In war and in peace: Implications of just war theory

by Daniel M. Bell Jr. in the September 6, 2005 issue

As a high school sophomore I was told: “If you wait until you are in the back seat of a car to figure out your sexual ethic, it is probably too late.” In other words, moral issues are best addressed not in the passion of the moment but as part of an ongoing formation in discipleship.

What the church knows about sex it forgets about war. Christian discourse on war rarely rises above the level of emotional appeals. At the congregational level, we often see little more than *Crossfire*-style debates. At the national level, we get editorial or ecclesial statements of at best a few paragraphs which present the just war tradition as a tidy checklist of criteria for evaluating a conflict.

The just war tradition was not always so superficially employed. It developed as a form of Christian practical rationality. It was not a theory to be bandied about but a rigorous ecclesial practice which arose out of the church’s day-to-day life and shaped that life.

This is to say, just war as a form of Christian discipleship is first about forming the church and only derivatively about speaking to policy makers. Accordingly, it is deeply implicated in the character of our ecclesial communities. It is sustained by the virtues inculcated through the preaching and teaching and practices of discipleship that characterize the life of the Christian community. The just war tradition makes theological sense as an expression of the character of communities concerned daily with justice and with loving our near and distant neighbors.

A church that seeks to embody and not merely argue about the just war tradition faces two immediate challenges. The first is ignorance of the tradition. In spite of the frequency with which the just war tradition is invoked and its language echoed in ecclesial speech, few Christians know about the kinds of judgments and disciplines upon which the tradition is built. Few can name the criteria, much less unpack how they might be faithfully applied.

The second challenge is presented by the emergence of “asymmetrical” or “fourth generation” warfare—conflicts that do not involve nation states (the war on terrorism, for example, involves nonstate entities like al-Qaeda) or involve them in “low-intensity” or clandestine combat (like the U.S. involvement in guerrilla warfare in Central America in the 1980s). Many people suggest that this new context renders the just war tradition obsolete: its restraints are unsuited for the demands of combat characterized by evasion and small-scale fighting in civilian terrain.

This challenge is an intensification of the question that has been around since at least the advent of nuclear weapons, namely, “Can modern war be just?” I am persuaded by the likes of Paul Ramsey and James Turner Johnson that there is nothing inherent in the character of modern warfare that renders it intrinsically incapable of being restrained by the disciplines of the just war tradition. The difficulty is not with warfare per se, but with the (un)willingness of communities to abide by the discipline of the tradition.

Embodying the just war tradition is about much more than memorizing a list of criteria. Nevertheless, knowing the criteria is a necessary part of being formed by the tradition. Such teaching is crucial to warding off the twin errors of either neglecting our neighbors when we should come to their armed defense or giving support to armed action which falls outside the tradition and so is not rightly called just. So what are these criteria?

Legitimate authority. This criterion can be approached in terms of who may wage a war and who determines whether a particular war is just. Whereas secular accounts of the tradition locate legitimate authority in the heads of state, with some movement toward giving authority to international agencies, the Christian tradition understands legitimate authority more broadly. Authority over matters of life and death belongs to God, who has shared this authority with the governing powers (cf. Romans 13). Thus, governing authorities may wage war.

This delegation of authority, however, does not provide the ruler with carte blanche, for in the Christian tradition of just war, the determination of the justness of a war does not reside in the ruler’s hands alone. It is expected that the ruler will heed wise advisers. Moreover, it is recognized that individual soldiers should make their own determination of the justness of a conflict and act accordingly (though they are expected, when uncertain, to give leaders the benefit of the doubt). Finally, the church exercises its oversight. Historically this has taken shape in the intervention of

ecclesiastical leaders as mediators in conflicts and through the practice of confession and penance in the aftermath of conflict.

This criterion presents a host of challenges to a community that would embody the tradition. To begin with, it suggests that the kind of leaders in power has everything to do with whether war is waged justly. What kinds of political leaders do we support? Do we encourage them to pursue the common good, rather than national interest, narrowly conceived? As congregational leaders, do we preach and teach that these matters are matters of faith or do we studiously avoid the appearance of meddling in politics by feigning neutrality? Do we teach the tradition to our soldiers and those who may become soldiers and do we assure them of our spiritual and material support as they abide by the tradition, whether that takes the form of refusing to fight in an unjust war, or fighting in a war but only justly? Do we lead the congregation in embracing those who have waged war justly and, just as important, do we offer returning soldiers the gift of confession and penance as needed?

Finally, this criterion raises the question of intra-ecclesial authority. For the church to exercise its proper oversight, it might be necessary for select leaders to be granted security clearances in order to be privy to information and the deliberations of state. Do we have churches that would actually trust and obey such leaders and their judgments? Do we have leaders worthy of such trust?

Just cause. The modern, secular version of the just war tradition has effectively reduced just cause to self-defense against an unjust aggressor. The Christian tradition understands just cause in a much more other-regarding manner. Christianity has consistently qualified the legitimacy of self-defense and has authorized armed action principally on behalf of the neighbor—in the form of a government’s defense of its people or a nation’s intervention to aid an unjustly attacked neighbor.

The Christian tradition has uniformly prohibited preventative wars, arguing that the injustice must be actual and not merely speculative. However, preemptive strikes in cases where a threat is both imminent and grave have been permitted by some voices in the tradition on the grounds that such a threat constitutes an actual injustice.

Just cause as fundamentally other-regarding presents several significant challenges to the church. First and foremost, it poses the question of whether we are willing to

risk our lives and the lives of our loved ones for the sake of others, even when our immediate interests are not at stake. In this regard, when we lift up before the congregation the lives of the saints who gave themselves for others and when we encourage service to those in need around us (e.g., the works of mercy) we are contributing to the formation of the kind of people on whom the just war tradition as a form of discipleship depends. After all, if we do not desire justice, if we do not care about our immediate neighbors who are unemployed, uninsured, homeless or battered, it should come as no surprise when the plight of Croatians, Sudanese, Haitians or Timorese fails to move us.

The call to risk ourselves for others challenges us to confront the pervasive sense of fear and inordinate concern for security that threatens to envelop us. This criterion reminds us of the importance of proclaiming the gospel—that Christ has defeated sin and death, that we need not be consumed by fear, that there are worse things than dying, that we are free to live in holy insecurity, free even to die in service to our neighbor. A people who lack courage in the face of death, whether on neighborhood streets or in the hospital bed, will be hard pressed to resist the temptation to abandon the neighbor or to discard the just war discipline, say, by engaging in preventative strikes against an uncertain threat.

Right intention. This criterion is commonly reduced to a disavowal of revenge and a desire for peace. But just war as Christian discipleship involves a thicker account of intent, revolving around issues of character. First, right intent is a matter of a “just peace.” As Augustine noted long ago, everyone desires peace; wars are always fought for peace—for a peace that better suits the aggressor. It is not sufficient, then, merely to be for peace. One must intend a peace that is truly just, and not merely self-serving.

Second, right intent entails that even in warfare we love our enemy. Anger is permitted, but not hatred. Indeed, in waging war, the right intent is not to destroy the enemy but to bring the benefits of a just peace to the enemy.

Third, right intent entails what can be called “complete justice.” Intentionality is not always an easy thing to discern; for this reason character and consistency are relevant to evaluating intent. Thus, evaluating intent with regard to war might entail asking: Is this a people who characteristically and consistently seek justice? Is justice only selectively enforced? Is it carried out to completion? Complete justice entails looking forward (to how justice will be implemented) and backward (bringing the

past before the bar of justice). Accordingly, this criterion may involve confessing one's own complicity in past injustice as one confronts present injustice. Likewise, intent understood in terms of complete justice provides space for consideration of "exit strategies" and how the victor deals with the defeated after the shooting stops.

The challenges and opportunities presented by this criterion to the church are manifold. In light of the demands of right intent, we might ask ourselves, how seriously do we take the gospel call to love our enemies? Do we lead our congregations regularly in prayers for our enemies, or do we only pray for our side and our own? Can we even name name our enemies, or do we shy away from that because it is impolitic or impolite? Do we model and encourage within the life of the congregation (not to mention the wider world) ways of dealing with conflict, with enemies, that neither shy away from addressing problems forthrightly nor simply cut off or separate those with whom we disagree? This is to say, do we in the church model the desire for and pursuit of a just peace between enemies, or do we perpetuate a harsher politics where the winner takes all and the loser is simply silenced or encouraged to leave? Living the just war tradition may call us to reconsider the ways we pray and the processes by which we order our life together.

Right intent also presents us with the challenge of confession. Many churches have lost sight of the gift of confession, either practicing it infrequently or practicing it only in the most vague and abstract manner. If just war is premised on the intention of justice and yet we know we are not pure in our intentions for justice, examination and confession become central to the practice of just war. Only then can we avoid hypocrisy and injustice in our pursuit of justice.

Lastly, right intent amounts to a call for the patient endurance of the saints. To see justice through and not abandon either the victims or the defeated enemy requires patient endurance in the face of the hardship and costs of war and its aftermath. To this end, we might lift up the disciplines of the Christian life—such as prayer, fasting and fidelity—that run against the grain of an impatient and suffering-averse culture.

Last resort. This criterion legitimates the resort to arms after other feasible means of addressing the injustice in question (such as mediation, negotiation, arbitration or referral to international tribunals—but not compromise or appeasement) have failed. Implicit in this criterion is a commitment to diplomacy in good faith, even if one's opponent is not engaged in good-faith diplomacy.

The point at which this criterion is met is a judgment call. It requires the virtue of prudence, of sound judgment, which returns us to some of the issues of “legitimate authority” raised earlier, regarding the kinds of leaders we nurture and support. Likewise, this criterion asks of us the patience, hope and commitment to pursue other avenues short of warfare to address injustices that rise to the level of just cause. In this regard, a just war people will devote time and energy between wars to developing means of addressing injustice short of war. The criterion asks us to avoid the dual temptations of either resorting to military resources too quickly, especially when such a path may appear easier and more savory than negotiating with certain perpetrators of injustice, or of delaying indefinitely, thereby effectively abandoning the unjustly attacked neighbor.

Reasonable chance of success. This criterion entails that the goals of a war must be reasonably attainable. A just war is a limited war to address a particular, declared injustice. It is not a war to wipe out an ideology or to rid the world of evil. Such wars tend toward the unlimited and thus resemble crusades. Under this criterion, questions of proportionality are properly considered: Do the benefits outweigh the risks and harms attendant to warfare, including such potential costs as further geopolitical destabilization, increased insecurity, the sacrifice of other important values in the midst of war, the loss of life and resources? The tradition is clear in maintaining that if the costs of warfare exceed those of enduring the injustice, one may be obliged to refrain from waging war.

That a just war is a limited war calls for a people not given to overreaching, who display a certain modesty in their pursuit of the good. Such a trait might be named meekness or temperance and is opposed to a hubristic or self-righteous championing of the good. How might we ponder the formation of a people whose pursuit of the good is modest, but not to the point of appeasement or relativistic surrender of the good? Again, the practice of confession might be a good place to start. Such a practice reminds us of the limits of our pursuit of the good with regard to our enemy as well as of the persistence of injustice in our own life.

Lastly, this criterion implies that where there is not a reasonable chance of success, one cannot wage war justly. Implicit in this criterion is the moral imperative of surrender. Such a possibility points again to a people schooled in patient endurance, who are devoted to pursuing nonmilitary means of confronting injustice, and who, when all is said and done, will follow the saints and martyrs in taking up the cross rather than shed their convictions.

Noncombatant immunity/discrimination. This is the first of two criteria addressing justice in the conduct of warfare. It establishes that one cannot intentionally or directly kill noncombatants.

In a just war one has an obligation to distinguish combatants and minimize noncombatant deaths. One cannot target enemy civilians for the sake of reducing one's own combatant deaths. Therefore, in a just war, more of our soldiers may die. This is particularly the case in the era of fourth-generation warfare insofar as such warfare is increasingly conducted in the midst of civilian populations. In other words, fighting in the midst of terrorist activity may make war even more costly to those who would fight justly.

The immediate challenge to the church is to instill in its soldiers temperance, the courage to abide by this restraint when the temptation to ignore it will be great. But the challenge extends to the whole congregation as well insofar as Christians must be willing to put the lives of their loved ones at greater risk so that enemy civilians may be at less risk. Here the other-directed character of the Christian life rises again to the fore. We must also let the governing authorities know that we are indeed willing to bear such costs for the sake of waging war justly.

Proportionality. The final criterion holds that the means used in a war's prosecution must be proportional to the ends. Any intended destruction inflicted on the enemy must serve the stated ends of the just cause. You cannot destroy an enemy battalion simply because you have the capability to do so or because you see a postwar advantage in further weakening the enemy. In other words, this criterion prohibits "overkill," force that is disproportionate to the war's just purpose.

Adhering to this criterion entails judgment and calls for prudence. As a matter of restraint, it calls for temperance and refraining from vengeance. The challenge for congregational leaders is to be intentional in fostering these virtues though the practices and disciplines of congregational life.

A just war people have much to do between wars, not only teaching the criteria but also nurturing the virtues commensurate with the tradition—justice, temperance, patience, courage and so forth—through preaching and teaching, liturgy and works of mercy.

Such labors, such discipline, however, should not strike us as particularly novel. As a Navy chaplain once reminded me, these virtues are not unique to the vocation of

soldiering. Rather, they are the same virtues necessary to navigate civilian and peacetime life faithfully. Whether one is a retiree or homemaker, student or teacher, accountant or mechanic, one is called to be about the business of seeking a just peace for our neighbors. Whether one is a civilian or soldier, in wartime or peacetime, the virtues of justice, prudence, temperance and courage are central to discipleship. In other words, embodying the just war tradition is not simply a matter of invoking a checklist of criteria on the eve of conflict. The tradition, if it is to be lived well, is lived as an extension of the quotidian tasks of discipleship.