because this stretches into infinity. In reply to this we may say that . . . we do not normally in practice need to consider very remote consequences, as these in the end approximate rapidly to zero like the furthest ripples on a pond after a stone has been dropped into it.³¹

³⁰ Smart and Williams, *Utilitarianism*, 63.

³¹ Smart and Williams, *Utilitarianism*, 33.

Smart explains that the long-term probable benefits and costs of alternative actions are likely to be negligible or to cancel one another out.³²

If chaplains are indeed benevolent and sympathetic individuals, Smart's act utilitarianism indicates that bearing weapons is the best choice for chaplains in combat situations. These weapons are not meant for offensive action, but for defensive action, similar to the motives of medical personnel, and bearing them will result in more favourable consequences than not bearing them. The three case studies offer further illumination.

In the case of Padre Foote at Dieppe, the use of a weapon was to defend, and thus keep alive as many soldiers as possible during the retreat. His intent was not to take the life of the enemy, but to save the lives of Canadian soldiers. Bearing and using the weapon helped him to save lives, a more favourable consequence than having lives lost. Similarly, in the case of Padre Sargent in Somalia, if the weapon was used in order to protect the children from those bent on harm, then he was, indeed acting in a benevolent and sympathetic manner and the result was the saving of lives. In the case of Padre Milne during the FLQ crisis, he was faced with two choices that each had differing consequences – either he carried a weapon, allowing him to offer spiritual ministrations to the soldiers outside of garrison, or he refused to carry a weapon and was not able to offer a ministry of presence to the troops. Certainly carrying the weapon resulted in more favourable consequences and therefore Milne's decision to carry a weapon was the right choice by act utilitarian

³² Smart and Williams, *Utilitarianism*, 65.

standards. In each of these situations the chaplain made the choice that generated the best results or consequences. The bearing of arms coincided with the chaplain's task of offering ministry of presence and exhibited the intuitive attributes of being a chaplain, that is, to be humane and benevolent. Therefore, the results were more beneficial because of the actions taken than they would have been if no weapons were carried.

Act utilitarianism is effects based. Whereas character ethics regards the virtues of the individual, and deontology considers the individual's duty, act utilitarianism considers the actions that generate the best consequences. The chaplain needs to look at the effects of his actions to determine the right ethical action. If carrying a weapon will allow him to travel with troops, going into harms way; if it will allow him to deter possible attacks, save the lives of others, and perhaps save the life of himself, then the effect will be much more positive than if he did not carry the weapon. The effect of not carrying a weapon will prevent a chaplain from going where the soldiers go and doing those very things that are necessary for a benevolent and humane person to do (which chaplains most obviously wish to do). It could be argued that using such a construct is simplistic, concerned with effects, results, and consequences rather than the higher things that a chaplain is to be about. However, in the case of saving lives, protecting others, and being able to exercise ministry of presence in conformity with the chaplain's function, it is difficult to understand what these higher things could be.

CHAPTER 2

Alasdair MacIntyre, the O'Brien Senior Research Professor of Philosophy at the University of Notre Dame, is the most prominent virtue ethicist living today and has written a number of important works on the topic of virtue ethics. In his seminal work, *After Virtue*,¹ he criticizes the contemporary world for having lost the context for moral discourse. MacIntyre claims that the rational and moral objectives of what he refers to as the 'Enlightenment Project' were destined to fail. This resulted in the destruction of a virtue-centred society.

MacIntyre utilizes Aristotle's account of the virtues to develop the notion of a "practice" as the framework in which virtues are exercised. For MacIntyre practices are an integral part of a virtuous life. He defines practices as:

Any coherent and complex form of socially established co-operative activity through which goods internal to that activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended.²

MacIntyre suggests that virtues receive their "primary, but incomplete" definition in practices. However, to lead the virtuous life requires participation in three distinctive narratives: the life of a practice, the living of a whole human life which is itself a search for the good human life and participation in a community in which practices are ordered.³ MacIntyre summarises this himself by stating that

¹ Alasdair MacIntyre, *After Virtue* (South Bend, IN: University of Notre Dame Press, 1981).

² MacIntyre, *After Virtue*, 187.

³ Kelvin Knight, *The MacIntyre Reader* (South Bend, IN: The University of Notre Dame Press, 1998) 82-86.

Aristotle's ethics, in its central account of the virtues, of goods as the end of human practices, of the human good as that end to which all other ends are ordered, and of the rules of justice required for a community of ordered practices, captures essential features not only of human practice within Greek city-states but of human practice as such.⁴

Involvement in practices is the first context for the schooling of the virtues because practices are the context in which the practitioner first recognises that the goods of the practice may only be realised through the exercise of the virtues. It is only later that the individual will recognise that all practices are traditions constituted by particular excellences and that their lives should be seen as an ongoing narrative in which the understanding and deployment of the virtues necessary to proper living can be achieved. For MacIntyre, the practice of such a life is fully realisable only in a community of ordered practices.⁵ MacIntyre cites soccer as an example, saying that one cannot understand the practice of soccer without reference to the good of a goal, nor can one understand the peculiar good that is a goal without reference to the practice of soccer. A context exists that must be understood. The place of virtue is, in this definition, to enable the achievement of the internal goods of a particular practice. According to MacIntyre,

⁴ Knight, *The MacIntyre Reader*, 82-86.

⁵ Alasdair MacIntyre, "Précis of *Whose Justice? Which Rationality?*" in *The MacIntyre Reader*, ed. Kelvin Knight (South Bend, IN: University of Notre Dame Press, 1998), 106-107.

A virtue is an acquired human quality the possession of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods.⁶

In short, ethics for MacIntyre consists of virtues which arise firstly in the context of a practice. The practice is constituted with reference to internal goods and virtues enable their achievement. Participation in practices is a universal feature of the human experience and a universal feature of human cultures.

For MacIntyre, virtue refers not only to just action but also to internal disposition. MacIntyre is at pains to distinguish between one who may have technical competence in a practice but exercise it in pursuit of external goods (a brilliant chess player who plays to win money) and another who pursues the practice for the sake of its internal goods. It is the latter who exercises virtue and feels the appropriate disposition while for the former, chess is simply an expedient which could be replaced if some more efficient way of generating income became available.

According to MacIntyre, virtue ethics focuses on an ethical agent, but the agent does not act in a vacuum. Rather, the agent's actions are played out in two broader contexts, the social and the historical, where his actions are to be recognized intelligibly. Therefore, the importance of historical narrative is paramount and "narrative history of a certain kind turns out to be the basic and essential genre for the characterization of human actions."⁷ Virtues are derived from what is beneficial to humans as a community. MacIntyre argues that such

⁶ MacIntyre, *After Virtue*, 191.

⁷ MacIntyre. *After Virtue*, 208.

qualities as truthfulness, courage, and justice are virtues because they enable communities to achieve the goods internal to the characteristically human practices which strengthen traditions and the communities which sustain them.⁸

In order to restore pre-modern morality, MacIntyre suggests that people should live their lives “after virtue,” pursuing the virtues practiced by pre-modern communities, but forgotten by post-modern autonomous individuals.⁹ Living after virtue, for MacIntyre, therefore, means to restore the community to which people belong and from which living traditions flow with live narratives. For instance, classical cultures almost always pictured social structures in which the heroes courageously played their roles. How can one think of Odysseus, Hector, Achilles, and hosts of other Homeric heroes without the communities with which they intermingled? MacIntyre states that every individual has a given role and status within a well-defined and highly determinate system of roles and statuses within a community. In contrast to radical individualism, there is no way that one can possess the virtues unless he is part of his tradition. Virtue is inter-related to other virtues and it operates in the context of social structure.¹⁰ Virtue cannot exist outside of social structure and tradition but has a close relation with tradition that sustains narrative and practice in the context of households and the greater political community. MacIntyre elaborates:

The virtues therefore are to be understood as those dispositions which will not only sustain practices and enable us to achieve the goods internal to practices, but which will also sustain us in the relative kind of quest for the good, by

⁸ Justin Oakley and Dean Cocking, *Virtue Ethics and Professional Roles* (New York: Cambridge University Press, 2001) 16.

⁹ MacIntyre, *After Virtue*, 122.

¹⁰ MacIntyre, *After Virtue*, 123-124.

enabling us to overcome the harms, dangers, temptations and distractions which we encounter, and which will furnish us with increasing self-knowledge and increasing knowledge of good. The catalogue of the virtues will therefore include the virtues required to sustain the kind of households and the kind of political communities in which men and women can seek for the good together and the virtues necessary for philosophical enquiry about the character of the good.¹¹

It is MacIntyre's attack on tradition-independent norms and his proposed substitute, the "rationality of traditions" that is most intriguing. Rationality, argues MacIntyre, is actually brought forth and maintained by tradition.¹² It is this notion of a community exercising practices bound by tradition that is most germane to the question of chaplains bearing and using weapons.

In order to understand MacIntyre's theory of rationality as tradition-guided inquiry, it is necessary to realize that the immediate context of that theory is to be found, not only in the classical thought to which he devotes so much attention, but also in the debates over the nature of rationality and the meaning of truth that have dominated philosophy since the seminal work of Wittgenstein and Quine.¹³ MacIntyre rejects what he takes to be the central presupposition of the classical liberalism of the Enlightenment, namely, the claim that there is one substantive rationality on which all sufficiently enlightened persons must agree, which therefore can provide a universally persuasive set of standards by which to judge the beliefs and commitments of particular intellectual traditions. To the contrary, he believes that at least some of the diverse social and intellectual

¹¹ MacIntyre. *After Virtue*, 219.

¹² Jennifer A. Herdt, "Alasdair MacIntyre's 'Rationality of Traditions' and Tradition-Transcendental Standards of Justification," *The Journal of Religion*, Vol. 78, No. 4 (Oct., 1998) 524.

¹³ Jean Porter, "Openness and Constraint: Moral Reflection as Tradition-Guided Inquiry in Alasdair MacIntyre's Recent Works," *The Journal of Religion*, Vol. 73, No. 4 (Oct., 1993) 517.

traditions that exist are to some significant degree incommensurable with one another. This does not mean that there is no possibility of meaningful conversation at all between two such traditions. Inhabitants of incommensurable traditions will find themselves faced with extensive and significant disagreements that cannot be resolved by means of an appeal to standards of reason and evidence that both parties would find acceptable, because these disagreements will have to do, at least in part, with the presuppositions that each community takes to be basic to any further inquiry and debate. Since there are no neutral standards of rationality and truth that are necessarily compelling to all enlightened persons, MacIntyre concludes that there is no alternative but to turn to the notion of tradition as providing an alternative framework within which to understand both speculative and practical discourse.¹⁴ Unless individuals deliberately reason from within a tradition they cannot reason at all, states MacIntyre in *Whose Justice? Which Rationality?*¹⁵

How does this help to understand the social embodiment of traditions? A tradition is not to be understood, according to MacIntyre's view, as comprising a monolithic account of reality. To the contrary, a tradition, as he understands the term, is an institutionally embodied framework of shared commitments and ongoing problematics through which ongoing inquiry and debate are rendered possible. Thus, a tradition is characterized by the sorts of questions that it

¹⁴ Porter, *Openness and Constraint* 517.

¹⁵ Alasdair MacIntyre, *Whose Justice? Which Rationality?* (South Bend, IN: University of Notre Dame Press, 1988) 402.

generates, the issues that are of recurring concern within it, and the forms of institutional life that embody it.¹⁶

It is a crucial part of MacIntyre's case that the development of a tradition is more than the discussion and transmission of ideas. The ideas and theories that concern him are what he calls "socially embodied." Within tradition, intellectual enquiry was or is part of the elaboration of a mode of social and moral life of which the intellectual enquiry itself is an integral part, and in which the forms of that life are embodied.¹⁷

MacIntyre stresses the point that traditions are rational. They are, he states, "an argument extended through time."¹⁸ Traditions, for MacIntyre, live and die by how well they convey reason. Hume subverted the Scottish tradition, he claims, because it cannot, in terms of its own understanding of what constitutes good reasoning, successfully prevent Hume's attempt to take it in a quite different direction. The Thomistic tradition, by contrast, scores well in terms of its ability to meet objections from other traditions and to enlarge its own resources by learning from other traditions both negatively and positively.¹⁹ There is, MacIntyre claims, no such thing as the post-Enlightenment notion of rational justification, meaning justification in terms of a reason or reasons that would have force with all rational persons irrespective of their social context.

¹⁶ Porter, *Openness and Constraint*, 518.

¹⁷ MacIntyre, *Whose Justice? Which Rationality?* 314.

¹⁸ MacIntyre, *Whose Justice? Which Rationality?* 12.

¹⁹ MacIntyre, *Whose Justice? Which Rationality?* 402.

Rather, "to justify is to narrate how the argument has gone so far."²⁰ What counts as a good reason will depend on the tradition of debate within which one stands. The best traditions can be justified by their historical superiority to other attempts to formulate the tradition's intellectual issues, and by their success in meeting what MacIntyre calls "epistemological crises."²¹ Yet, a tradition of inquiry can in its own terms become static, or sterile. It characteristically either decays or is rejuvenated by reformulating and reordering its principles in a way which, while continuous with its own past, enables it to overcome its past problems. Rational superiority to other traditions consists not in the impossible feat of arguing the others down, but in having the conceptual resources to explain one tradition's success and the other traditions' failure in meeting a challenge.

It is the strength of the tradition that determines its rationality and MacIntyre believes that his account of the rationality of traditions, especially as he portrays it in *Whose Justice? Which Rationality?* is immune from relativism. It is the forms of rationality embedded within traditions themselves, he claims, not ostensibly tradition-independent norms that make possible both rational advance within a tradition and rational assessment of debates between

²⁰ MacIntyre, *Whose Justice? Which Rationality?* 8.

²¹ MacIntyre, *Whose Justice? Which Rationality?* 362.

traditions. The rationality of traditions consists in progress that a tradition-constituted enquiry "makes through a number of well-defined types of stage."²²

Enquiry begins from a condition of historical contingency, with certain beliefs, institutions, and practices in a state of constant flux. Stage one is characterized by unquestioning acceptance of authoritative texts, beliefs, and persons, which, with more systematic reflection, gives way to a second stage, characterized by awareness of internal incoherencies among traditional authorities and/or inadequacies in responding to new situations. In the third stage, a tradition reformulates beliefs and reevaluates authorities in a variety of ways to resolve incoherencies and respond to inadequacies, though some core of belief survives that holds together the identity of the tradition. Once in stage three, members of the community can contrast current with former beliefs and judge the former beliefs to have been false. The concept of truth is formed derivatively, in contrast with that of falsity, where the latter is understood as lack of correspondence between mind as activity (not judgments) and its objects. "Characteristically," MacIntyre suggests, there "comes a time in the history of tradition-constituted enquiry when those engaged in them may find occasion or need to frame a theory of their own activities of enquiry."²³ Furthermore, sometimes epistemological crises arise within traditions, crises that require imaginative new theories and concepts, not just reflection on old ideas. Some

²² MacIntyre, *Whose Justice? Which Rationality?* 374. See also Alasdair MacIntyre, *Three Rival Versions of Moral Enquiry: Encyclopaedia, Genealogy, and Tradition* (Notre Dame: Notre Dame University Press, 1991) 116ff.

²³ MacIntyre, *Whose Justice? Which Rationality?* 359.

epistemological crises are not resolved at all, some are resolved from within, and some are resolved by a turn to a rival tradition. MacIntyre thus seems to expect significant differences from one tradition of enquiry to another but also equally significant similarities. Traditions will vary in their particular authorities, canonical texts, and practices, as well as the particular incoherencies or novelties they are forced to confront and the theories they develop. But they will have in common their movement through these stages, their possession of beliefs and authorities, their understanding of the contrast between falsehood and truth, and even the main outlines of the origin of this understanding.

MacIntyre further suggests that

[T]o some degree, insofar as a tradition of rational enquiry is such, it will tend to recognize what it shares as such with other traditions, and in the development of such traditions common characteristic, if not universal, patterns will appear.²⁴

Therefore, to be in a position to choose among rival traditions, a person who feels an initial sense of belonging within a particular tradition must engage "in the argumentative debates and conflicts of that tradition of enquiry with one or more of its rivals." This task requires,

[T]he acquisition of the language-in-use of whatever particular rival tradition is in question, as . . . a second first language, and that in turn requires a work of the imagination whereby the individual is able to place him or herself imaginatively within the scheme of belief inhabited by those whose allegiance is to the rival tradition, so as to perceive and conceive the natural and social worlds as they perceive and conceive them."²⁵

²⁴ MacIntyre, *Whose Justice? Which Rationality?* 359.

²⁵ MacIntyre, *Whose Justice? Which Rationality?* 365-6 and MacIntyre, *Three Rival Versions of Moral Enquiry*, 114.

It is this act of the "empathetic conceptual imagination" that allows one to argue with those from other traditions. Specifically, it allows one to determine whether they might possibly have a more illuminating account of one's own epistemological crises than one is able to give from within one's own tradition, as well as themselves being able to avoid such crises.²⁶ What distinguishes traditions is what they count as a good reason, and how well they can argue against reasoned objections from other traditions.²⁷ According to MacIntyre, the key to deflecting the relativist challenge lies in looking carefully at what happens when a tradition resolves a full-blown epistemological crisis by encountering a rival tradition. It is in such a circumstance, MacIntyre argues, that "rational debate between and rational choice among rival traditions is possible."²⁸ On this view a tradition of reasoning is essentially located in a particular historical setting, and depends on that setting for its defining features. It is created by the needs of a particular social configuration, and it answers to the satisfaction of those needs. If the tradition develops in an intellectually satisfactory way, these needs will be met, leaving the social configuration strengthened; but if the tradition falters intellectually, then the social configuration is itself weakened. The coherence of the intellectual tradition's social embodiment stands or falls with the coherence of the reasoning the tradition produces because one position can explain better than the other the nature of the disagreement and its own

²⁶ MacIntyre, *Whose Justice? Which Rationality?* 365.

²⁷ MacIntyre, *Whose Justice? Which Rationality?* 349.

²⁸ MacIntyre, *Whose Justice? Which Rationality?* 352.

superiority in resolving it.²⁹ What distinguishes traditions is what they count as a good reason, and how well they can argue against reasoned objections from other traditions.

Regarding the question of chaplains bearing weapons, MacIntyre's position sheds a unique and intriguing light. In order to answer the question using MacIntyre's reasoning the problem must be understood through the resources of the tradition of the chaplaincy. The tradition must then be held up against other traditions to assess whether the solutions provided by the chaplaincy's traditions are superior to those provided by other traditions. However, before this can be done, it is important to assess the criticisms of MacIntyre's virtue ethic and especially his virtue ethic as based on the rationality of tradition. These criticisms are primarily two-fold. First, there is the criticism of the incompleteness of virtue ethics in general. Secondly, there is the criticism of relativism that is aimed at MacIntyre's conception of virtue ethics specifically.

The first criticism that assaults MacIntyre's idea of virtue ethics is the criticism of incompleteness. James Rachels, former professor of philosophy at the University of Alabama, argued that moral problems are frequently problems about what we should do. Yet, it is not obvious how, according to virtue theory, one should go about deciding what to do. It is difficult, in fact, to see how virtue theory could handle cases of moral conflict. He states:

Suppose you must choose between A and B, when it would be dishonest but kind to do A, and honest but unkind to do B. (An example might be telling the

²⁹ Julia Annas, "MacIntyre on Traditions," *Philosophy and Public Affairs*, Vol. 18, No. 4 (Autumn, 1989) 394.

truth in circumstances that would be hurtful to someone). Honesty and kindness are both virtues, and so there are reasons both for and against each alternative. But you must do one or the other - you must either tell the truth, and be unkind, or not tell the truth, and be dishonest. So which should you do? The admonition to act virtuously does not, by itself, offer much help. It only leaves you wondering which virtue takes precedence. It seems that we need some more general guidance, beyond that which radical virtue theory can offer, to resolve such conflicts.³⁰

The problem of incompleteness points toward a theoretical difficulty for the virtue ethics approach. Virtue ethics is committed to the idea that for any good reason that may be given in favour of doing an action, there is a corresponding virtue that consists in the disposition to accept and act on that reason. But this does not appear to be true when virtues conflict. It seems best to regard the theory of virtue as part of an overall theory of ethics rather than as a complete theory in itself. Of itself, virtue ethics is incomplete.

MacIntyre himself is accused of incompleteness because he argues for the possibility of virtues without actually naming them. Gregory E. Pence's "Recent Work on Virtues" offers a chronological review of significant work on the virtues.³¹ Pence regards MacIntyre as the "most prominent philosopher of virtues in a social sense." Nevertheless, he criticizes MacIntyre's notion of a practice as key to understanding the virtues as "excessively abstract and vague."³² Pence argues that MacIntyre's theory of virtue ethics is incomplete

³⁰ James Rachels, *Can Ethics Provide Answers?* (Lanham, MD: Littlefield and Rowan Publishers, 1996).

³¹ Gregory E. Pence, "Recent Work on Virtues," *American Philosophical Quarterly*, 21:4 (1984), 281-297.

³² Pence, "Recent Work on Virtues," 283.

because it does not provide a modern detailed conception of the virtues but, instead, argues only for the possibility of doing so.³³

The second criticism is more specific to MacIntyre alone. Historicism and nonfoundationalism without relativism are what MacIntyre offers, and many contemporary moral philosophers have been takers.³⁴ But at various points in his argument, particularly in the course of warding off relativism, MacIntyre appears to undermine his claims about tradition and practical rationality. J.B. Schneewind states that the problem with MacIntyre's idea is that the historian is MacIntyre's nonfoundationalist replacement for a timeless criterion of truth because only the historian can see whether particular issues have been resolved in a way that fits into a coherent general theory. But the historian's verdict is useless. If one must wait for it in order to know the solution to a problem, then that knowledge will have no role in the actual give and take of life. What solves a problem now is what the parties to the dispute agree solves it. If later concerned parties, including historians of traditions, think their solution inadequate, they can reopen the dispute. But their later resolution will itself always be open to reiteration of the same process.³⁵

MacIntyre does not offer a defence to the criticism of incompleteness because, frankly, this is not his project. His aim is primarily to attack liberalism and then to argue for the incommensurability of traditions. He doesn't give more

³³ Pence, "Recent Work on Virtues," 284.

³⁴ See Jennifer A. Herdt, "Alasdair MacIntyre's "Rationality of Traditions" and Tradition-Transcendental Standards of Justification," *The Journal of Religion*, Vol. 78, No. 4 (Oct., 1998) 524.

³⁵ J. B. Schneewind, "MacIntyre and the Indispensability of Tradition," *Philosophy and Phenomenological Research*, Vol. 51, No. 1 (Mar., 1991) 168.

detail regarding the virtues because his very theory speaks against it. Each tradition holds its own values and virtues as defined by its narratives and stories. MacIntyre does not answer the criticism of incompleteness, because he hardly believes that he needs to. To do so would negate his argument. Instead, he offers a place and means of reconciliation. In the final chapters of his 1990 book, *Three Rival Versions of Moral Inquiry*, he names the place to reconcile traditions as the university, reconceived on the lines of the pre-liberal thirteenth-century University of Paris where rival traditions with different virtues were openly discussed and debated.³⁶ The means is the lecture, which can be a device to articulate a way of moral inquiry while also serving as a means for those not in a particular tradition to participate imaginatively in the tradition and bring new lessons to their own tradition.³⁷ With a place and means, incompatible traditions can meet and a new synthesis that embraces rival traditions and is able to explain the successes and failures of other traditions can emerge. MacIntyre does not create a modern catalogue of virtues. Instead, his project is to create a methodology where traditions can come together to create their own list of virtues.³⁸

Regarding relativism, however, MacIntyre most definitely defends himself. MacIntyre argues that the position of the relativist is self-defeating. The relativist pretends to issue his challenge from a neutral ground where different traditions

³⁶ MacIntyre, *Three Rival Versions of Moral Enquiry*, 232.

³⁷ MacIntyre, *Three Rival Versions of Moral Enquiry*, 230-231.

³⁸ MacIntyre, *Three Rival Versions of Moral Enquiry*, 234.

may be compared and truth may be proclaimed relative to each of them. But this is as much a claim to absolute truth as any other.³⁹ At the same time, he points out that within every major intellectual tradition, various claims are presented about morals and rationality as absolutely true. The problem is then raised as to how this anti-relativistic commitment to truth can coexist with the recognition of rival intellectual traditions with their different standards of rationality and morality. MacIntyre's solution is that common standards are to be sought, even where none exist, by dialectical interchange between the rival viewpoints. One tradition of inquiry will be in a position to uphold the truth of its claims against rivals in which those claims are not recognized when it develops the intellectual apparatus to explain the rival viewpoint, and why the disagreement has arisen, and why the rival is incorrect. In other words, through intellectual conflict between traditions, a tradition can defend itself only when it can enrich its own conceptual resources sufficiently to explain the errors of its rivals. This kind of conflict and progress is only possible when there is a commitment to finding the truth. With relativism there can be no intellectual advancement, because there is no attempt made to adjudicate among different theoretical viewpoints, and without the attempt to reach a more comprehensive position in which truth and falsity can be distinguished, traditions cannot evolve

³⁹ See John Haldane, "MacIntyre's Thomist Revival: What Next?" in *After MacIntyre*, pp. 96-99, and MacIntyre's response in the same volume, pp. 294-297. Haldane is Director of the Center for Philosophy and Public Affairs at the University of St. Andrews.

rationally, nor can they maintain their previous truth claims.⁴⁰ MacIntyre wholeheartedly rejects such ideas predicated on relativism.

MacIntyre's virtue ethic resonates well with the idea of the chaplaincy. The chaplain is part of a tradition, not only a religious tradition, but also a military tradition. These two traditions have synthesized to create an independent tradition of Canadian chaplaincy that has existed since the Fenian raids of 1866.⁴¹ The chaplain never acts as an individual, but always, even when alone, as part of a greater group and organization in a larger context related to other chaplains. This community known as the chaplaincy has an extensive history and culture that teaches the chaplain how to practice the virtues that make a good chaplain: humility, strength of spirit, courage, faith, love of peace. All of these virtues are needed for the primary activity that defines the chaplaincy, that is, the exercising of a radical ministry of presence. Without the context of the larger society, the individual chaplain is disoriented. It is the very chaplain tradition and history that grounds and sustains the life of the chaplain. The traditions sustain the chaplain virtues, while the exercising of the virtues sustains the traditions. These living traditions link the past with the future and allow one to see future possibilities through the lens of a community rather than an overly individualistic conception of the self.

As a community that exercises rational traditions through practices, the chaplaincy can be defined in multiple ways. It is a community of place, based

⁴⁰ MacIntyre, *Whose Justice? Which Rationality?* 366-367.

⁴¹ Duff Crerar, *Chaplains in No Man's Land* (Kingston: Queen's University Press, 1995), 3.

upon a geographical location, namely, Canada. The history of Canada, especially in conflict, infuses the chaplaincy with traditions and virtues. Accordingly, the chaplaincy is a community of groups of strangers who share a morally significant history. This history goes back several generations and is encapsulated with the stories of hero chaplains and their exploits as ministers of peace who visit soldiers wherever they are and in whatever circumstances they find themselves in. Besides tying chaplains to the past, such a history turns chaplains towards the future. Members of the profession strive to realize the ideals and aspirations embedded in past experiences of the community, seeing their efforts as being, in part, contributions to a common good. The history and tradition provide a source of meaning and hope in people's lives that define and describe virtue in the context of the chaplaincy. In the chaplaincy, this typically translates into various community-building practices meant to nourish the bonds of commonality that tie chaplains together, creating a psychological community of face-to-face personal interaction governed by sentiments of trust, co-operation, and altruism. Chaplains participate in common activities and experience a psychological sense of togetherness as shared ends are sought. Therefore, the chaplaincy is governed by sentiments of trust, cooperation, and altruism in the sense that constituent members have the good of the community in mind and act on behalf of the community's interest.

Following MacIntyre's notion, the chaplaincy tends to favour policies designed to protect and promote the community while at the same time coordinating its practices with past traditions. After all, it is the tradition that is

the purveyor of rationality through time. The chaplain branch has had a tradition of chaplains being unarmed. This is a morally significant practice that must be fully respected and revered because it has been integral to the very traditional and historic role of the chaplain. The issue is not simply whether chaplains should or should not bear arms, but that not bearing arms is representative of certain virtues and values that define the chaplaincy and the chaplain. This has been the case throughout the Canadian chaplaincy's history. So, the present admonition plays out like this: chaplains have always been devoted to a ministry of presence. As such they must not take a direct part in the war effort. They must not carry or use weapons in combat. Furthermore, they are not allowed to engage in back-up military efforts such as carrying or conveying military intelligence, planning military actions, transporting weapons or ammunition, translating and interrogating or assessing of data for military purposes. Some commentators go so far as to assert that activities by the chaplain which are solely designed to support the morale of the troops jeopardize his protection under the Geneva Conventions because it is rallying "around the flag."⁴² These have been the traditions of the chaplaincy that have served the community well. In order to preserve its status, its context, and its tradition, the chaplaincy must firmly embrace the notion of serving religion as an aspect of human dignity instead of serving the military effort. This is part of the chaplain virtue. Defining the nature of military chaplaincy as presence and aid may be a useful guideline,

⁴² Nicolas, Claude. *L'Assistance spirituelle dans le droit de la guerre*, Diss. (Paris: Université Paris-Sud XI, 1991), 104.

but must be seen in the context of being present for and aiding the individual, not the common military endeavour.

An example of strong dedication to clearly abstaining from incompatible virtues that may be interpreted as hostile was given by the United States Navy in a policy letter addressed to all its chaplains shortly after the incidents of 11 September 2001. This letter set out the restrictions on chaplains' conduct and demanded "a non-combatant state-of-mind".⁴³ Such a policy would seem to reflect a correct interpretation of chaplain virtues. It is this non-combatant state-of-mind and attitude that is part of the Canadian chaplain's tradition and context as well. However, it is not the only, or most important, tradition. Furthermore, such an attitude can exist while the chaplain also bears arms.

Of course, the incompleteness and the contradiction of virtues come into play regarding the weapons issue. What is chaplain support for a military operation? When does such an activity become hostile? Does serving the spiritual needs of soldiers indirectly also serve to uphold their capacity to engage in warfare and thus enhance military efficiency? To give a general answer to these questions and draw a clear distinction appears to be no easy matter. The values of the chaplaincy are rooted in the love of peace and justice. The justifiable war tradition, pacifism, holy war, the advocating to soldiers of an

⁴³ Policy Letter, US Department of the Navy, Office of Chief of Naval Operations, Chief of Chaplains, Chaplain of the Marine Corps and Deputy Chief of Chaplains for Total Force, 1730 Ser N097/01301, 8 November 2001, cited in Jonathan G. Odom, "Beyond arm bands and arms banned: Chaplains, armed conflict, and the law", *Naval Law Review*, Vol. 49, 2002, pp. 20 ff.

authentic desire for peace, and being ministers of peace, are all part of the context that make up the chaplain tradition.⁴⁴

Yet, the context of chaplaincy especially in the modern era of complex operations, terrorism, and insurgency, brings with it some seemingly incommensurate traditions that must be reconciled. Chaplains are mandated to go with the troops wherever they go, yet without a weapon for protection they are precluded from going to the most dangerous locations to visit the troops. This erodes the all important practice of “ministry of presence.” Furthermore, the very notion of justice as elucidated by the justifiable war tradition, itself developed by the Christian church, indicates that the chaplaincy must value human life and see its protection as a virtue as well. The bearing and using of arms, using lethal force if necessary to protect another human being, is a sign of this respect.

Alasdair MacIntyre’s notion of virtue ethics and its basis in community and tradition do indeed offer an intriguing analysis of the question at hand because it places the emphasis of the debate over weapons policy on values and virtues. Yet, what values and virtues are most important when they collide with each other? The selected narratives of the chaplain tradition do not elucidate an easy solution, but they do reflect a hierarchy of virtues.

In the case of John Weir Foote on the beaches of Dieppe, he may have decided to use or not to use a machine-gun. Whether or not he chose to use a

⁴⁴ John Paul II, “Address to the third international and interdenominational conference of chief military chaplains of Europe and North America”, 6 February 1992, available at: <http://www.vatican.va/holy_father/john_paul_ii/speeches/1992/documents/hf_jp-ii_spe_19920206_military-chaplains_en.html>.

weapon to defend human lives, he is still considered a hero to the Canadian Forces and the chaplaincy. His legacy and the traditional story about him have not been tarnished by the fact that he may have used a weapon. In fact, what is most notable about this chaplain who won the Victory Cross is that he practiced a ministry of presence, a ministry of presence that saw him even taken prisoner so that he could be with the troops. This is the overwhelming message of that narrative. Similarly, in the case of Padre Milne, he deemed it necessary to carry a weapon to allow him to exercise the practice of ministry of presence. This took precedence over his refusal to carry a weapon. Of course, he concealed the weapon to make it appear as though he was not carrying it. However, he was bearing arms nonetheless in order to carry out his professional role. In the case of chaplain Mark Sargent, the situation was somewhat different. Even though he may have been protecting lives, the *appearance* of him holding a weapon and apparently abusing his status as a chaplain seemed absolutely antithetical to the profession of chaplaincy and the virtues of the chaplaincy community as established by a long tradition. It can be argued that his bearing of arms did not directly relate to a ministry of presence, though it may have saved many lives. His action of bearing a weapon had a negative impact within the chaplain branch, not because he was protecting human life, but because it was done outside of a ministry of presence. This narrative, along with the other two, indicates that it is the presence of the chaplain that is valued more highly than the protection of human life. In each of the three case studies, the narratives point quite convincingly to the singular virtue of presence with

soldiers, amidst danger, as the prime virtue of the chaplain community within the Canadian Forces.

From the previous discussion, some general conclusions can be drawn, Though carrying weapons has been traditionally frowned upon within the chaplain branch, there are circumstances where the bearing of arms enables the chaplain to carry out his duties as traditionally defined. Hence, there is no absolute case against bearing and using weapons in the narratives of the chaplaincy, especially if it allows a ministry of presence. Examining the case studies and using MacIntyre's concept of tradition as the conveyor of rationality, it is evident that the primary virtue of the chaplain consists in a radical ministry of presence. This has always been the prime virtue of the Canadian chaplain. Therefore, if bearing arms will allow this *telos* to continue in the present security environment, it stands to reason that the tradition must allow it. This particular argument is a clear example of MacIntyre's general idea that the common life of an institution is defined by its practices as constituted by the narrative tradition. Revision and emendation, then, are not grounded upon principles for which universal validity is claimed, but proceed from judgments based on experience, practical reason, and a conviction that the resolution is the best that the particular tradition can offer. In the case of chaplains bearing weapons, the tradition must be revised to allow for the overarching virtue of "presence" to take place. If chaplains cannot bear weapons in today's security environment, then, in many circumstances they cannot fulfill their primary role. Therefore, to keep the chaplaincy's traditional role and practices intact, the bearing of arms must be

allowed. This permits the chaplaincy to achieve the goods internal to the characteristically human practices that sustain it. As MacIntyre states, a tradition can become static or sterile. If so, it requires rejuvenation by reformulation and reordering its principles, enabling it to overcome its problems while remaining continuous with the past. This is done through dialectic in the search for truth and will allow the chaplaincy to reformulate its beliefs in order to resolve its incoherencies and inadequacies. Bluntly stated: unarmed chaplains cannot go where soldiers go. By re-evaluating and reformulating the policy regarding chaplains bearing arms, the Canadian Forces chaplaincy will ensure the integrity of its tradition.

CHAPTER 3

Alan Gewirth (November 28, 1912 - May 9, 2004) was an American philosopher and professor of philosophy at the University of Chicago who spent more than 40 years expounding a universal theory of human rights. His moral and political views fall within the field of deontological ethics and he is best known for his ethical rationalism, according to which a supreme moral principle, which he calls the "Principle of Generic Consistency" (PGC), is logically derivable from the nature and structure of human agency.

Gewirth's argument is Kantian, and revises Kant's categorical imperative, itself a version of the Golden Rule.¹ Gewirth's revision has a purpose - to make immorality not just bad, which is arbitrary, but self-contradictory. His modification on Kant depends on the notion that in acting to achieve some end, one affirms the desirability of the end and the factual necessity of taking actions that are means to these ends. This commits one to generic claims about these means and ends, and in particular to the claim that one has a right to perform the acts that bring about the end. To act is implicitly a claim on the generic goods of freedom and voluntariness that are essential to action. To fail to abide by this claim as it applies to others is a form of self-contradiction. Therefore, an agent, as an agent, owes and is owed by the recipients of the consequences of

¹ Stephen Turner, "The Political Face of Rational Morality," *Theory and Society*, Vol. 7. No 4 (July 1988), 551-552.

actions the non-interference essential to action.² Gewirth's version of the Golden Rule reads like this: "Give unto others (for whom our actions have consequences) the generic goods (i.e., 'rights') one implicitly claims for oneself (by virtue of acting to achieve some particular end)." Not only "non-interference," but also "well-being" is essential to action, and consequently, Gewirth argues, agents owe well-being to other agents and are owed well-being by other agents. Gewirth calls this the Principle of Generic Consistency, (PGC), which he summarizes as, "Act in accord with the generic rights of your recipients as well as yourself."³ He believes that the PGC implies a duty "to prevent" people from "inflicting basic harm on themselves" and an "obligation to rescue" people from themselves and others in the name of assuring generic rights.⁴

Gewirth also makes the corresponding political claim that instead of maximizing aggregate well-being, a just society unconditionally secures equal and extensive liberties to each of its members. According to Gewirth, sympathy is not the point of moral philosophy. Instead, all agents are rationally bound to accept certain moral and political prescriptions because they are the ones that accord with the "one supreme moral principal, that is, the PGC."⁵

Gewirth's idea offers a rights-based view on the issue of chaplains bearing arms and a moral perspective vastly different from either the utilitarian or virtue-ethic viewpoint. In his work, *Reason and Morality*, Gewirth outlines the

² Alan Gewirth. *Reason and Morality*, (Chicago: University of Chicago Press, 1978), 67.

³ Gewirth, *Reason and Morality*, 162-163.

⁴ Gewirth, *Reason and Morality*, 135.

⁵ Adina Schwartz, "Review of Alan Gewirth's *Reason and Morality*," *The Philosophical Review*, Vol. 88, No. 4 (Oct., 1979) 654.

importance of a universal justification of morality and grounds this universal moral principle in the normative structure of action or agency. Because morality is about the way people act or how they ought to act, Gewirth seeks to formulate a general theory of action, and to deduce from it both a rational justification for morality, and a universally applicable moral imperative.⁶ The normative structure of action refers to what all humans need in order to act and to act successfully. The agent must act voluntarily, without coercion or threat and the action must be in his control. Therefore, one element needed to act is voluntariness or freedom. A second element of action is a goal or purpose that the agent regards as good or worthwhile enough to act. However, in order to be purposive or goal-directed, the agent requires the basic goods necessary for life. These goods contribute to the well-being of the agent and ultimately to the purposiveness of his actions. Therefore, well-being is also required. Gewirth calls these requirements of freedom and well-being, based in reason, the “generic features of action.”⁷

The objective for Gewirth is to derive moral or human rights from the context of action and the generic features of action. Gewirth’s argument presupposes two theses: Every agent logically must accept that 1) He has rights to freedom and well-being, and 2) The agent logically must also accept that *all other agents* equally possess these same rights. The existence of universal

⁶ Gewirth. *Reason and Morality*, 22.

⁷ Gewirth. *Reason and Morality*, 21.

moral rights, and thus human rights, must be accepted within the whole context of action or practice.⁸ Gewirth summarizes,

The general principle of these obligations and rights may be expressed as the following precept addressed to every agent: *Act in accord with the generic rights of your recipients as well as yourself.* I shall call this the *Principle of Generic Consistency (PGC)*, since it combines the formal consideration of consistency with the material consideration of rights to the generic features or goods of action. The two components of the *PGC*, requiring action in accord with the recipients' generic rights of freedom and of well-being, I shall call the *generic rules*.⁹

Gewirth develops his argument regarding action in a logical sequence of claims set out in three stages. Stage one argues that a prospective purposive agent (PPA) performs an action X for the purpose E. E is a good and the PPA realizes that his freedom and well-being are generically necessary conditions of his agency, that is, freedom and well-being are necessary goods. Stage two argues that all other persons ought, at least, to refrain from interfering with the PPA's freedom and well-being. Stage three concludes that the PPA has rights to freedom and well-being because he is a PPA and applying the principle of universalizability leads to the conclusion that all PPAs have rights to freedom and well-being. Thus, a given PPA ought to at least refrain from interfering with the freedom and well-being of any and every PPA.¹⁰ Gewirth argues that since the agent must hold from within his own internal standpoint that he has rights to these necessary features of action simply by virtue of being a PPA, the agent is rationally committed to accepting that his recipients, insofar as they are actual or

⁸ Gewirth, *The Community of Rights*, (Chicago: University of Chicago Press, 1996), 17.

⁹ Gewirth. *Reason and Morality*, 135.

¹⁰ Edward Spence. *Ethics Within Reason: A Neo-Gewirthian Approach* (New York: Lexington Books, 2006), 32-33.

potential PPAs, also have those rights. In this regard, he states that, “The PGC is unlike those moral principles whose contents are contingent and normatively escapable in that they reflect the variable desires or opinion of the agents.”¹¹

Gewirth's argument supports the principle of equal and universal rights. But, what is the nature of a right? A right is an interest or something belonging to the subject or right holder that ought to be respected or protected by the person who is the respondent of the right, that is, the person who has the duty to uphold the right of the other.¹² As the subject has the benefit of the right, so the respondent has the duty to respect the right in either a positive or a negative way. As all persons have rights, so too all persons have duties to respect those rights, and *vice versa*. This can be done by actively doing something to respect the right, a positive right or, at least, to not interfere with the right of the subject, a negative right. It is specifically in terms of the right to well-being and, more specifically, its most important component, the right to basic goods, that Gewirth explicitly argues that the Principle of Generic Consistency entails rights and duties. As such, the right to self-defence and the duty to rescue are both, for Gewirth, direct applications of the PGC.

In *Reason and Morality*, Gewirth argues both for the right to self-defence as well as the duty to rescue. Both, he believes, can be reconciled with his theory of human rights. Gewirth's main argument for justifying violent self-defence is that assailants who attack innocent persons make themselves

¹¹ Gewirth, *Reason and Morality*, 135.

¹² Gewirth, *The Community of Rights*, 9.

relevantly different from their victims, such that the victims can consistently apply the right to freedom from harm to themselves but not to their assailants. Since the requirement to ascribe rights to the recipients of one's acts is, for Gewirth, grounded on the need for rational consistency, the claim of a relevant dissimilarity frees the victims of unjust attacks from any such requirement. Attackers, by attacking, have forfeited their *prima facie* right not to be harmed. Gewirth summarizes with an example,

[A]lthough Blake in defending himself against Ames acts in disaccord with Ames's right to well-being while acting in accord with his own right - for Blake inflicts physical harm on Ames - Blake does not thereby incur inconsistency. As we have seen, the agent must give, as his sufficient reason justifying his having the generic rights, the description of himself as being a prospective purposive agent. Since his recipient also fulfills this description, the agent cannot avoid inconsistency if he violates the recipient's generic rights. But when such violation occurs, a more specific description becomes relevant, which Blake is justified in assigning to Ames: that he is a person who has initiated a physical assault and hence, contrary to the PGC, is violating his recipient's right to well-being. This description, in its first part, does not also pertain to Blake. Hence, Blake does not contradict himself in defending himself from Ames's assault by assaulting him . . . Since the PGC requires that persons act in accord with one another's generic rights, a case where some person violates this requirement is crucial to the description that is relevant to how he ought to be treated, and this supersedes the generic description that entered into the original derivation of the PGC.¹³

Despite its general prohibition of killing and other basic harms, the PGC permits and may even require self-defence, claims Gewirth. If Blake defends himself by physically assaulting Ames, each one is disobeying the moral principle that requires persons to respect and not infringe upon another's well-being. Yet, these two infractions are not morally equal, since Ames inflicted or acted to inflict basic harm on Blake, intending to violate a generic right of Blake. Though Ames's intention was inconsistent and his action morally wrong, Blake's

¹³ Gewirth, *Reason and Morality*, 213-14.

defensive response was not similarly wrong, for it was not an attempt to inflict a basic harm, but rather to prevent such an infliction or to “restore an equilibrium of mutual nonharm” disrupted by Ames.¹⁴ Since the PGC prohibits inflicting basic harms, it also upholds the prevention of such infliction.

Gewirth states that the means used for this prevention may include, if necessary, basic harms as severe as those the assailant threatens to inflict. Therefore, killing to save one's own life or the life of another threatened person is justified in circumstances where there is no other way of saving the threatened life.¹⁵ Such violence may only be utilized when there are no alternative means and when it is quite clear that harm and “injustice” cannot be remedied in nonviolent ways. Furthermore, there must be no glorification of violence or of its results, but rather, it must be a matter of the utmost regret because it represents the breakdown of rational communication.¹⁶ This concept of self-defence represents a negative duty in that the agent must refrain from inflicting basic harms on other persons. Otherwise, self-defense is warranted.

On the other hand, the duties the PGC requires for agents also include certain positive actions. In some cases a person knows that unless he acts in certain ways other persons will suffer basic harms. If he is able to act in these ways with no comparable cost to himself, it is his moral duty to act to prevent these harms, states Gewirth.¹⁷ In fact, under certain conditions the PGC

¹⁴ Gewirth, *Reason and Morality*, 213.

¹⁵ Gewirth, *Reason and Morality*, 213.

¹⁶ Gewirth, *Reason and Morality*, 215.

¹⁷ Gewirth, *Reason and Morality*, 217.

demands that one ought to assist a person in having certain goods and preventing their loss. Thus, Gewirth also argues for a duty to rescue others when they are in danger.

Gewirth discusses at considerable length a set of circumstances in which one individual, Carr, is in a position to save – with little effort and no apparent risk to himself – an individual, Davis, who will most certainly drown if not helped. Carr is an excellent swimmer and, while relaxing in the sun on the beach near his motorboat, suddenly becomes aware of Davis who is struggling in the water and calling for help. Davis is in immediate danger of drowning and Carr sees that he could easily save Davis by swimming to him or throwing him a line from his boat. However, Carr simply doesn't want to bother even though he is aware that Davis will likely drown unless rescued. Davis drowns. It would be agreed, states Gewirth, that Carr ought to have gone to Davis' rescue, based on the Principle of Generic Consistency because the PGC requires that an agent not only refrain from interfering with his recipients' freedom and well-being, but also that he assist him in retaining these necessary goods when he cannot have them by his own efforts.¹⁸ "To put it somewhat more extensively," states Gewirth,

[I]n failing to come to Davis's rescue, Carr drastically violates the equality of generic rights that the PGC prescribes for transactions between agents and recipients. For Davis participates involuntarily and contra purposively and indeed suffers basic harm in a transaction that is under Carr's control and in which Carr participates voluntarily and purposively. By his inaction, Carr lets Davis drown, thus imposing on him a maximally unfavourable inequality with regard to the rights of well-being.¹⁹

¹⁸ Gewirth, *Reason and Morality*, 218.

¹⁹ Gewirth, *Reason and Morality*, 218-19.

The duty to rescue others, that is, to engage in positive actions to defend the rights of others to basic goods when the actions necessary for such defence brings no comparable harm to their agents, is required by the Principle of Generic Consistency. Gewirth equates his drowning situation to cases of starvation, and to criminal attacks and other threats to basic goods such as life. These are instances when the basic goods necessary to one's purposive actions as an agent are equally goods necessary to the purposive actions of others as agents. It is, according to Gewirth, as rationally and logically contradictory to deny the necessity of these goods to others as purposive agents as it is to deny their necessity for oneself as a purposive agent. Life, one of these necessary goods, is therefore equally a right for all prospective and actual agents.²⁰

The PGC imposes a duty when assistance can be given at no comparable cost to oneself. By "comparable cost" is meant that one is not required to risk his own life or other basic goods in order to save another person's life or other basic goods. To engage in such risk or to incur such cost would involve the possibility or actuality of losing one's own life in order to save another's, and this, rather than maintaining an equality of generic rights, would generate an inequality in the recipient's favour. In this regard, the duties the PGC imposes on agents may be positive as well as negative. In prohibiting certain kinds of harmful inactions, as well as in requiring certain kinds

²⁰ Gewirth, *Reason and Morality*, 218-19.

of assistance, the principle requires performance of certain actions. Such respect requires a positive concern for the basic well-being of other persons where this basic well-being may be affected by one's action or inaction. The agent must not treat his recipients as mere means to his own purpose-fulfillment with no positive consideration for their own well-being.²¹

There are a number of criticisms of Gewirth's position. Critics such as Roger Trigg and Jan Narveson see the most questionable element of Gewirth's argument as the very starting point, stage I, doubting the assumptions made by the Principle of Generic Consistency. Trigg wonders why actions should be regarded as the central subject matter rather than, say, the needs and interests of man. Or, for that matter, why must the concepts of reason and action be preferred to conceptions of the nature of man as the foundation of morality. He believes that Gewirth merely asserts that actions comprise the factual subject-matter of moral and other practical precepts. Moral judgements may be action-guiding, but that might follow from their character rather than constitute it.²² Similarly, Narveson questions the commitment of Gewirth's agent to the generic and "necessary goods" of freedom and well-being. He asks whether an agent really must make, as a matter of logical necessity, any right claims of the kind "which get the whole show going."²³

²¹Gewirth, *Reason and Morality*, 223.

²² Roger Trigg, Review of *Reason and Morality* by Alan Gewirth, *Mind*, Vol. 89, No. 353 (Jan., 1980), 149-151.

²³ Jan Narveson, Review of *Reason and Morality* by Alan Gewirth, *Political Theory*, Vol. 7, No. 3 (Aug., 1979), 428-431.

Fred Feldman similarly criticizes, claiming that “every premise” of the PGC “is open to serious question.”²⁴ He grants that freedom and well-being may be necessary goods. However, he doubts that it follows that everyone strictly ought to avoid interfering with them. Furthermore, he states that freedom and well-being may not be the only necessary goods for an agent or that they may conflict with each other. It is possible, states Feldman, that an agent may use his freedom in such a way as to endanger his own well-being. Then, even if an agent holds that these are the only necessary goods, he may maintain that others are permitted to interfere with his freedom when doing so will preserve his own well-being. Thus, he might not maintain that others have a strict obligation to avoid such interference.²⁵

Other critics question the PGC’s application to self-defence, claiming a circularity to the argument. Eric Reitan supposes that two agents, Crane and Davis, simultaneously act to violate the well-being of the other, for reasons that have nothing to do with the fact that their well-being is threatened by the other. Are both Crane and Davis violating the PGC in such a circumstance? If so, then neither would be required by the PGC to respect the well-being of the other, and hence neither would be violating it. In this situation, if both are violating the PGC, then neither is. Likewise, if neither is violating the PGC, then both are. In order to avoid contradiction, one and only one of the two, either Crane or Davis, but not both, must be violating the PGC. But which one? Given this scenario,

²⁴ Fred Feldman, Review of *Reason and Morality* by Alan Gewirth, *Noûs*, Vol. 17, No. 3 (Sep., 1983), 480.

²⁵ Feldman, Review of *Reason and Morality*, 480.

either choice would be arbitrary. Furthermore, there is no relevant dissimilarity between the two agents that justifies differential treatment. But reason demands, as Gewirth himself stresses in his derivation of the PGC, that similar cases be treated similarly.²⁶

Alasdair MacIntyre criticizes Gewirth on similar grounds. Evaluating Gewirth's ideas from a virtue ethics perspective, MacIntyre denies the universalism of rights on the grounds that rights claims have a highly specific and socially local character. Rights, he claims, presuppose the existence of specific types of social institution. Where they lack such social form, he writes, "the making of a claim to a right would be like presenting a check for payment in a social order that lacked the institution of money." By proposing this, MacIntyre claims that Gewirth,

[H]as illicitly smuggled into his argument a conception which does not in any way belong, as it must do if his case is to succeed, to the minimal characterization of a rational agent.²⁷

MacIntyre continues, claiming the nonuniversality of rights. He notes that there is no expression in any ancient or medieval language that correctly translates the modern term "right" until near the close of the Middle Ages. "From this," he states, "it does not follow that there are no natural or human rights, it only follows that no one could have known that there were." To MacIntyre rights do not exist and belief in them is indistinguishable from a belief "in witches and in

²⁶ Eric Reitan, "Self-defense and the Principle of Generic Consistency: Must Gewirth be an Absolute Pacifist?" *Social Theory and Practice*, Vol. 32, No. 3 (July 2006) 423.

²⁷ MacIntyre, *After Virtue*, 66-67 quoted by Gregory J. Walters, "MacIntyre or Gewirth? Virtue, Rights, and the Problem of Moral Indeterminacy," (<http://www.ustpaul.ca/EthicsCenter/documents/MacIntyre-or-Gewirth.pdf>), 6.

unicorns."²⁸ To MacIntyre, every attempt to give a logical, rational belief in rights, including Gewirth's, has failed.

Despite these criticisms, Gewirth has his defenders, most notably Deryck Beyleveld and Gregory Walters. Beyleveld writes quite a lengthy book defending Gewirth's ideas from these and many other criticisms. He dismisses MacIntyre's arguments, stating that it is objectionable to talk about assimilating belief in human rights to belief in unicorns and witches. Even if MacIntyre has shown that all attempts to prove that there are human rights have failed, this does not prove that there are no human rights. He states that many ideas, such as the theorem that states there is no largest prime number, have not been proven to exist. Nevertheless, this does not prove that there is not a largest prime number.²⁹ Gewirth himself responds to MacIntyre's charge by arguing that the concept of rights actually did exist in antiquity. As Walters notes,

Gewirth chides MacIntyre for failing to acknowledge the extensive distinctions that bear on the ways persons and groups have used the concept of rights. MacIntyre also fails to acknowledge the extensive historical evidence for a concept of rights in ancient Greece, Rome, the Middle Ages, and even in non-Western societies. One gets the impression that Gewirth is saying to MacIntyre: please read *Reason and Morality* before making such wild assertions and blanket generalizations!³⁰

Regarding, the criticism that it is arbitrary to make freedom and well-being necessary for the PPA and that agents do not have to regard them as necessary goods, Beyleveld argues that the agent does not value his agency or generic

²⁸ MacIntyre, *After Virtue*, 69 quoted by Walters, "MacIntyre or Gewirth?" 6.

²⁹ Deryck Beyleveld. *The Dialectical Necessity of Morality: An Analysis and Defense of Alan Gewirth's Argument to the Principle of Generic Consistency* (Chicago: The University of Chicago Press, 1991) 307.

³⁰ Walters, "MacIntyre or Gewirth?" 12.

conditions *per se* but values them to a means of his purposes.³¹ The purposes may be many, but freedom and well-being are categorically instrumental in achieving these purposes. Therefore, an agent may use his freedom to contradict his well-being, but he must maintain and value both his freedom and well-being to make such decisions come about.³²

This harkens back to Trigg's objection as to why actions should be regarded as the central subject matter of morality rather than, say, the needs and interests of man. Beyleveld believes that he speaks for Gewirth when he states that by making action the central subject of morality, the argument for the PGC makes the purposes of the agents central. The generic criterion, and thus the foundation for morality can only come from purposes, and thus, actions because morality itself is about actions. Human nature cannot be the starting point for morality because there are various different conceptions of human nature. It is only the universal concept of actions via purposes that is common to all PPAs.³³

Applying Gewirth's ethical rationalism to the issue of chaplains bearing arms advances the dialogue. Simply put: chaplains are prospective purposive agents. Chaplains, therefore, have the right to freedom and well-being. To deny the chaplain the right to self-defence by withholding the right to bear arms denies the chaplain both his freedom and his well-being. Furthermore, allowing all others in the battlespace, including medical personnel, to do so, contradicts

³¹ Beyleveld. *The Dialectical Necessity of Morality*, 77.

³² Beyleveld. *The Dialectical Necessity of Morality*, 77-78.

³³ Beyleveld. *The Dialectical Necessity of Morality*, 66.

the principle of generic consistency and justice because it denies the right to freedom and well-being only to some. Human rights, derived from the PGC as one of the main elements of Gewirth's ethical rationalism, are essentially the objects or contents of justice, both material and formal. The principle of human rights is a principle of material justice in that it requires that each person be given what he has a right to (giving each person his due). The principle of human rights is also a principle of formal or comparative justice in that it requires that all persons be treated similarly by virtue of being a PPA so that there must be an equality of generic rights (as in the traditional formula that justice consists in treating similar cases similarly).³⁴

Furthermore, Gewirth's ethical rationalism has relevancy to the question of chaplains bearing arms by virtue of the duty to rescue, a further manifestation of the PGC and the right to freedom and well-being. If a chaplain knows that unless he carries a weapon, other persons will suffer basic harms, and he is proximately able to act in ways with no comparable cost to himself, it is his moral duty to act to prevent those harms. As Gewirth states,

Just as the agent necessarily holds that he has a right to the basic goods that are necessary preconditions of action, so he must hold that other persons also have this basic right. Their having this right entails that he ought at least not to interfere with their having these goods; but under certain conditions, it also entails that he ought to assist them to have these goods or to act so as to prevent their loss.³⁵

³⁴ Gewirth, *The Community of Rights*, 71. For a further discussion on formal and material justice see T.D. Campbell, "Humanity Before Justice," in Chandran Kukatha's *John Rawls: Critical Assessments of Leading Political Philosophers* (London: Taylor and Francis, 2003) 15-31.

³⁵ Gewirth, *Reason and Morality*, 217.

Canadian Forces chaplains are well versed in this sort of reasoning. In 2006, and again in 2008, chaplains from the Chaplain General's office worked as part of the United Church in Canada's Justice, Global & Ecumenical Relations Unit to craft a document called *The Responsibility to Protect*. In this document addressing the plight of nationals suffering injustice at the hands of their own government, the following is expressed,

When a state is unable or unwilling to redress situations of compelling human need, then interventionary measures by other members of the broader community of states may be required. These measures may include political, economic, or judicial measures, and in extreme cases - but only in extreme cases - they may also include military action.³⁶

On the individual level, the duty to protect also applies. Of course, it must be recognized that the duty to intervene in defense of another's rights to basic freedom and well-being has limits. The drowning case was obviously extreme in several respects. Davis was in immediate danger of losing his life. Carr knew this. Carr was able to do something immediately to save Davis. This action involved no significant cost to Carr. According to Gewirth, there are, then, at least four variables to consider: (i) the kind or degree of harm impending to the recipient; (ii) the agent's knowledge of this harm; (iii) his ability to ward off the harm; (iv) the cost to the agent of doing so.³⁷

In the present security environment with its asymmetric threat, all areas are considered dangerous in the battlespace. There is, no longer, any "front line"

³⁶ The United Church in Canada's Justice, Global & Ecumenical Relations Unit, *Disarmament: The Responsibility to Protect*, <http://www.united-church.ca/peace/disarmament/protect>, 2006.

³⁷ Gewirth, *Reason and Morality*, 234-236.

or “rear echelon.”³⁸ As such, the chaplain, when going about his duties, is constantly in harm’s way. In such a situation it is easy to imagine that a chaplain will be involved in an ambush or a firefight against insurgents or terrorists and need to engage in actions that may protect others from harm. The chaplain’s duty, according to Gewirth’s Principle of Generic Consistency, is to do everything possible to protect others’ right to freedom and well-being, as long as such protection does not lead to greater harm to the chaplain and as long as the chaplain has the ability to do so. Given that the adversaries in today’s battlespace do not recognize the status of a non-combatant, if a chaplain refrains from bearing and using a weapon, he is not any more safe than if he does not carry a weapon. Chaplains, like all in uniform are being targeted, despite their status as non-combatants. Therefore, bearing arms does not incur any additional harm on them. In fact, the chaplain puts any group he is with at greater risk because others have the duty to protect the unarmed chaplain, a further consideration when under attack. Oddly enough an unarmed chaplain expects that the soldiers in such a situation have a duty to protect him but the chaplain does not presume a duty to protect them. This in itself contravenes the universalization of the PGC.

Furthermore, in the present security environment, where the very presence of armed personnel can serve as a deterrent to attack, the action of a chaplain bearing a weapon may itself save lives. In this case, there is little cost

³⁸ Bernd Horn, “Complexity Squared: Operating in the Future Battlespace,” *Canadian Military Journal*, (Autumn 2003), 8-9.

to the chaplain of carrying a weapon, however, the benefit is the saving of lives through deterrence. Gewirth's application of the PGC in the duty to protect would, in such a case, mandate a moral duty for a chaplain to carry a weapon because the very act of doing it (a minimal action with minimal cost to himself) would help others avoid harm.

Of course, one might object that the chaplain, by engaging in such actions may take away the freedom and well-being of an attacker. However, Gewirth's rationale for this is clear. The agent, by defending his own or another's right to freedom and well-being, is justified in doing so because the attacker sought in the first place to take away the freedom and the well-being of the agent. In doing so, the attacker negates the PGC for himself.

Furthermore, it may be argued that the responsibility to protect does lie with chaplains, but that chaplains will suffer if they bear arms because, from a point of practicality, the bearing of arms may lead to 'accidental discharge' causing injury to oneself or others unintentionally. However, this is simply a matter of training and there is no reason to believe that military chaplains, by their nature, will be any more or less inept at weapons handling than, say, military lawyers, or military dentists.

The chaplaincy itself may suffer by having its reputation or sense of purpose damaged, some may claim. But this argument seems mute as the very bearing of arms has not changed the character of the medical or legal branch. Military doctors are considered first and foremost, doctors, even though they carry weapons. Furthermore, military lawyers, are not considered anything

other than lawyers despite their bearing of arms. There is no indication that the very act of carrying weapons or using them would harm or cause damage to the institution. In fact, understanding its moral duty to rescue and protect others may actually resonate with its true character and uniqueness. An understanding of the chaplain branch's role and responsibility in the protection of the freedom and well being of others may enhance its reputation since the chaplaincy is regarded as an organization that cares for people. The very concepts of just war and the responsibility to protect were historically developed within religious contexts to justify necessary violence for the protection of lives and the maintenance of peace. While these are important considerations, the PGC makes very clear that these issues are not as important as the right to self-defence and the duty to protect.

When looking at the three case studies, this notion of rights and duties sheds a unique light, quite different than the previous utilitarian or virtue-ethics perspectives. In the case of Padre Foote, he may or may not have used a weapon. The verbal history has the chaplain using a weapon, not to defend himself, but to defend the injured while the retreat and evacuation took place. Indeed, using the principle of generic consistency, Foote had the right to protect himself, but also the duty to defend other agents. Their freedom and well-being were being threatened and the chaplain defended them. Now, it can be argued that Germany was a signatory of the Geneva Conventions that recognized the symbol of the Red Cross. Indeed, by using a weapon in this case, Foote undertook considerable harm to himself. Therefore, the PGC did not require him

to use deadly force to defend the injured soldiers. Gewirth's rights-theory allowed him to refrain from such action. Yet, he felt a duty to save others, whether or not he used or did not use a weapon. The second case-study is somewhat different. In the case of Padre Milne during the FLQ crisis, the narrative gives no indication that Milne felt a duty to defend soldiers (or anyone else for that matter). However, his commanding officer ordered that Milne carry a weapon for his own self-defence. Milne acquiesced to this request, perhaps recognizing the rationale behind the order. According to rights-theory, Milne would have had the right to defend himself if his own freedom and well-being were in danger of being taken away.

It is the case study of Padre Sargent that offers the most direct application of the principle of generic consistency and the applicable duty to protect. When Sargent picked up a weapon in order to defend the captured youths from the village elders, one can argue that he was defending the freedom and well-being of the captors. These are goods that were under threat. It is interesting to note that this argument was made by Sargent. However, he was still vilified by the public. His decision is still regarded as a bad one by the chaplaincy, even though it parallels the case of Padre Foote, a chaplain who is considered a hero to chaplains.³⁹ One may not know if this was the chaplain's intent, however, his actions bear out an uncanny consistency with Gewirth's moral principle and its call to duty.

³⁹ Whereas Sargent's actions in Somalia were portrayed as a negative example at Chaplain Basic Training in 1999, John Weir Foote stands as a paragon of chaplaincy with the Chaplain School chapel named in his honour and an annual chaplain award named after him.

Gewirth's concept of the principle of generic consistency as a clear and concise manifestation of rights-theory has pertinent implications for the question of chaplains bearing arms. According to the theory, chaplains have the distinct right to defend themselves from those who seek harm to their freedom and well being. Yet, it is the PGC's application in the duty to rescue that raises the most salient point in the debate. The majority of chaplains in combat situations have been questioned by soldiers regarding the bearing of arms and have had to come to grips with the possibility of having to defend themselves or soldiers under their care from harm. Certainly the injured, undefended, or heavily outnumbered soldier has the right to protection. Furthermore, according to Gewirth's ethical rationalism, the soldier has the right to be protected by another prospective purposive agent if it is possible for that agent to do so, even if the agent is a chaplain. The chaplain has the duty to rescue or protect, even if that means doing so with deadly force. Gewirth is clear that this must be the very last resort and done so only with severe regret. He also notes that the agent must have the ability to do so. It would be naïve to think that a chaplain could lead a charge, call in artillery fire, or mount a complex offensive operation because these aspects of combat are outside of his specialized skill set. Yet, a chaplain can learn how to carry and use a personal weapon to be used for his own protection and the protection of others.

Once again the similarity to other specialists such as medical personnel, themselves non-combatants, is helpful. Medics, doctors, mental health nurses, and social workers do not have as their primary duty the offensive nature of war.

They are specialists with specific skill sets. However, they not only carry personal weapons for their own self-defence (to protect their own right to freedom and well-being), but also to defend those under their care (to protect their right to freedom and well-being) such as the injured. Protection afforded to the injured is a responsibility for them. Certainly, it is also a duty for Canadian Forces chaplains to protect those under their care, that is, those to whom they minister.

Gewirth himself states that the applications derived from the principle of generic consistency must be considered not only by individuals but also by institutions.⁴⁰ The purpose of institutions, he states, is to foster the general fulfillment of the PGC's requirement that there be mutual respect for the freedom and well-being of all persons.⁴¹ This is done through the development of policy. It is with Gewirth's ideas in mind, especially the right to self-defence and the duty to protect, that the chaplaincy must re-evaluate its policy on chaplains bearing arms.

⁴⁰ Gewirth, *Reason and Morality*, 230.

⁴¹ Gewirth, *Reason and Morality*, 319.

CONCLUSION

The aim of ethics is to search for moral norms in order to determine right actions. In the public realm, that of public ethics, the goal is to develop ethical policies. In recent years, three ways of morality have come largely to dominate the landscape of ethical debate: utilitarianism, which emphasizes good results as the basis for evaluating human actions; virtue ethics, which views moral questions from the standpoint of the moral agent with virtuous character or motives; and deontological ethics, which focuses on ideals of universal law and respect for others as the basis for morality (principles).

I have presented three different ethical theories based upon these three categories in order to advance the dialogue on the topic of chaplains bearing arms. The Canadian Forces chaplain branch has always held to the policy of chaplains being unarmed, even in the most demanding and dangerous of circumstances. However, in following these three ethical models – J.J.C. Smart's act utilitarianism, Alasdair MacIntyre's virtue ethics, and Alan Gewirth's ethical rationalism – the morality of this policy is in question. Each of these three authors represent three of the brightest modern minds from the realm of moral philosophy and their ideas give pause to reconsider the policies that are currently in practice within the chaplain branch. Though each theory has a different foundation – consequences, virtues, rights and duties, respectively – the result in applying each ethical theory to the question of chaplains and weapons is similar.

Prominent philosopher, James Sterba, believes that this result is not at all surprising. In his book, *The Triumph of Practice over Theory in Ethics*, he argues that there is common ground among “Kantian, utilitarian, and Aristotelian” ethics.¹ By recognizing this fact, moral problems will be easier to solve, he contends, because one may draw upon different ideas in order to advance the dialogue on policy questions. It is this “peacemaking way of doing philosophy” whereby one strives to see the similarities in theories that he believes will lead to answers of many of today’s most difficult ethical questions.² Sterba provides us with good reason to believe that seemingly contradictory ethical theories are not as opposed as we might believe. When interpreted in suitable ways, the practical significance of their theoretical differences “just washes away” and agreements are seen as emerging.³ His ideas form the basis of a more thoroughgoing attempt at reconciliation and investigation of difficult ethical questions and can be applied to questions of policy such as the one regarding chaplains and weapons in order to determine more ethical practice.

The three theories studied in this thesis have garnered similar conclusions, if not for different reasons. Smart’s act utilitarianism sees the consequences of chaplains carrying weapons as more beneficial than chaplains not carrying weapons because more lives will be saved. MacIntyre’s virtue

¹ James Sterba, *The Triumph of Practice over Theory in Ethics* (Oxford: Oxford University Press, 2005), 8.

² Sterba, *The Triumph of Practice over Theory in Ethics*, 158.

³ Sterba, *The Triumph of Practice over Theory in Ethics*, 57.

ethics regards the shared chaplain virtues of benevolence and presence, as described through chaplain narratives and maintained within the traditions of the community, as being best served by chaplains bearing arms. Finally, Gewirth's Principle of Generic Consistency dictates that the chaplain as prospective purposive agent must carry a weapon, not only for his own self-defence, but also because he has a duty to protect other prospective purposive agents. There is, as Sterba would say, enough common ground, ethically speaking, among these three parties to help frame this controversy in a manner that bodes well for policy resolution.

Sterba is right about the need to conduct political discussion in the public forum. As much as possible, policy questions must be based on ethical, public arguments. Nevertheless, the *Canadian Forces Chaplain Manual*, states,

Under the terms of the Geneva Convention, chaplains are non-combatant. The policy of the ICCMC and Chaplain General is that chaplains shall not bear arms. Consistent with this policy is the guideline that a chaplain will only learn to make the weapon safe on the Chaplain's Officers Basic Training Course (ChBOTC) and, subsequently, when accompanying troops on Firing Ranges. The Chaplain General's direction prohibits the firing of the weapon.⁴

Though it is a policy that chaplains should not bear arms, no reason is given for this policy, except for the implication that chaplains are non-combatants. Yet, it has been shown that the 'non-combatant argument' is a *non sequitur*.

This thesis has raised the question of allowing chaplains to carry personal weapons and use them, when necessary, for their own safety and the safety of others. This is an ethical issue that must be discussed. Despite their unique

⁴ National Defence. *Canadian Forces Chaplain Branch Manual* (Ottawa: Government of Canada, 2003), 3-1.

character as ministers of religion, bearing weapons would not compromise the chaplain's non-combatant status or the nature of the profession. The non-combatant status of other military specialists is still maintained despite the bearing of arms and this would hold true for chaplains as well. In fact, the bearing of arms by chaplains may actually assist them in fulfilling their mission and their purpose. The bearing of arms will save lives, allow chaplains to maintain and express their values of benevolence and presence, and give them the ability to protect others, a responsibility that is already recognized within religious dialogue and the chaplaincy. Ethically speaking, the status quo of chaplains not bearing arms cannot stand.

Of course, there may be non-moral reasons – political, religious, or pragmatic – that may determine policy on the issue of chaplains and weapons. Faith-groups may not want or allow chaplains to carry weapons. They may see chaplains as “armed only with faith” or, as the recent chaplain recruitment video states, they may see the unarmed chaplain as representing “a hope that someday people will not have to carry weapons.” Others may believe that chaplains must be peacemakers and that carrying weapons is antithetical to this role, an odd opinion given that Canadian peacekeepers are armed.⁵ Yet, on purely ethical grounds this thesis has shown that Canadian Forces chaplains should carry weapons because the consequences are more beneficial than harmful, the nature and character of the chaplaincy is better served, and the

⁵ Gordon C. Zahn “Peace, War, and the Christian Conscience,” *New Blackfriars* (Vol 68, Iss. 806), 288.

chaplain has the right and duty to bear arms. Clearly, a dialogue regarding chaplains and weapons is necessary to reassess the present regulations.

Other chaplain branches are presently engaged in policies much different than the Canadian Forces. As stated in the introduction to this thesis, British chaplains may use the weapon of an injured soldier in order to protect the soldier's life. Chaplains of Norway, Sweden, and Denmark are given the option to carry weapons based on their conscience. Estonian chaplains are permitted to bear arms if the adversary they are fighting is not a signatory of the Geneva Conventions.⁶ There is no consensus between national chaplain branches as to whether or not chaplains should carry weapons.

The starting-point for this investigation has been the burning question of whether chaplains should bear weapons especially in light of the current security environment identified by asymmetrical threats and disrespect for non-combatant status. Recent accounts of chaplains in operations, both Canadian and non-Canadian, bring into question the ethics of a policy that limits the bearing of arms. Certainly, important questions arise. Is it possible for chaplains to bear arms and still retain the professional identification of 'chaplain?' Do chaplains, like soldiers, have the right to defend themselves? Do they have the duty to defend others? Does the chaplain bearing a weapon create more good than harm? These questions bring a special urgency to the issue at a time when lives are threatened on a daily basis. As well, they raise deep philosophical, religious, and pragmatic concerns that get to the very heart of the chaplain's

⁶ See Introduction, footnote number 18.

purpose. Yet, from an ethical perspective, the answer to these questions is a resounding “yes.”

This thesis has charted a course through the debate over chaplains bearing arms. It has focused on the ethical side of the issue, advancing the dialogue in the process and proposing changes to the status quo. Spurred on by this aspiration, this thesis has grappled with a series of ethical theories that shed light on the rationality of the question of chaplains and weapons. Smart, MacIntyre, and Gewirth, three of the brightest minds in the field of moral philosophy, put forth ideas that, when applied to the question at hand, provide a basis for dialogue and policy re-evaluation. If this thesis does nothing but make a significant contribution to this foundational task, it will have achieved its goal.

BIBLIOGRAPHY

- Annas, Julia. "Review: *Whose Justice? Which Rationality* by Alasdair MacIntyre." *Philosophy and Public Affairs*, Vol. 18, No. 4 (Autumn, 1989), 388-404.
- Autry, Jerry. *Gun-Totin' Chaplain*. San Francisco: Airborne Press, 2006.
- Barnes, Gerald. "Utilitarianisms," *Ethics*, Vol. 82, No. 1 (Oct., 1971), 56-64.
- Baron, Marcia W., Pettit, Michael and Slote, Michael. *Three Methods of Ethics*. Oxford: Blackwell, 1997.
- Bergen, Doris L. *The Sword of the Lord: Military Chaplains from the First to Twenty-First Century*. Southbend, IN: University of Notre Dame Press, 2004.
- Beyleveld, Deryck. *The Dialectical Necessity of Morality: An Analysis and Defense of Alan Gewirth's Argument to the Principle of Generic Consistency*. Chicago: University of Chicago Press, 1991.
- Budd, Richard. *Serving Two Master: The Development of American Military chaplaincy, 1860-1920*. Seward, NB: University of Nebraska Press, 2002.
- Crerar, Duff. *Chaplains in No Man's Land: Canadian Chaplains and the Great War*. Kingston: Queen's University Press, 1995.
- Crosby, Donald F. *Battlefield Chaplains: Catholic Priests in World War II*. Lawrence, KS: University Press of Kansas, 1994.
- Dickens, William E, Jr. *Answering the Call: The Story of the U.S. Military Chaplaincy from the Revolution Through the Civil War*. Dissertation.com: 1999.
- Dyck, Arthur J. *Rethinking Rights and Responsibilities: The Moral Bonds of Community*. Washington, DC: The Georgetown University Press, 2005.
- Feldman, Fred. "Review: *Reason and Morality* by Alan Gewirth." *Noûs*, Vol. 17, No. 3 (Sep., 1983), 475-482.
- Fowler, Al. *Peacetime Padres: Canadian Protestant Military Chaplains, 1945-1995*. St. Catharines, ON: Vanwell, 1996.
- Garner, Richard T. "Some Remarks on Act Utilitarianism." *Mind*, Vol. 78, No. 309 (Jan., 1969), 124-128.

Gewirth, Alan. *Reason and Morality*. Chicago: University of Chicago Press, 1978.

----- . *The Community of Rights*. Chicago: University of Chicago Press, 1996.

Gill, Emily R. "MacIntyre, Rationality, & the Liberal Tradition." *Polity*, Vol. 24, No. 3 (Spring, 1992), 433-457.

Goodin, Robert E., *Utilitarianism as a Public Philosophy*. New York: Cambridge University Press, 1995.

Greig, D. W. "Self-Defence and the Security Council: What Does Article 51 Require?" *The International and Comparative Law Quarterly*, Vol. 40, No. 2. (Apr., 1991), 366-402.

Harsanyi, John C. "Does Reason Tell Us What Moral Code to Follow and, Indeed to Follow any Moral Code at All?" *Ethics*, 96:1 (Oct 1985), 42-55.

Hare, R.M. *Moral Thinking: Its Levels, Methods and Point*. Oxford: Oxford University Press, 1981.

Henson, Richard G. "Utilitarianism and the Wrongness of Killing." *The Philosophical Review*, Vol. 80, No. 3 (Jul., 1971), 320-337.

Herd, Jennifer A. "Alasdair MacIntyre's Rationality of Traditions and Tradition-Transcendental Standards of Justification." *The Journal of Religion*, Vol. 78, No. 4 (Oct., 1998), 524-546.

Hickley, Matthew. "Navy Chaplains Want Right to Carry Weapons to Protect Themselves Against the Taliban." *The Daily Mail*, 18 Dec. 2007.

Horn, Bernd. "Complexity Squared: Operating in the Future Battlespace." *Canadian Military Journal*, (Autumn 2003), 7-15.

Horton, John and Mendus, Susan. *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre*. South Bend, IN: The University of Notre Dame Press, 1994.

Kelvin Knight, ed. *The MacIntyre Reader*. South Bend, IN: The University of Notre Dame Press, 1998.

Kukatha, Chandran. *John Rawls: Critical Assessments of Leading Political Philosophers*. London: Taylor and Francis, 2003.

Landesman, Charles. "A Note on Act Utilitarianism." *The Philosophical Review*, Vol. 73, No. 2 (Apr., 1964), 243-247.

Levinson, Jerrold. "Gewirth on Absolute Rights." *The Philosophical Quarterly*, Vol. 32, No. 126 (Jan.1982), 73-75.

Lunze, Stefan. "Serving God and Caesar: Religious Personnel and their Protection in Armed Conflict." *International Review of the Red Cross*, No 853, (31 Mar 2004), 69-92.

Lyon, John A. *Battle: A History of Combat and Culture*. New York: Basic Books, 2004

MacIntyre, Alasdair. *A Short History of Ethics*. London: Routledge and Kegan Paul. 1966.

----- . *After Virtue*, 3rd ed. South Bend, IN: University of Notre Dame Press, 2007.

----- . *Ethics and Politics*. Cambridge: Cambridge University Press, 2006.

----- . "Is Patriotism a Virtue." In *Global Ethics: Seminal Essays*. Eds. Thomas Pogge and Keith Horton. St. Paul: Paragon House, 2008.

----- . *Three Rival Versions of Moral Enquiry: Encyclopaedia, Genealogy, and Tradition*. South Bend, IN: University of Notre Dame Press, 1990.

----- . *Whose Justice? Which Rationality?* South Bend, IN: University of Notre Dame Press, 1988.

----- . *Dependent Rational Animals: Why Human Beings Need the Virtues*. Peru, IL: Carus Publishing, 1999.

Mack, Erik. "Deontology, Negative Causation, and the Duty to Rescue." In *Gewirth's Ethical Rationalism: Critical Essays with a Reply by Alan Gewirth*. Ed Edward Regis, Jr. Chicago: The University of Chicago Press, 1984.

Marshal, John. "Egalitarianism and General Happiness." In *The Limits of Utilitarianism*. Eds. Harlem B. Miller and William H. Williams. Minneapolis: University of Minnesota Press, 1982.

Moore, G.E. *Principia Ethica*. Cambridge: Cambridge University Press, 1903.

Narveson, Jan. "Review: *Reason and Morality* by Alan Gewirth." *Political Theory*, Vol. 7, No. 3 (Aug., 1979), 428-431.

National Defence. *Canadian Forces Chaplain Branch Manual / A-CG-001-000/JD-000*. Ottawa: Government of Canada, 2003.

----- . *Land Force Chaplain's Manual / B-GL-346-001/PT-001*. Ottawa: Government of Canada, 2005.

Nicolas, Claude. *L'Assistance spirituelle dans le droit de la guerre*, Diss. Paris: Université Paris-Sud XI, 1991.

Nielsen, Richard P. *The Politics of Ethics: Methods for Acting, Learning, and Sometimes Fighting with Others in Addressing Ethics Problems in Organizational Life*. New York: Oxford University Press, 1996.

Oakley, Justin and Cocking, Dean. *Virtue Ethics and Professional Roles*. New York: Cambridge University Press, 2001.

Pence, Gregory E. "Recent Work on Virtues." *American Philosophical Quarterly*, 21:4 (October 1984), 281-297.

Porter, Jean. "Openness and Constraint: Moral Reflection as Tradition-Guided Inquiry in Alasdair MacIntyre's Recent Works." *The Journal of Religion*, Vol. 73, No. 4 (Oct., 1993), 514-536.

Rachels, James. *Can Ethics Provide Answers?* New York: Rowman and Littlefield. 1997.

----- . *The Elements of Moral Philosophy*. New York: McGraw Hill. 2007.

Reitan, Eric. "Self-defense and the Principle of Generic Consistency: Must Gewirth be an Absolute Pacifist?" *Social Theory and Practice*, Vol. 32, No. 3 (July 2006) 415-438.

Regis, Edward Jr., ed. *Gewirth's Ethical Rationalism: Critical Essays with a Reply by Alan Gewirth*. Chicago: University of Chicago, 1984.

Schneewind, J.B. "MacIntyre and the Indispensability of Tradition." *Philosophy and Phenomenological Research*, Vol. 51, No. 1 (Mar., 1991), 165-168.

Schwartz, Adina. "Review: *Reason and Morality* by Alan Gewirth. *The Philosophical Review*, Vol. 88, No. 4 (Oct., 1979), 654-656.

Shaw, William. *Contemporary Ethics: Taking Account of Utilitarianism*. Oxford: Blackwell, 1999.

Singer, Marcus G. "On Gewirth's Derivation of the Principle of Generic Consistency." *Ethics*, Vol. 95, No. 2 (Jan., 1985), 297-301.

Smart, J.J.C. *An Outline of a System of Utilitarian Ethics*. Victoria, Australia: Melbourne University Press, 1961.

Smart, J.J.C. and Williams, Bernard. *Utilitarianism: For and Against*. Cambridge: Cambridge University Press, 1973.

Spence, Edward. *Ethics Within Reason: A Neo-Gewirthian Approach*. New York: Lexington Books, 2006.

-----, "Positive Rights and the Cosmopolitan Community: A Rights-Centered Foundation for Global Ethics." *Journal of Global Ethics*, Vol. 3, No. 2, August 2007, 181-202.

Sterba, James P. *The Triumph of Practice over Theory in Ethics*. Oxford: Oxford University Press, 2005.

Sweet, Lois. "General Defends Somalia Chaplain." *Anglican Journal*, Sept, 1997,
http://findarticles.com/p/articles/mi_7042/is_/ai_n28701080?tag=artBody:col1.

Syse, Henrik, ed. *Ethics of War: Classic and Contemporary Readings*. Oxford: Blackwell, 2006.

Trigg, Roger. "Review: *Reason and Morality* by Alan Gewirth." *Mind*, Vol. 89, No. 353 (Jan., 1980), 149-151.

Turner, Stephen, "The Political Face of Rational Morality." *Theory and Society*, Vol. 7. No 4 (July 1988), 551-552.

Von Clausewitz, Carl. *On War*. Original published 1832. Trans. J.J. Graham. Radford, VA: Wilder Publications, 2008.

Walters, Gregory J. *MacIntyre or Gewirth? Virtue, Rights, and the Problem of Moral Indeterminacy*,
<http://www.ustpaul.ca/EthicsCenter/documents/MacIntyre-or-Gewirth.pdf>.

Wasserman, David. "Justifying Self-Defense," *Philosophy and Public Affairs*, Vol. 16, No. 4 (Autumn, 1987), 356-378.

Wyschogrod, Edith. *Saints and Postmodernism: Revisioning Moral Philosophy*. Chicago: University of Chicago Press. 1990.

Zahn, Gordon C. "Peace, War, and the Christian Conscience." *New Blackfriars*, Vol 68, Issue 806, 288–296.

----- . "The Military Chaplaincy: A Study of Role Tension in the Royal Air Force." Toronto: University of Toronto Press, 1969.