

The Morality of Peace and War

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Reading:

from Michael Walzer's *Just and Unjust Wars*:

"In its modern manifestations, terror is the totalitarian form of war and politics. It shatters the war convention and the political code. It breaks across moral limits beyond which no further limitation seems possible, for within the categories of civilian and citizen, there isn't any smaller group for which immunity might be claimed (except children; but I don't think children can be called "immune" if their parents are attacked and killed). Terrorists anyway make no such claim; they kill anybody. Despite this, terrorism has been defended, not only by the terrorists themselves, but also by philosophical apologists writing on their behalf. The political defenses mostly parallel those that are offered whenever soldiers attack civilians. They represent one or another version of the argument from military necessity. It is said, for example, that there is no alternative to terrorist activity if oppressed peoples are to be liberated. And it is said, further, that this has always been so: terrorism is the only means and so it is the ordinary means of destroying oppressive regimes and founding new nations. ... Those [who say this], I think, have lost their grip on the historical past; they suffer from a malign forgetfulness, erasing all moral distinctions along with the men and women who painfully worked them out."

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Sermon:

War is upon us, and although it is a bit dry, I would like to spend today looking at three philosophical and religious frameworks for a discussion of war. Working through these, I think, allows us to get a leg up on framing our own discussions of war and helps us frame our ideas and opinions about *this* war -- whether we should fight it, how it should be fought, and to what end. The three major frameworks we will discuss are Realism, Pacifism, and Just War Theory.

Realism

There are two kinds of realists -- the descriptive and the prescriptive realists. The "descriptive realists" believe that one look at human history shows us that war is -- simply is -- beyond the tempering of any morality. War, in other words, is Hell. Period.

The "prescriptive realists" don't believe that morality has a place in war, regardless of whether morality *could* have a place in that experience. Prescriptive realists are of the "All's fair in love and war" school of thought. They believe that war is about winning an

objective and *should not* be hampered by moral concerns that might get in the way of achieving those goals.

What both types of realists share is a belief that you leave your morality at the door when you leave to go to war. Machiavelli, Hobbes, Kissinger -- they were all realists.

The criticism of realism is that it is either not an accurate description of war -- that wars have been fought nobly and to good ends -- or that, in its prescriptive form, it gives combatants license to be immoral -- something few of us would accept for ourselves or condone in those serving on our behalf. Either way, accepting realism means agreeing to leave morality behind in discussions of war, to say that war is *amoral*.

Pacifism

Pacifists are those who share a commitment against killing, and therefore against mass killing, like that which is inevitable in war. Therefore, pacifists are anti-war-ists, as one philosopher put it. If they are Christian pacifists, they cite the example of Jesus and the prohibition against killing in the Mosaic Law. If they are philosophical pacifists, they cite the natural human right to life that is denied by killing another.

It is interesting to keep in mind that all pacifists *do not* stand against violence, as they are quick to tell you. In other words, to be a pacifist does not mean you are a wimp. Great courage and active resistance can be used in the name of justice, but the line around violent means is drawn when it comes to killing, in the name of any cause.

The argument in favor of pacifism is that it forces us to live the ideal, and that it stops the cycle of loss and extreme violence that often seems to lay the groundwork for the next war. The criticisms of pacifism are, first, that its adherents are free riders in a society, enjoying the benefits of security while being unwilling to pay the ultimate price to defend that security. To that, pacifists would argue they have often paid great personal price for their commitment against war and that they do so in service of the greater health of the nation whose benefits they enjoy.

A second criticism is that, by yielding to aggressors, pacifists in essence reward aggression. To this, pacifists would say that there are powerful ways to resist other than with guns and bombs. They have argued that things like King's marches and Gandhi's mass work stoppages are effective means to bring an unjust power to its knees. The reply to this is that King and Gandhi succeeded because their enemy had a conscience that was pricked and the aggressor yielded to that conscience -- that such actions would not have worked against an aggressor who was willing to commit genocide and cleanse a nation of resisters. Pacifism, in the face of such an amoral enemy, say its critics, is merely a disguised form of surrender.

In any event, pacifism allows a discussion of morality around issues of war. It simply says war is at the *immoral* end of the spectrum.

Just War Theory

The third school of thought is Just War Theory. It lies between realism and the ideals of pacifism, arguing that sometimes, under some circumstances, war is necessary, and in those instances it can serve moral ends in ways that themselves are fair and just. It admits that war is to be avoided for all the reasons the realists and the pacifists make clear, but tries to walk a middle way that neither allows evil to triumph nor is willing to yield morality to depravity in the service of war.

Just War, though it has broadened beyond being a Christian doctrine, has its roots in early Christianity. The earliest of Christians were pacifists, mostly because they themselves were marginalized and persecuted in the lands in which they lived, and so had no reason to want to go to war to defend those nations. However, with the Christianization of the Roman Empire, this changed. The faith now had a stake in the nation-state, and the question arose of how to fit war into the context of Christian values and beliefs. In the 4th and 5th centuries, St. Ambrose and St. Augustine of Hippo struggled with this dilemma. Augustine proposed one of the first iterations of Just War Theory in his book *The City of God*.

Augustine is known for framing the Just War discussion in ways that have persisted. Other theologians, like Aquinas, contributed greatly, but the framework Augustine laid out is still largely the same. The version I am presenting to you is a composite.

Augustine's theory had two parts: First, there were rules about what were just reasons to enter into war, *Jus ad Bellum*, and second, rules for just conduct in war, *Jus in Bello*. They are still the categories used today.

A war was a just war, then -- just to review -- if it was a war fought for the right reasons and in the right way. The reasons to fight a war came, over centuries, to include all of the following: First, when a legitimate authority (a nation-state's legitimate leaders) was called to defend that nation from aggressors -- self-defense; or to defend innocent people in a neighboring state against an aggressor; and later, punishing wrongdoing got added to the list.

It did not end there, however. In a Buddhist-sounding prescription, war also had to be fought with "right intention." For Augustine, the only right intention was the primary and motivating desire to uphold or restore peace. Vengeance or retribution alone was not enough, and punishing wrongdoing was only allowed out of a belief that justice sowed the ground for true and lasting peace.

There is more: War also had to be an act of last resort when all other methods -- diplomacy, sanctions, etc. -- had failed. Justice and the repelling of aggressors, after all, as the pacifists showed us, can be effected by means other than war. War, as Carl von Clausewitz once said, "is the continuation of policy by other means." And for Augustine, it was the continuation of last resort.

Finally, war was only to be fought when there was a probability of success. The idea was that even a good cause, if it was a losing cause, was not justification enough for the loss of lives that would occur in war.

If you fulfilled these conditions for *Jus ad Bellum*, you could declare war and declare it a just cause for war. Next came the question of just conduct in the war -- *Jus in Bello*. For Augustine, just conduct in war boiled down to bringing to bear on your actions the Christian virtues of compassion and mercy, and always, always with an eye toward the peace you hoped to establish in the end.

Nowadays, just conduct is discussed in terms of two principles and one admonition. The two categories that have come to sum up these principles of just conduct are discrimination and proportionality. Discrimination requires that you make a distinction between combatants and non-combatants and pick your targets accordingly, seeking not to injure or kill non-combatants. This doesn't mean that you cannot or won't kill non-combatants in a just war. It does mean that you must not *intend* those deaths. So, if you hit a munitions factory, you may kill the non-combatant maid who is swabbing the floors, but that was not your intent; Just War theorists would say your intent was to hit a legitimate target, which involved the "double effect" of killing a non-combatant. That's considered just conduct.

Second is the principle of proportionality, namely deciding to use force that is proportional to the object desired -- or seeking to minimize destruction and casualties. So, to try to take out a munitions factory with a nuclear bomb would be a use of force disproportionate to the goal and therefore, being more destructive than it needs to be, an unjust act in war. The rule of proportionality also entails a responsibility to accept surrender and end killing as soon as possible. This means that even in the midst of a battle, if you feel victory is obvious, you give your enemy time to concede. I guess it is like leaving three days for surrender between the bombings of Hiroshima and Nagasaki -- though those acts themselves were indiscriminate for sure, if arguably proportionate to the aim.

Finally, there is the one admonition. It is against actions considered *mala en se*, or evil in themselves. This includes acts of torture and rape, acts that are unjust under any circumstances.

Just for your edification, I wanted to mention one other major contributor to the body of thought we call Just War Theory. That contributor is a little-known Dutch Reform philosopher named Grotius. Grotius, who lived in the 16th century, made his contribution by taking what was a Christian-based philosophy of war and translating it into an argument based on the theory of natural law. He argued, for instance, that one went into war not out of Jesus' call to love thy neighbor, for example, but when one's duty to the rights of another demanded it. Because Grotius therefore took Just War Theory out of the exclusive realm of Christianity, he opened up the way for a much broader acceptance of the principles.

It was Grotius' iteration of Just War Theory that was used as the foundation for the U.N. Charter to the Nuremberg War Trials Commission. In his framing of the ideas, the international community found a common ground around how war ought to be fought to serve the larger goal of world peace.

So that's Just War.

There was, by the way, a last paradigm for framing war. It was distinctly Christian also in its origins and advocates. It was war as crusade. According to this paradigm, when war involved fighting the infidels -- those of another faith -- morality need not be constrained. The rationale was that the ends were so noble that God gave up caring about the means. No wonder there was such uproar when President Bush mistakenly referred to our war in Afghanistan as a crusade. It meant a war with no moral holds barred. And yet, ironically, as Michael Walzer rightly points out in his book *Just and Unjust Wars*, by targeting innocents in their terrorist attacks, our aggressors are acting with no more moral restraint than the Crusaders. Our aggressors seem too willing to massacre innocent lives indiscriminately out of desire to inflict harm and drive home their message. They have abandoned Just War principles, if ever they had them. We, I would hope, will not do the same.

Reflections

What looking at these frameworks reminded me of is how important it is to me that we keep our morality, our sense of right and wrong, at the table when discussing war -- not just why we fight it, but how we fight it. I love how pacifists push us toward an extreme that is away from war, but I must say I still see times -- sad times, for sure -- when this fallen world requires us to fight in service of human freedom and in search of a larger peace. And yet I don't want to be like the terrorists we fight, who, as Walzer points out, act in ways that "erase all moral distinctions."

I, at least, feel called to live between the realists and the pacifists in the framework of Just War. The realists to one side remind me of the inherent danger in war -- the danger of surrendering all ethical commitments once embroiled in war. As Peter Pace, a four-star general in the United States Marine Corps who recently was made vice chairman of the Joint Chiefs of Staff, told a leadership class at The Wharton School last year, you need to be clear about your ethics and what you are willing to do before you enter war, because once you are in it, you won't have the presence of mind or the time to make those decisions. Realism reminds us of the moral dangers inherent in war.

Pacifism, on the other hand, reminds us of the radical call to peace. It reminds us how far we are called to go to resist killing as a means to any end, and of how much can be accomplished without war. Pacifism prods me to live as much in the ideal of a world without war as I can, only sliding into Just War Theory when the price of non-violence is freedom and goodness and peace itself.

Just War Theory gives me the tools to evaluate our nation in war. Are we fighting for a just cause? Are we acting in ways that are proportional to our aims, that are discriminate in our targets? Finally, are our methods and ends serving the larger and overarching goal of establishing a deeper and more lasting peace? Particularly for this congregation, an established peace site, that last concern should resonate with us deeply.

The questions we will face in the weeks and months ahead will be tough, particularly when we leave the world of philosophical debate and need to make real-world decisions. John F. Kavanaugh, a Jesuit priest and professor of philosophy at St. Louis University, said in an article in last Saturday's Washington Post: "When [Iraqi] children were killed as a result of American bombing, our leaders claimed that such casualties were Saddam's fault because he held them hostage near strategic targets ... Suppose, however, that all our presuppositions are true -- that his people are not with him, that they want liberation, that they are unwilling pawns; we still must ask ourselves a question: If a mad killer surrounds himself with children, do we shoot through their bodies to stop his terror?" These are not easy moral questions to answer, but we will face ones like them. Already I have heard the question raised on NPR about whether we should bomb the mosques of Afghanistan because the al Qaeda members, knowing our desire not to hit civilian targets or kill innocents, are hiding out in them. And I wonder whether we should return biological warfare for biological warfare even though Just War theorists call such weapons *mala en se* -- evil in and of themselves. As things get stickier, it will be harder and harder to draw the lines. The general will be right. We will have to be clear before we get into it. His and the realists' claims will echo in our ears.

I am glad that we have this place -- a sounding board and a respite, a place to realign our moral compasses when the chaos of these days throws us off the mark. My hope is that in this sanctuary, we, the people of this community, also will be able to push ourselves to imagine how a war that is fought with lasting peace in mind might look. These times will require the best *religious imagination* we can muster. And we gather here to seek and foster such imagination in each other and then to witness and advocate for what we find.

Let me give you one example of such religious imagination. Stanley Hauerwas, a professor at Duke Divinity School and a devout pacifist, said he would prefer "bombing with bread" to the use of cruise missiles and 2,000-pound bombs. It sounds corny and a bit naïve, until you imagine what that might look like. Give me a moment to show you what that might look like.

Imagine having inflicted such incredible bloodshed of innocents, such pain on another nation -- by the most unjust means possible -- and knowing that there will be payback. And imagine that that nation you have wronged has the best military money can buy. Imagine that over a three-day period, that nation's military comes in and, with incredible precision, surgically removes all military installations in your country, strips you of all but your foot soldiers, as if it were removing a splinter from its foot. And then the day you dread arrives. With no surface-to-air missiles, no significant protection, you lie bare and vulnerable as the buzz of planes can be heard in the distance, approaching. You wait,

knowing that you will be dealt a brutal blow for your people's acts of aggression and cruelty. Today is the day of reckoning with a giant you cannot defeat.

You take a moment before the planes arrive and you give thanks for your life. You hope your children, at least, will survive and that you won't suffer too much. Your heart races as they come within sight, these low-flying planes, so close they can hit any target they choose, and your home and your village are on their flight path -- if they don't get you this time around, then they will the next.

And you see them drop their load; one by one these planes release their cargo. They fall in a line, one after the other, more than you can count. It will be impossible for anyone to escape this wrath. And you cover your head as they hit ... and you hear nothing. Again and again, all that can be heard are these dull thuds. You wait for them to detonate, but they don't. And then someone in the distance yells, "They are dropping bread. They are dropping loaves of bread." And indeed, what lands in your yard -- so close it would have left nothing standing if it had detonated -- is a bundle with bread and medical supplies and words of kindness written in your native tongue. "You have done us a great evil," the note reads, "but we are a peace-loving people. Let us help you rebuild your land and let the hate and the killing cease."

And for weeks, all they drop is bread.