

AN APOLOGY FOR EXPEDIENCY

Just prior to the bell, I was collecting the loose ends of Hawthorne's "My Kinsman, Major Molineux," as my students were gathering their book bags when I said that Robin, an adolescent minister's son who's telescoped a year's worth of growing up into one night, is shocked to discover his capacity for sin. Joining the mocking chorus of the mob, he denies any relation to the Major after having spent most of the night bruiting that kinship about town.

Rising to leave, Edwin, my brightest sophomore that semester, said, "I don't see the sin." I said that Jesus and Socrates would probably have handled the situation better, but then they were experienced speakers and men of the world; Robin was not. This "shrewd lad," as Hawthorne calls him, did remind me a little of Huck Finn cleverly lying to save his friend Jim, the runaway slave, from bounty hunters. Others might have handled the situation worse than Robin by prying up a cobblestone and hurling it at their defenseless victim. Though he has not behaved like a saint or felon, Robin feels terrible after his denial and rightly or wrongly senses he has betrayed an innocent man. His parents have firmly installed a Puritan conscience in the boy if not a sense of political history. As I told the class the next time we met, a priest might find Robin guilty of hypocrisy; a prosecutor might charge him with unlawful assembly; I would only say that Robin hasn't exhibited the heroic virtue of a Dietrich Bonhöffer. Nevertheless like Edwin, I didn't see the sin either. I cannot condemn Robin because I'm reasonably sure I would not have acted any more virtuously or heroically than he did, and I'm forty years older. Through his pretense, Robin took the expedient course and survived to tell about it. Though it is unlikely, he may have tailed the mob and rescued his kinsman when they tired of playing their ugly games. That's a plot twist Hollywood may one day consider. Unfortunately, Hawthorne concludes his tale of initiation without telling us the lad's decision or implying, except in the broadest way, how his protagonist will turn out. Another possibility is that he will return to his parents though he'll need a loan to cover his travel expenses. On the other hand, he may accept the mysterious Samaritan's invitation to go home with him where Robin might clip the story of the lynching from the morning paper for his journal and future reflection. Indeed, there's much to be gleaned from his expedient behavior even if he was flying on auto-pilot at the time.

As Socrates said, "In every sort of danger, there are various ways of winning through if one is ready to do and say anything whatever." The key word here is "danger," for that alone permits Robin and Huck to level the playing fields they did not survey or grade. It's the same reason one cannot condemn too strongly Peter's epic denial in the New Testament, an episode Hawthorne alludes to in "My Kinsman, Major Molineux." However, it is axiomatic in situations such as Peter, Robin, and Huck find themselves that humans have a right to defend themselves and their loved ones. Whether they exercise that right is another matter altogether. And Peter, knowing what the Pharisees and the Romans were capable of, was within his rights in denying his association with Jesus. Had he acknowledged his friendship, he might very well have been crucified. Yet dying on the cross in 33 AD instead of 64 AD might have jeopardized the church whose founding was crucial to the forwarding of Jesus' theology of doing for others. The failure to establish the church would have been a tragedy far greater than the death of the founder. It is interesting that

Peter alone, according to John, took up the sword to defend his mentor and was rebuked for it. Yet, after Peter denied his spiritual leader, Jesus did not rebuke him. Indeed, he charged the first pope with feeding the flock, not waging holy war, for Peter with all his human failings was still the rock to build the church of peace upon.

Expediency has a bad name in many circles, for many think it means only choosing the easiest, most self-serving option like the able-bodied father who mutilates his children so their appeal as beggars will be increased rather than go to work himself. (This is why *apology* in my title means both “a defense” and “an expression of regret.”) But if the mutilation of one’s children to avoid work is unacceptable, some self-serving choices are surely justified. In August of 1945 following the German surrender, my father volunteered to embark on a troop ship out of Marseilles headed for Okinawa to participate in the imminent invasion of Japan. Some military analysts have calculated that as many as a million people might have perished in this operation. When the Japanese surrendered, however, the ship’s captain made a hard turn to starboard and steamed for Newport News, Virginia. With a forty-five-day leave in hand, Dad could have stayed around for the parades and the demobilization of his mostly-black combat engineer battalion now in New York, or he could have taken a well-deserved leave. Selfishly, he caught a train to Atlanta where my mother was waiting for him in the Ansley Hotel.

“What’s the first thing you did when you saw Mother again?” I naively asked him.

“Well, son, that’s a personal matter I’d rather not talk about.”

“I understand. What, then, was the second thing you did?” I persisted.

“It’s an old joke – I took off my boots.”

Somerset Maugham observed, “If the circumstances are right, any principle can be sacrificed to expediency.” Perhaps he should have spelled out what he meant by right or just circumstances, for too many ignore the first clause of that sentence, which might better have been stated, “If love is best served, any principle might be sacrificed to expediency.” Ideally though, regardless of the modal auxiliary, love and justice should be the same. I would define love, incidentally, as doing for others as they would have us do, not as we think they deserve. This definition helps the would-be humanitarian to distinguish self-interest from love.

In the famous prosecution of Sir Thomas More, a devout Roman Catholic and former Lord Chancellor of England, principles were sacrificed, Maugham would agree, but altruism was not served. To insure that his royal employer won the case, Richard Riche, Henry VIII’s solicitor general in 1535, gave perjured testimony, which led to More’s conviction. Though the trial record is incomplete, Riche’s testimony was based on a failed attempt to trick More into denying, what the English parliament had decreed in the Supremacy Act, namely that the British king outranked the Pope. Henry, More’s nemesis, was so pleased with the court’s decision that he appointed Riche attorney general of Wales. Before his execution, More turned to Riche and, according to James Humes, said that he could understand why a man might sell his soul to gain a great nation, but piddling, poverty-stricken Wales?

Now if Henry had taken Riche’s wife or children hostage, one might understand the solicitor’s perfidy, but there is no evidence of such external pressure. Riche no doubt rationalized his expediency by saying he was only doing what his divinely appointed sovereign wanted him to do, and what the king wanted was best for the country. Furthermore as solicitor general, every conviction was another jewel in the crown that was slipping over his eyes. These flimsy and self-serving explanations became fundamental truths to Riche,

and they blinded him to the selfish reasons he perjured himself. Not surprisingly, the Marquis de Sade argued, "It's better to side with the wicked who prosper than the righteous who fail." The famed libertine could not have known anymore than Riche did that Pius XI would canonize Sir Thomas More, not Riche, and certainly not Henry, in 1935.

One of the earliest direct experiences I had with expediency occurred in 1961 when at eighteen I served with the U.S. Army in northern Germany. Sgt. Bill Perry and I were scouting some new sites along the East German border for our radar-intercept equipment when I noticed that the jeep I was driving was pulling sharply to the right. I stopped on the shoulder and discovered I had a flat and a spare held in place by one nut. As the two of us were wrestling the spare on, I accidentally kicked the rusty can holding the five lug nuts and watched helplessly as they rolled over an embankment into the Elbe River. "Not to worry," said my resourceful crew chief, an ex-farm boy from North Carolina. "Though Army training regulations discourage this, just take one nut off three wheels and the spare, and we'll limp back to the motor pool with four nuts apiece. It's only about twenty kilometers." Though I had to stop a couple of times on the cobblestone roads to tighten the nuts, Bill's solution worked beautifully. I don't know what I would have done without the jack and lug wrench Uncle Sam provided me, but Bill no doubt would have figured out something; he was a master of the expedient. As I learned from him and others I respected, many Army regulations, when they reached the "Eastern front," were not commandments writ in stone as I'd learned in basic training, but merely suggestions from Pentagon bureaucrats.

Driving on the German Autobahn taught me to drive aggressively, but the 1959 Volkswagen I came home with did not always provide me the means. After my discharge in New York City, my wife and I moved to Georgia where I resumed work on my college diploma. Heading to a family reunion in South Georgia once, I was driving our VW about 55 mph, which was the speed limit along that urban stretch of Interstate. It was also about all that car was capable of unless I was headed down hill. Suddenly I found myself in some very heavy traffic: an eighteen wheeler was hard on my rear bumper and another was on my left, but there was some breathing room ahead of me assuming the truck beside me didn't switch lanes as he appeared ready to do. As the three of us approached a cloverleaf intersection, I noticed a Lincoln racing down the on-ramp apparently headed for my right-front fender. I honked but the noise of the trucks drowned the warning. I flashed my "light-horn," but the Lincoln apparently didn't see it because of the angle of his approach. Moving left was out of the question. I could have reduced my speed, but there was that blinking truck on my tail, so I gritted my teeth, tossed the dice, and pushed the accelerator to the floor. Seconds later, the elderly driver braked hard and tucked himself in behind me with just inches to spare. When I looked back, the driver gestured sheepishly; apparently he had only seen the bigger trucks and overlooked my "bug." As my blood pressure returned to normal, I wondered what I would have told a highway patrolman if he'd caught me on radar when I surged past the speed limit: "Had I obeyed the law, sir, I might not be here for you to ticket." Law or no law, the last thing I want to be is dead right.

But I am not entirely self-taught in this delicate matter of expediency. One of my tutors was an old friend named Freddie Nemchek. Freddie had been a Hungarian border guard who was drafted when the ill-fated Revolution began in 1956. Stopping his countrymen from fleeing Russian tanks was wrenching enough, but when his unit was ordered to Budapest, where the revolt was centered, Freddie had to make a quick decision. His two younger brothers were students at the university there, and both were politically active in the

uprising. Not wanting to be placed in a position where he might have to shoot at his brothers especially after promising his dying father that he would look after the boys, Freddie rolled three hand grenades onto the ten-meter-wide mined strip. He then rose from a drainage ditch and prayed that the detonations had cleared all the mines in his path; the barbed wire hardly slowed him down. He wasn't alone; nearly 200,000 refugees over several years fled the country with him. From a refugee camp near Vienna several weeks later, however, Freddie learned that his widowed mother had been arrested and charged as an accessory in her oldest son's defection and her younger sons' activism. It never occurred to any of the sons that their mother would be targeted. Furthermore after spending six months in jail, she was released to discover that the family's twelve-acre farm was scheduled to be collectivized. Freddie never saw his mother again, but she did write forgiving him for his expedient departure. The lives of her sons, she generously stated, were worth any time she might spend in jail, and the farm was more than she could handle by herself.

I met Freddie in 1985 a decade after he had earned a Masters degree and taken a job teaching high-school English in upstate New York. When he told me the story of his escape, he quoted his favorite American writer, Emerson: "We do what we must, and call it by the best name." When the Iron Curtain was drawn back in the late 80s, Freddie sent for his brothers, and today they all live within twenty miles of each other with a sprinkling of cousins and nieces. Most every summer, Freddie flies back to Budapest to lay two roses on his parents' graves. Understandably, none of the brothers has any interest in reclaiming the farm each is entitled to.

Another of my teachers was Ilse Barmwater, my wife's mother. In the tiny farming village of Wolsdorf, Germany she had managed to shepherd her two children and her aging parents through the Second World War while her husband was on the Eastern Front and later in a French war prison. Late in the conflict when her larder was seriously undersupplied, she begged Herr Otto Schulze, who employed her during the planting and harvest seasons, if she might buy or barter some potatoes. "You know the law, Ilse," said the farmer. "All I grow goes to our soldiers who are dying on two fronts. God forbid that they should starve as well. I can't sell you any," he said with a wink, "but you can steal some." So Ilse waited for a moonless night, dressed in black, and filled a gunnysack with Schulze's precious tubers. She knew at least one soldier at the front who would not begrudge her a few spuds though she did not conduct a public opinion poll to see how his comrades felt about her larceny.

In May of 1945 with rumors of the allies' advance on every tongue, Herr Hermann Bäsecke, the Nazi mayor of Wolsdorf, decided to rally Ilse and her neighbors in a last-ditch effort to stop the Allies. Afraid of doing nothing, his honor decided that a sandbag barricade placed at one intersection in the middle of this town of five hundred would blunt the Ninth Army's spearhead. A few residents including Ilse worried that any obstacle would say "stubborn Nazis" to the Allies, who if offended might flatten their homes, the one thing of material value they had left. It was bad enough to be hungry, but homelessness, assuming she survived the shelling, would crush what little remained of her spirit. One cloudy night, therefore, Ilse and some comrades sliced open the mayor's sandbags with kitchen knives so that only a modest speedbump remained for the tanks to cross. Once again Ilse defied the authorities, but in doing so, she helped to save her home and many of her neighbors. In June, the Nazi mayor was relieved of his duties and sent to a yearlong re-education camp.

Opponents of situational ethics like to remind people such as myself that Hitler's love of Germany is what led him to start the war in which some sixty million died. Indeed

Hitler did love the Fatherland and the blond, blue-eyed folk who populated it, but love which is defined so narrowly that it justifies killing millions of innocents is not a love or a god that I respect even in a world where, as Iris Murdoch opined, “love is the reality and God but a dream.” Does the end sometimes justify the means for the situationist? Yes. Are love and justice the same to him? Generally. Is situational ethics relativistic? By and large. Is love the only moral absolute? Yes. Does situational ethics require judgment and maturity? Most certainly and lots of empathy as well.

Ethical maturity, however, may be found at any age, which is why the moral superiority of children so often embarrasses their elders. A case in point: our daughter Anja was asked on a sixth-grade ethics test if it was acceptable for a fictional hero to steal medicine to save the life of his wife since the poverty-stricken family could not afford to buy the wife’s medication. Unfortunately, the question cast the hero’s complex decision in black and white terms: the hero could either steal the drugs and save a life or obey the law and attend his wife’s funeral. Anja quite properly left the ludicrous question blank. She knew that loans and handouts were available for desperate people; she had a few dollars herself she would have contributed. Though twelve, she already knew the good work that the Salvation Army and Red Cross did. I applauded her answer, but then I threw a monkey wrench in the moral machinery. What if the hero were a trusted Jew in Auschwitz with a job cleaning the infirmary. If his wife needed medicine in this slave-labor camp, the hero has an obligation to steal, for Nazi “welfare” did not extend to “undesirables.”

Aware that reality trumps the hypothetical when it comes to morality tales, Gregory Jaynes tells a story about the unidentified small town in coastal Georgia where he once lived. As General William “Total War” Sherman and his men were approaching in December of 1864, the town elders decided on a boldly proactive response. They mounted their horses and, white flags flying, rode at great personal risk to greet the army that had burned Atlanta and promised to “scorch the earth” between Buckhead and Savannah. On the outskirts of town, the elders requested an audience with the commander of the flaming juggernaut. “General Sherman,” the mayor said, “please, sir, we are peace-loving people; do not destroy our humble town. We wish you no harm and hereby surrender. Incidentally, sir, there are 4000 bales of cotton in the warehouse by the river, and every one of them has your name on it.” Sherman at this point turned in his saddle and said, “Put out your torches, boys. We have some counting to do.” Jaynes, who ungratefully complains that the town fathers “had no courage,” lived safely and comfortably in an antebellum home that was saved by the expedient town elders he condemns. Surely there were many Georgians like Jaynes who thought the mayor’s actions were treasonous, but I cannot imagine anything the defenseless town might have done that would have helped the Confederate cause in a substantive manner. I say that from hindsight, of course, but most Southerners knew the war was essentially over by the end of 1864. A warehouse full of cotton could probably be replaced in a year’s time, but the town and its citizens could never be restocked as my German mother-in-law realized in Wolsdorf.

There’s an African proverb which states, “If the snake’s in the house, one need not discuss the matter at length.” African elephants and nature in general seem to have gotten that message as well. In a poignant documentary on the Discovery Channel, my wife and I watched in tears as one herd’s drought-crazed females butted a youngster away from the watering hole, which was little more than mud anyway. Survival of the family, it seems, meant more than a frail daughter’s life. Expelling a defenseless youngster from the herd

meant certain death, for the restlessly circling lions were just as thirsty as the elephants, and blood though salty, will slake a thirst in a pinch. Instinctively the elephant mothers realized that once the drought was over, the herd could be replenished assuming one bull and his harem survived long enough to reproduce.

If nature permits infanticide, is a human ever justified in killing or torturing another? Yes, when on those rare occasions that love is best served by extreme measures. If the police in New York City had observed someone padlocking a nuclear device to a lamppost beside the Empire State Building on the afternoon of September 11, 2001, would they have been justified in torturing their captive? Yes, indeed, if the bomb squad had reported that the device could not be safely defused or transported without a password for its timer. The terrorist in custody may not have possessed this information, but police authorities would have had every right to twist his arm until they were convinced of this even as they were piling dirt atop the bomb, and residents were evacuating Manhattan. Commenting on a similar situation, the journalist and physician Charles Krauthammer says that, "Only a moral idiot would say no [to torture under extreme circumstances]."

My convictions concerning expediency were sharply tested in the run-up to the war in Iraq. In January of 2003, my sister, a Methodist minister in New Jersey who had counseled some of the 9-11 survivors, e-mailed me that the looming war was depriving her of sleep. One of her two sons had just been called up to active duty at Ft. Drum, New York. For very personal reasons, she opposed the war, but with many hawks in her congregation, she was obliged to mince her words. I wrote back that the flimsy evidence for weapons of mass destruction, a weak link to the events of 9-11, and the existence of unexplored diplomatic avenues cast me in the unfamiliar role of dove. I copied my retired-military father in North Carolina and my neo-Calvinist sister in Arizona to see what they thought. Dad replied tersely, "Do we wait until a nuclear device is detonated in New York harbor before we take action?" My older sister said, "We have to assume the WMD still exist since their destruction was never documented. We have to wage war since the US in its role as the world's super power has the responsibility to preserve and protect freedom for all the world's citizens." She has not always been so generous in her concern for the rights of others, but she had a point. Stubbornly I replied that all great power has a seductive allure like the finely crafted sniper rifle, accurate to a mile that seems to whisper, "Use me." We have to guard against such enticing appeals.

My younger sister proposed a coin toss to put the whole matter in God's hands. However, I wasn't so dovish that I was willing to give Saddam Hussein a 50-50 chance of winning any war, and I told her, "I'm afraid my faith in the flipped coin is not as strong as yours. I believe God gave humans reason and free will to make complex moral decisions for themselves. I would not choose a spouse on the basis of a coin toss anymore than I would decide the fate of an accused felon if I'm serving on his jury."

A letter in the *Greenville News* provoked me to go public with my anti-war position. The letter writer had paraphrased Dietrich Bonhoeffer, a culture hero of my own, as follows, "If you are on a bus, and you see that the driver is mad and clearly intends to ram a column of children at the intersection, you must stop the driver by the most immediate means possible. It is his life or the life of the children; thus, the moral imperative is to act."

I responded, "Analogies, as Lyndon Johnson learned the hard way, can often be treacherous in argument. The logic of the domino theory was so compelling, as Johnson himself eventually admitted, that he could not screw up his courage to withdraw from Vietnam.

Although he realized the US could not win, he feared that several more countries like Cambodia and Thailand would fall like tall thin blocks with a high center of gravity. Well, countries are not dominoes, and Saddam Hussein is not driving our bus; George W. Bush is. But for the sake of argument, let's say we are passengers on Saddam's bus. Before I would willy nilly shoot the driver and risk the lives of everyone on board, I'd want to know that he was mad and not just suffering a leg cramp. Bonhöffer's mad driver, on the other hand, had long ago jumped the curb, buried the accelerator, and run over millions of innocents before the Lutheran ethicist finally acted in concert with hundreds of high-minded Germans. If the moral imperative is to act, not kill, wouldn't it be prudent for someone to seize the wheel and emergency brake while another collars the driver? This isn't Hollywood after all, and the choke hold we have on Saddam has worked for a decade."

Fortunately for me, the *News* had so many letters before D-Day that it never published mine. In the back of my head, I kept hearing my older sister say we had a responsibility to the brutalized people of Iraq. Probably because her fundamentalist beliefs are so contrary to mine, I sometimes find it difficult to recognize the virtue of her position. Nevertheless one weekend, I found myself surfing the net for Human Watch and Amnesty International reports on Iraq. What I found was astonishing: an estimated 200,000 dead Marsh Arabs, an estimated 100,000 dead Kurds, torture by electric shock and acid baths, rape, and an estimated 10,000 still dying each year in Saddam's prisons. I imagined myself at Auschwitz in 1944 thinking, "Where are those Americans?" When the Rev. Brian Herir, former dean of Harvard's School of Divinity and philosopher of peace, spoke on campus, I asked him about the Kurds and the Shi'as after he'd made an impassioned speech about maintaining the status quo in Iraq. His answer was, "As was seen in Bosnia, the human rights argument is the strongest for war." His reference to the Balkans reminded me that I had supported our bombing of the Serbs; was Hussein any different from Milosevic? Shouldn't Americans aggressively oppose any state that uses rape, torture, and "ethnic cleansing" as various means to an end, no matter how gloriously it dresses it up? I thought so, and soon said as much in an e-mail that I sent to the family and a few friends: "The upshot is that I have come to accept the inevitability of war, and, indeed, its desirability."

My Methodist sister was suddenly silent, but my Dad and older sister welcomed me back in their good graces, happy that I'd "finally seen the light." My friend and former colleague John Idol was the only one seriously to challenge my flipflop just days before the war began. Though I had warned the *Greenville News* letter writer about arguing with analogies, I devised one of my own to explain my position to John. Imagine one day you hear screaming coming from your neighbor's house, and good Samaritan that you are, you go to investigate, but in the rush you forget your cell phone. Through the living room window, you see a clearly berserk father chasing his small son with a baseball bat. The boy's mother lies near the door unconscious and possibly dead. The father swings his bat wildly a few times, but the agile youth wards off the worst of the blows and scampers out of reach. He tries the door, but it's locked as you have already determined. It is clear to you that the boy, who is tiring, cannot avoid the blows much longer. You continue to yell and beat on the door, but the hysterical and possibly drunken father ignores you.

Some neighbors who have heard the screams join you. Breathlessly, you suggest breaking down the door and gang tackling the father as those courageous airline passengers may have done on 9-11 before crashing in Pennsylvania. The neighbors know this man; he has a

history of irrational and violent behavior. The majority, however, say that it's none of their business; it's a domestic dispute, an internal matter; leave them alone. Another volunteers to run and call 911, which you agree to, but in your estimation, the boy inside does not have five minutes to live as you wait for the police. Frustrated by the lack of support from the people you thought were your friends, you break in the door, and at considerable risk, you wrestle the father into a neck lock. However, now the father is striking you with the bat over his shoulder. As the two of you fight for control, you accidentally snap the madman's neck. You only meant to subdue him and save the boy from further harm, but you have killed him in front of several witnesses clucking, "We warned you this might happen."

Now if this case came before me as a juror, I told John, I don't think I could in good conscience vote to convict this defendant of murder or even manslaughter. I might fine him or vote for a short jail term, but no more. John suggested breaking the glass and helping the boy escape. I said this boy had no precedent for defying his father after his older brother had run away. If that didn't work, said John, how about passive resistance, but the mother still tucked in the fetal position had already tried that, I said. Jewish passive resistance in the 1940s, had there been any, would only have made Hitler's job easier. Great democracies don't engage in preemptive strikes, said John. He's right of course, but when Israeli intelligence showed Arab tanks had crossed into Sinai in 1967 prior to the famously brief Six-Day War, it was wise to strike before Arab tank gunners had time to load their chambers and the pilots had an opportunity to launch their jets. Indeed, over four hundred were destroyed sitting on the tarmac.

In most cases, expediency is shortsighted, costly, and immoral. The Society of Jesus' motto, "Any means are justified if the end can be achieved," permitted the Jesuits to convert any non-Catholic at the point of a sword. And Leo Durocher's slogan, "Win any way you can as long as you can get away with it," presumably allowed his Giants to cheat with impunity. (The other side of the "anything goes" coin is John Henry, Cardinal, Newman's callous observation, "The Church holds that it were better for all the many millions [on the earth] to die of starvation in extremest agony...than that one soul...should commit one single venial sin." To this I would only say that no credo, whether "nothing goes" or "anything goes," should be a suicide pact.) But as I trust I have shown, there are times when love is best served by the expedient, whatever that might consist of. My mother-in-law understood this when she stole potatoes. The Rev. Dietrich Bonhöffer understood this when he entered a plot to kill Hitler. Mohandas Gandhi understood this when he made salt in violation of British colonial law. Henry David Thoreau understood this when he refused to pay a poll tax because some of the money went to support an imperialistic war against Mexico. Moreover, Mrs. Rosa Parks understood this when she refused to surrender her seat to a white man on a municipal bus. What I hope is that no one would ever be prevented from doing the right thing because it is technically or generally considered wrong. For those worried about the slippery slope, there are effective crampons to fit all boot sizes. E.D. Martin argues that, "Knowledge of means without knowledge of ends is animal training." The education of humans requires infinitely more than hunting dogs and show horses. And if like Benjamin Franklin, Thomas Jefferson, and George Washington, people hedge their bets by maintaining their church memberships when they are more deist than Episcopalian, I cannot blame them.