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Legal War, Sin, and “Moral Injury” in the Age of Modern Warfare

The question is this: Why do warriors return from justified wars feeling sinful and alienated, and what are we to do about it? As we have come to understand, post-traumatic stress disorder (PTSD) does not, as a category of long-term post-war maladaptation, fully encompass the experience of many warriors who have returned from a combat deployment. In fact, the connection between return from war, PTSD, and the staggering suicide rate among America's warriors has not been clearly defined, and one could argue that such a connection does not exist at nearly the rate that many assume.¹ Although it is possible to imagine that someone suffering from PTSD could commit suicide, nothing specifically ties the suicide rate in the military to PTSD caused by war. Those who go to war experience trauma. By nature,

1. Junger, *Tribe*, 83. Junger makes this important point: “Suicide is often seen as an extreme expression of PTSD, but researchers have not yet found any relationship between suicide and combat. Combat veterans are, statistically, no more likely to kill themselves than veterans who were never under fire.” He goes on to explain that the much-discussed suicide rate of twenty-two veterans killing themselves each day, while tragic, can be misunderstood. Statistically, the majority of that number come from among the Vietnam era veterans, not from among the veterans of Iraq and Afghanistan. So, many warrior suicides—not all, but the majority—are happening long after the end of their involvement in war, and they may not be connected to PTSD at all. Which is not to say that the suicidal behaviors have nothing to do with war trauma, but they may not be directly relatable to actual PTSD.

the battlefield contains traumatic experiences, and the warrior on the battlefield encounters all sorts of traumatic moments at various levels of intensity. Upon return from the battlefield, normal response patterns formed in an abnormal and traumatic environment can persist for a short time lasting for several weeks to several months. However, for most people, such persistent patterns of response (increased startle response, hypervigilance, sleep disturbances, flashbacks, nightmares, etc.) wane naturally over a span of time, usually not longer than about six months. When they persist beyond about six months, it generally means that proper treatment has not been sought out and that acute trauma responses are becoming chronic. Still, if proper treatment can be found, PTSD can be relatively easy to treat in a short-term, solution-focused therapeutic context in which a trained trauma therapist administers time-tested trauma protocols. Actual PTSD, once identified, can be treated.

PTSD can also be misdiagnosed and overmedicated. The medical model currently in dominance within the military and veterans' affairs medical systems has tried to resolve mental health issues by attacking—sometimes vigorously—symptoms, and, almost every other day, a news story breaks about overmedicating in both medical systems. When one focuses on symptoms, “treatment” attempts to reduce suffering and increase comfort by masking symptoms, so the medication begins to flow. Even worse, in many cases, doctors and therapists, in an attempt to ensure that warriors get all that they deserve and are not deprived of benefits, too quickly call any post-war “maladaptations” PTSD, and then they begin medicating what they perceive to be the symptoms of PTSD. Yet, as has been noted repeatedly in literature of late, many warriors who return from war with mental health issues suffer from a complex web of mental, emotional, spiritual, and existential sensibilities and concerns. Many of these sensibilities and concerns fall well outside the actual criteria for PTSD, even though the surface symptoms may look like PTSD. It is the existential issues that do not fall within the diagnostic criteria for PTSD that have gained the notorious title “Moral Injury.”

Moral Injury may seem to be a dubious category. How can one be injured morally? At what “place” in the human being can such an “injury” be located? How does that “place” receive injury, and by what mechanism is the injury inflicted? Such questions could be multiplied, and, although some can be answered, not all of them can be answered satisfactorily, which makes the idea of “Moral Injury” somewhat troublesome. Still, it is the best description we have been able to craft in order to describe a phenomenon that appears to be more prevalent than actual PTSD. That is to say, far more warriors have been afflicted with a persistent existential crisis that erodes the very fabric

of their sense of self in the wake of deployment to war than actually have the psychiatric disorder brought on by the stress of post-trauma adaptation to "normal" life. A vast number of warriors who have trouble re-adapting to life back home, if you listen closely to their stories, experience a spiritual and existential ambivalence that leads to a deep identity crisis due to the fact that they have perpetrated, witnessed, or failed to prevent battlefield events that run against the grain of identified or unidentified, but viscerally felt and "known," personal moral or ethical views and commitments. This we call Moral Injury, for lack of a better term.

This raises the question to which this essay seeks to offer an answer: Why do warriors who fight in legal wars feel that they have transgressed morally? How is it possible, given the legal sanction of the State in defense of the State's interests around the world, for a warrior fighting for a just cause as defined by a legal authority, to feel sinful? Why would a good man or woman fighting with all the support of the Nation and engaging according to laws of war and rules of engagement, return home and say to a chaplain, a priest, a pastor, a counselor, a therapist, or a friend, "I have lost my soul: I know right where it is, but I cannot get it back and I feel totally dead inside," even when that warrior has not broken the law or committed a war crime? If a war is a good and just thing, why are so many warriors on the modern battlefield damaged spiritually by war?

The answer to those questions, for me, centers on the fact that war is inherently evil. Not only is war "not good," and not "a necessary evil," more often than not, war is an unnecessary evil, and there are other ways to address the global crises that often lead too quickly to the deployment of hundreds of thousands of warriors into the den of sorrow, sin, and trauma that war always is. Some would argue that war can be virtuous because such a painful crucible often brings out the virtues of the warriors who fight in it. Courage, honor, self-sacrifice, just to name a few, emerge in the context of the great contest of war. As an Eastern Orthodox chaplain, I agree that warriors often demonstrate great virtue on the battlefield, and I could tell story after story of such heroic behavior.

Yet the heroism of warriors, in my view, says nothing at all about the inherent nature of war itself. Rather, it describes the potential greatness of the human person. A tornado, a hurricane, a flood, a plague, a famine, and a foreign invasion all share this same characteristic: while not good in and of themselves, they create contexts in which the goodness of the people experiencing them might emerge in powerfully demonstrative ways at undeniably heroic levels. This is the goodness of humankind coming to the fore in trying circumstances. War focuses human energy on the destruction of other human beings and the systems that keep human beings alive. War

has always been, in the modern era, indiscriminate, and remains so today despite “smart bombs.” The only thing smart about a bomb is the mechanism that allows a human being, remotely located, to place it on a desired target, but I have witnessed and also heard of countless times that precision munitions have been poorly placed by people who did not fully grasp the context, since they were sitting in front of screens hundreds of miles away from or several miles over the battlefield. War focuses on destruction, and such destruction simply cannot be called “good.”

Standing directly in the way of our ability and our willingness, as a culture, to encounter Moral Injury in our returning warriors is the philosophical juggernaut of the Western commitment to Just War Theory. (Just War Theory spawned in time Just War Doctrine within the Roman Catholic Christian Tradition.) This theory suggests the possibility of killing in a morally acceptable fashion for the good of stopping evil and preserving social order. However, this fails to adequately address the reality of what war actually is. Certainly, philosophers and theologians can construct a make-believe world of ideas and ethical equations wherein war looks like other human endeavors of competition, and these thinkers can suggest rules that set the killing of other human beings and the destruction of the world into neatly carved categories that delineate “right and wrong” ways of going about it. Yet none of this deals with the reality of war. In fact, war represents the quintessential dehumanizing evil that threatens to annihilate our species and to destroy the world in which we live.

The human heart’s response to war and killing hearkens not to philosophy, but rather to the ontological reality that to strike out at another human being is tantamount to striking a blow against one’s own being and existence. To kill another human being is to kill a brother or sister, and this killing of a brother or sister is, ultimately, a suicidal gesture. War is not a game with rules, but we try to convince warriors that it is. We need them to believe this so that they will engage in war at least long enough for our national interests to remain intact around the globe. The famed quip, “War is hell,” has been watered down to mean only “War is difficult, painful, unpleasant, or otherwise inconvenient.” But war really is hell—it is literally hell on earth—and war does not contain, inherently, anything good. Anything good and noble that takes place in war does not come from the ontology of war itself but from the goodness that resides in the human beings who must go to war, and this goodness is squandered and wasted on the battlefield. To any attempt to make war an inherently “good” thing, such as the attempt by Webster and Cole in *The Virtue of War*,² I respond with the counterargu-

2. Webster and Cole, *The Virtue of War*. This is perhaps the most definitive attempt,

ment that there exists no virtue in war. In and of itself, war lacks virtue, and, in fact, is the ultimate "anti-virtue."³ The fact that many men and women bring virtue with them to war says much about the virtue inherent to the warriors but nothing about any virtue inherent in an act of war itself. Further, no good intention can override or set aside, even temporarily, the evil that war is.

The Eastern and Western Christian notions of war contrast powerfully, and it is from the Western philosophy of the world, war, and the Kingdom of God that Just War Theory emerged from an idea, to a theory, to an accepted doctrine within the Roman Catholic Church and in most of Catholicism's Protestant Reformation "children." While the Western Christian tradition, following Ambrose of Milan and his disciple Augustine of Hippo, stands upon the notion of a justified killing of enemy combatants, the East never sought to justify this killing, even if it recognized a difference in moral category between killing in combat and cold-blooded killing. Killing has never been categorically accepted as "right and good" in any circumstance within the Eastern Christian Tradition.

Despite the fact that a few Orthodox writers in the Christian East have attempted to demonstrate a clear acceptance of Just War Theory, these arguments run clearly contrary to the traditional Orthodox rejection of just war, and have received only cautious skepticism among most Orthodox historians and experts in Byzantine studies.⁴ Far more prevalent are the voices like those of Dr. Timothy Patitsas and Dr. James Skedros. These professors teach at Holy Cross (Orthodox) School of Theology, and both represent the preponderance of voices within the Orthodox Christian Tradition, both historic and present-day. As well, one may also look to the writings and the work of Jim Forest, an Orthodox Christian peace advocate and prolific writer.

but, again, it has not received the status of wide acceptance.

3. Dr. Timothy Patitsas, in his presentation at the Orthodox Christian Association of Medicine, Psychology, and Religion (OCAMPR) 2015 Conference, called war the "anti-Theophany," a vision of death and destruction that can be countered only by first beholding "Theophany," a vision of the beautiful and the good.

4. I have not attempted to find other sources like Webster and Cole's text cited above, so that side of the argument may not be adequately represented. When it comes to Orthodox writers who defend Just War Theory, Webster's is the view most often discussed. Perhaps it would be worth locating other pro-Just War Theory Orthodox voices, which would be another project for another time. It is not my point to give equal air time to these opposed voices, though that may, I understand, weaken my argument here. I stand confidently within the camp of those who see no place for Just War Theory within truly Orthodox theology.

Just War Theory, though created at a time in Christian history when the Christian community remained one, came into existence within the cultural context unique to the Western Christian section of the Roman Empire. Granted, the impetus for such a theological underpinning for Christian imperial conquest emerged from the conversion of the Roman Empire from pagan to Christian under the influence of Christian emperors governing the whole of Christendom. Yet, clearly, Just War Theory was coined and minted in the West and never achieved sound philosophical or theological footing in the Christian East. As Jim Forest, the lead figure within the Orthodox Peace Fellowship, states, "The Just War doctrine is chiefly associated with Western Christianity," and he goes on to substantiate this claim by quoting at length the detailed study of patristic sources that Father Stanley Harakas conducted in his search for answers in this area.⁵ In his research, Harakas noted the absence of anything resembling an intentionally crafted justification for war in the Christian East. Likewise, when Dr. Patitsas describes the contrast between Eastern and Western Christian views on war he explains:

For the West by the time of the Crusades, war might in certain cases not be morally ambiguous. A blessed cause for war makes the war an unqualified good, and therefore participating in it is not a sin. Even killing in war is not a sin, but can in fact be part of a holy service that absolves you of your sins. What the Orthodox Byzantines retained was an older Greek notion that war inevitably damages the soul. Even in a just cause, in self-defense or to protect innocents, participation in war still harms the soul in some measure.⁶

In like manner, Dr. Skedros asserts when summarizing the Orthodox Christian approach to war and killing:

Military service is not inherently evil, but I would not say, therefore, that the veneration of military saints in Byzantium glorified war and glorified killing, or that the Orthodox Church had a notion of just war. The Byzantines didn't occupy themselves with such questions. They were pragmatists, they were realists.

5. Forest, "War and Peace." Fr. Harakas' conclusions find full expression in his article, "No Just War in the Fathers." He asserts: "As I searched the sources of Eastern Orthodox tradition for material regarding war, I began to see that these contained none of the traditional components of the western just-war theory. The West, beginning with Saint Augustine, had developed a set of ethical prescriptions and proscriptions concerning entrance into war (*jus ad bellum*) and behavior during war (*jus in bello*). I couldn't find such ethical reasoning in the Greek Fathers or in the canonical tradition of the Orthodox Church."

6. Patitsas, "The Opposite of War Is Not Peace," 28.

War was a part of their reality and they had to deal with it accordingly. It didn’t mean it was right to kill people, but in some contexts it was appropriate.⁷

Along with the Orthodox Christian voices that decry the ugly legacy of Just War Theory, one can find a growing number of dissenting voices among Western Christians and also many non-Christians. In a masterful address delivered to the 14th World Summit of Nobel Peace Laureates, Mairead Maguire calls upon His Holiness Pope Francis to officially repudiate Just War Theory and replace it with a “Theology of Peace, Nonkilling, and Nonviolence.”⁸ In the address, the Nobel Laureate states:

Here, in Rome, conscious that we are meeting in one of the most important Christian centers in the World, I would like to address a message to His Holiness the Pope. I thank Pope Francis for his love and work for the poor, his opposition to the death penalty, the crime of torture, and his recent interfaith initiative to end modern slavery. However, I would like to make a special appeal to His Holiness Pope Francis to replace the “Just War” Theory with a Theology of Peace, Nonkilling and Nonviolence. Our Christian roots are steeped in Jesus’s nonviolence and in the words of the late US Theologian Fr. John L. McKenzie, “you cannot read the scriptures and not know that Jesus was totally nonviolent” and that the “Just War Theory is a phony piece of morality.” I believe there is a self-delusion at the heart of humanity which says we have a right to kill each other, [and] the longstanding defect in our Christian just war theology feeds this myth of justified violence, militarism, and war. How much the world needs a clear unambiguous message from Pope Francis, and all our World’s Spiritual Leaders, that violence is not the way, violence is never justified, violence is always wrong, and there are many ways of peaceful resistance to injustice as His Holiness pointed to with his call for a justice without revenge.⁹

Maguire appeals to the one man who can, *ex cathedra*, end the long history of religiously justified killing in order to facilitate the process of reshaping the world away from unmitigated militarism toward a true and lasting peace.

7. Skedros, “War, Byzantium, and Military Saints,” 13.

8. Maguire, “Appeal to His Holiness Pope Francis.” It was delivered at the Summit gathered in Rome, Italy from December 12–14, 2014.

9. Ibid.

As well, Dr. Robert Meagher calls for an end to the idea of justified killing and justified war, and his appeal, like that of a growing number of voices, finds its *raison d'être* in the ever-growing tidal wave of Moral Injury accounts among war veterans.¹⁰ He asserts: Lawyers, like the theologians that preceded them, are often quick to believe that the distinctions and rules they inscribe in their documents will have any ordering or taming effect on the chaos of war. What must be said again and again until it sinks in is that war has its own rules, and they have little or nothing to do with serving justice or preserving humanity.¹¹

While Just War Theory appears to make for a good argument, the legacy thus far imprinted on the pages of human history shows that it does not play out well on the battlefield or in the aftermath of war. What started out as a “promise” that war could be waged without sin and Moral Injury, without guilt or shame, without risk to one’s very soul, and without the inherent criminality evidenced in Cain’s slaying of his brother, Abel, in Genesis 4:1–16, has become an unfulfilled promise. As Meagher states,

Whether or not these promises were first or ever made in good faith is something we can never know, and it doesn’t matter. What we can know is that they have not been kept. We know this from experience, the experience of war, the killing lab in which the theory of just war has been tested for sixteen centuries. It is time to declare its death and to write the autopsy.¹²

War hurts the human soul because war is evil. Some would seek to refute this assertion, but I argue that Just War Theory in service to blind patriotism has done inestimable damage to the souls of thousands of our returning warriors. Far better would be the adherence to the ancient Christian

10. Meagher, *Killing from the Inside Out*, xii–xxi. I mention this to stress the point that Meagher argues from the existential experience of countless warriors rather than from a disconnected philosophical position. The start point, then, finds roots in the spiritual, psychological, emotional, and physiological experience of moral guilt among warriors. Meagher aims at resolving this affliction by means of the honest assessment that killing hurts the soul. Just War Theory stands in the way of progress toward this resolution. I have included here several pages in the book that directly point to that start point in Meagher’s argument, but really, the entire book repeatedly brings one back to this. For example, on page 131: “Better to make a fresh start and to listen to those who know firsthand what they are talking about. When the reality in question is war, this means that we would do best to listen long and hard to combat veterans, as well as the correspondents who take notes at their side.” Any “theory” of war must answer for and to these stories.

11. *Ibid.*, 133.

12. *Ibid.*, 129.

view that war damages the human soul because war and killing are inherently evil, and that the proper response to winning at war is not celebration but mourning. Mourning tells the dastardly and ugly truth of war and allows the warriors to quietly acknowledge that, despite heroic behaviors exhibited in war, war has no heroes and has no real victories. This view aligns with the wounded souls of thousands of warriors who, although glad for having survived and for having prevailed in battle, still grieve the destruction they have witnessed and perpetrated. There exists little to celebrate in the aftermath of war, but much, rather, to mourn. As decorated combat veteran and author Karl Marlantes eloquently states:

There is a correct way to welcome our warriors back. Returning veterans don't need ticker-tape parades or yellow ribbons stretching across Texas. Cheering is inappropriate and immature. Combat veterans, more than anyone else, know how much pain and evil have been wrought. To cheer them for what they've just done would be like cheering the surgeon when he amputates a leg to save someone's life. It's childish, and it's demeaning to those who have fallen on both sides. A quiet grateful handshake is what you give the surgeon, while you mourn the lost leg. There should be parades, but they should be solemn processions, rifles upside down, symbol of the sword sheathed once again. They should be conducted with all the dignity of a military funeral, mourning for the lost on both sides, giving thanks for those returned. Afterward, at home or in small groups, let the champagne flow and celebrate life and even victory if you were so lucky—afterward.¹³

While describing the positive impact of a “shared public meaning” of war within the context of a culture wherein most of the citizens understand and bear the burdens of war (Israel being a modern example), noted war journalist and documentary filmmaker Sebastian Junger makes a similar point to Marlantes' when he says about American society the following:

Such public meaning is probably not generated by the kinds of formulaic phrase, such as “Thank you for your service,” that many Americans now feel compelled to offer soldiers and vets. Neither is it generated by honoring vets at sporting events, allowing them to board planes first, or giving them minor discounts at stores. If anything, these token acts only deepen the chasm between the military and civilian populations by highlighting the fact that some people serve their country but the

13. Marlantes, *What It Is Like to Go to War*, 95.

vast majority don't. In Israel, where around half of the population serve in the military, reflexively thanking someone for their service makes as little sense as thanking them for paying their taxes. It doesn't cross anyone's mind.¹⁴

Offering some sort of token celebrity status to warriors in an attempt to somehow assuage societal awkwardness in the presence of war veterans does nothing to help war veterans come home. Granted, neither did the open contempt received by many Vietnam War veterans. But celebrating war veterans does as much damage as hating them but in a different way. In both cases, society fails to jointly bear the burdens of war that weigh down the souls of our veterans, because society, filled as it is with a majority that has no clue about war experiences, must deny the trauma of its warriors lest that trauma radically redefine our understanding of war causing immense discomfort, guilt, sorrow, mourning, and grief—all of which our culture seeks to avoid at all cost, even the cost of living in the real world of our morally injured warriors.

Moral Injury cannot be healed without the truthful telling of what has been done by and what has happened to the war veteran. Killing, in any circumstance, violates a deep moral sensibility situated in the human heart, and this "heart alarm" sounds because war and killing represent profound evils that wound, fragment, and dissipate the very core of the human person. Feeling guilty about war and killing is neither pathological nor irrational, and Orthodox Christian theological anthropology speaks profoundly to both the cause of post-war Moral Injury and to the characteristics of an effective methodology of treatment—namely, confessing one's sin before a benevolent moral authority and discovering forgiveness. Moral Injury, like a warning light on the dashboard of a vehicle, signals damage, impairment, tarnishing, and more, to the image of God residing in each person, and the symptoms present an opportunity to restore the reflection of that image through hard work to full brightness. That is a worthy task and aim.

By way of concluding these reflections, let me suggest a contrast between what our warriors get when they return from war and what they actually need. For the last several decades, our warriors have been returning from the horrors of war to an increasingly fragmented society that no longer coheres along any of the important lines of possible connection that held ancient cultures together. To quote Sebastian Junger again, "Given the profound alienation of modern society, when combat vets say that they miss the war, they might be having an entirely healthy response to life back home."¹⁵

14. Junger, *Tribe*, 99.

15. *Ibid.*, 78.

Warriors leave a "brotherhood of pain" and a "community of sufferers" upon return from war and enter a culture emaciated by individualistic self-preoccupation.¹⁶ Warriors come home tainted by the stain of blood, guilt, existential crisis, identity confusion, and rage at a government and a society that so quickly commits its sons and daughters to dangerous ventures for spurious reasons, and in that state they encounter a culture that neither shares their combat experience nor truly wants to. Warriors leave the cohesive "bands of brothers and sisters at arms" and attempt to enter a distracted, "every man for himself" culture of individualistic consumption-for-pleasure, and from that culture, warriors receive "Thanks for your service" almost as an afterthought, and what crosses the warrior's mind at that moment is, "What the hell do you know about my service?" The answer, of course, is "nothing," which renders the thanks banal, vacuous, and meaningless at best. At worst, such unthought greetings represent deeply offensive and hateful reminders of how uncaring a culture the American society can be. We all know, if we think about it for just a minute, that "thanks for your service" is more for the person saying it than for the person to whom it is said. But we do not take a moment to think about it, and that is what angers so many vets.

War requires a collective culture. Unit cohesion becomes a must when every person in a unit will either pull together or be broken apart and attrited. The outcry from warriors has been that society has no place for them. Some vets find their place, or perhaps more accurately, they carve it out with hard work. Yet many never find a place to reconnect, and it is to this reality that many "veterans' organizations" attempt to respond by creating contexts for veterans to come together and "belong." Still, this is nowhere near the same thing as the society at large taking its eyes off of all the self-preoccupying narcissistic hobbies of individualistic pleasure-seeking that distract most people so that the society can truly attend to the war burdens of its veterans. Warriors need that, but they do not get it. I have already quoted Sebastian Junger several times in this essay, and I concur totally with his premise that social isolation—at present, a palpable epidemic in America—calcifies war trauma into a cement-hard crust around the hearts of our warriors. We wonder why PTSD and Moral Injury and other like trauma responses seem so absent in some warring cultures, and the very simple answer is that those cultures received their warriors back into a cohesive band of caring human beings who were willing to ritually and practically carry the burdens of their warriors. American culture breeds the opposite, and there exists no shared cultural meaning to war, deployment, coming home, and reintegrating. Without this culture of shared meaning, warriors'

16. *Ibid.*, 55.

experiences, rather than being part of a cultural story, become isolated and atomized, without honored expression and without honorable reception by the wider culture.

What do we need? We need rituals in which war veterans and civilian citizens work together to mutually own war trauma. We need contexts in which war veterans can tell their stories without the risk of being “shut down” because those listening will not hear them out to the bitter, painful end. We need citizens, pastors, priests, therapists, and others who will not argue with a warrior’s sense of moral guilt, spiritual taint, soul-death, emotional numbness, and emotional rage by waving flags, spouting patriotic nonsense, and appealing to just causes and justified killing in order to deflect the moral evil of America’s wars. We need an American society that looks down at its collective hands and sees blood; not only on the warriors, but on the hands of every citizen and non-citizen living within the protection of America’s military. We need social circles small enough to be truly social but large enough to end isolation wherein warriors can meaningfully belong; not just to “vet groups” that meet isolated from the social network, but entire social networks of warriors and civilians including one another. We need to stop telling our warriors they have nothing to be ashamed of and start listening to their shame, their guilt, their loss, their inner emptiness. We do not listen to such tales because they threaten our illusions and assault our easy-won comfort, but we should listen, and in listening, we should help carry, own, share, and grieve rather than deny the burdens of war. Rather than medicating and then ignoring our warriors, we must find ways to bring them to the center of the “village” and give them full voice, and, together, we must appeal for, give, and receive forgiveness. Unfortunately, our culture is unlikely to experience the kind of shift that will make this possible without some sort of national crisis, but that does not mean that movements within our culture cannot begin to actively pursue changes in how we incorporate our warriors back into our lives in meaningful and healing ways.