

The Just War tradition in a conflicted world

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Over the past months, as news of the war in Iran has focused attention afresh on questions about the morality of war, ideas associated with ‘Just War theory’ have resurfaced in the media and in conversation. This is understandable. The Christian Just War tradition has had a profound impact on modern thinking about the ethics of war, and remains a resource for such thinking today, even among secular ethicists. It is especially natural that Christians seeking to think about a war involving one of Australia’s closest and most important allies would look to their own tradition for help.

This Briefing aims to briefly introduce and defend the Christian Just War tradition, in the interest of helping Christians to think more intelligently and more faithfully about the reality of war. It does not primarily aim to analyse or judge current conflicts, but to assist people to understand how such judgments might be made, if they need to be.

What is the Just War tradition?

The Christian Just War tradition is a body of Christian thought about the ethics of war stretching from the fourth century through to today. It emerged at first because of a question that arose naturally as the gospel confronted, and in various ways transformed, the structures of the Roman Empire: what did Christian obedience require of soldiers, and of governments, facing the prospect of war?

Facing this question, Augustine reflected that the Biblical evidence clearly suggested it was possible for soldiers to please God. He pointed to David, to the centurion healed by Jesus (Matthew 8:8–10), and to Cornelius and the devout soldier mentioned in Acts 10:1–8. And he noted John the Baptist’s answer to the soldiers who asked what they should do in repentance: ‘Don’t extort money and don’t accuse people falsely – be content with your pay.’ ‘Certainly’, Augustine wrote, ‘he did not prohibit them to serve as soldiers when he commanded them to be content with their pay for the service’.

Augustine therefore gave this advice:

Think, then, of this first of all, when you are arming for the battle, that even your bodily strength is a gift of God; for, considering this, you will not employ the gift of God against God. . . Peace should be the object of your desire; war should be waged only as a necessity, and waged only that God may by it deliver men from the necessity and preserve them in peace. For peace is not sought in order to kindle war, but war is waged in order that peace may be obtained. Therefore, even in waging war, cherish the spirit of a peacemaker, that, by conquering those whom you attack, you may lead them back to the advantages of peace; for our Lord says: ‘Blessed are the peacemakers; for they shall be called the children of God’ (Matthew 5:9). . . Let necessity, therefore, and not your will, slay the enemy who fights against you. As violence is used towards him who rebels and resists, so mercy is due to the vanquished or the captive, especially in the case in which future troubling of the peace is not to be feared.¹

¹ Augustine, *Letter 189*. Available at: <https://www.newadvent.org/fathers/1102189.htm>

Augustine’s thinking, here and elsewhere, was developed and extended by later thinkers, who sought to clarify a range of questions about the lawfulness of war. In the medieval period, Thomas Aquinas influentially argued that three conditions were necessary for a war to be just. These were that the war be initiated by a ruler with the authority to do so, that the cause be just, and that the war be conducted with right intention. Writing four hundred years later, Francisco Suarez summed up these principles as follows:

For war to be conducted justly, several conditions must be observed, which may be grouped under three heads. (1) It must be waged by a legitimate authority. (2) There must be a just cause and reason alleged. (3) It must be properly and fairly conducted at its inception, in its prosecution, and in victory. . . though not evil in itself, war is surrounded by so much destruction that it is the kind of business that it is very often wrong to undertake. For it to be justified, there are many conditions that must be met.²

Suarez’s summary is a helpful window onto the central emphases of the Christian Just War tradition. It is fundamentally an attempt to restrain and limit the spirit of war-making by insisting that not all wars are legitimate – there are questions to be asked about the justice of going to war (the Latin phrase *ius ad bello*, which is used in Just War thinking, refers to ‘justice in going to war’); and there are questions to be asked about the justice of the conduct of war (the Latin phrase for this is *ius in bello*). A war *cannot* be just if it cannot acceptably answer these questions.

In modern accounts, these questions are often set out as a set of criteria that must be met. Lists differ, but often look something like this:

Justice in going to war (ius ad bello)

- i. *Authority – The power instigating war has the authority to defend the people under attack and bring judgment upon the other power.*
- ii. *Last resort – Every negotiation and other resort must have been properly tried and failed.*
- iii. *Probability of success – When contemplating an offensive war, is there reasonable prospect of success?*
- iv. *Just cause – Typically, the only just causes are to stop an unjust leader or defend against violent aggression.*

Justice in war (ius in bello)

- i. *Proportion – The methods employed in warfare must fit and not exceed the offense.*
- ii. *Discrimination – The distinction between combatants and non-combatants, and legitimate military targets and non-legitimate civilian targets, must be respected.*

The value of such lists lies in the way they parse out in more detail the things that must be considered. However, lists like this also run an important risk, which is that they can reduce the process of thinking about the justice of war down to a kind of checklist. If we can find a

² Francisco Suarez, ‘The Three Theological Virtues, Faith, Hope, and Charity: On Charity, Disputation 13, War’, quoted in Oliver O’Donovan and Joan Lockwood O’Donovan, *From Irenaeus to Grotius*, pp. 737–738.

way to check all the boxes, then our war gets a pass. ‘Just War theory’ becomes essentially a way of validating or invalidating wars – usually validating them.

That was never what the Just War tradition aimed to do. Rather, it aimed to enable careful thought about the challenges of doing justice through and in war. Rightly understood, the tradition poses grave challenges to many modern proposals to begin wars. The dual requirements of *just cause* and the need to have *authority* represent a significant hurdle. Authority is an enormous challenge for any proactive, offensive war, which must therefore establish real harm to its own people, or why it has the right to defend the people in question.

There is, also, a great difference between the criteria that relate to going to war, and those that relate to conduct in war. The question of whether a war should be undertaken is one question rulers may need to answer, but once it is answered, it is answered for better or worse. Questions about how a war is to be conducted, however, must always remain with us. The principles of discrimination and proportion are meant to be principles that must always shape the practice of armed conflict, and that can always *reshape* that practice for the better.

The aim of the Just War tradition is not to provide a ‘theory’ about which wars are just. It is a practical teaching that aims to discern, and to assist those in authority and in combat to discern, how we may seek to do justice even in and through war. In Oliver O’Donovan’s words, it is ‘a practical proposal for the radical correction of the praxis of war’.³

Thinking biblically and critically about these ideas

What are we to make of this tradition today?

In the first place, we must feel the weight of the biblical teaching that has fuelled and sustained the long history of Christian pacifism. Christians are undeniably called by Jesus to peace, and to a path of refusal of violence – the path our Lord himself took to the cross. ‘But I tell you, do not resist an evil person. If anyone slaps you on the right cheek, turn to them the other cheek also’ (Matthew 5.39; Luke 6.29). When in the Garden of Gethsemane Peter drew his sword and struck the servant of the high priest, Jesus rebuked him: ‘Put your sword back in its place,’ Jesus said to him, ‘for all who draw the sword will die by the sword’ (Matthew 26.52). As far back as the second century, Tertullian insisted that ‘the Lord, by taking away Peter’s sword, disarmed every soldier thereafter’.⁴ Christians are called to live at peace, to not repay evil for evil, and to refuse the path of vengeance (Romans 12.17–21). In the light of these teachings, and most of all in the light of the witness of the cross, many Christians throughout history have insisted that it is fundamentally inappropriate for followers of Jesus to be involved in war and violence.

How does the argument for Just War thinking respond at this point? *Not* by saying that these are ideals that sadly cannot be met, but by pointing out that Scripture makes an important exception to the law of non-violence, which is the role given to lawful authority to bring judgment. Immediately after Paul’s words about not taking vengeance noted above, the apostle urges submission to the governing authorities, which have been ‘established by

³ Oliver O’Donovan, *The Just War Revisited*, pp. 6–7, 12.

⁴ <https://logoslibrary.org/tertullian/idolatry/19.html>

God’, and which are ‘God’s servants for your good’. Governing authorities ‘are God’s servants, agents of wrath to bring punishment on the wrongdoer’, and for this reason they, ‘bear the sword’ (Romans 13.1–4). The logic of the Just War tradition is that it is this role given to the governing authority that opens the door to the possibility of war as an authorised act of just judgment. As Oliver O’Donovan puts it, the Just War tradition is an attempt to set forth an ‘evangelical counter-praxis to war’, by explaining how ‘armed conflict can and must be re-conceived as an extraordinary extension of ordinary acts of judgment; it can and must be subject to the limits and disciplines of ordinary acts of judgment’.⁵

There are other objections to the Just War tradition, however, which must be taken seriously. One is the suspicion that the tradition *in fact* functions, and has functioned, simply to justify war-making. Kevin Hargaden wryly notes that ‘the same spiritual tradition that created this fine intellectual structure [the Just War tradition in the medieval period] was at the same time setting out on the Crusades!’, and wonders whether a war has ever been fought that was not defended on just war terms.⁶ Is the Just War idea inevitably destined to be abused, and therefore not fit for purpose?

This is an important challenge, but not a decisive objection. If it is the case that because governing authorities are established by God to wield the sword against wrongdoing, and that, tragically, this may require seeking justice through armed conflict if the wrongdoer is another government, then there are only two options open to Christian thought. It must either say that although this role is important, it is not open to Christians to occupy it, or it must seek to discern how this role may be occupied in Christian faith, and made subject to the discipline of the gospel. The latter path is the one taken by the Just War tradition, and it is taken as a matter of principle. It is not defeated by our suspicion that it is too readily corrupted. The question of how rulers and soldiers may serve Christ will always resurface, and the value of the Just War tradition lies not in its past record, but in its capacity to provide practical wisdom for those who ask it.

A different kind of objection to this tradition, however, has to do with developments in modern warfare. Pope Francis, among others, articulated the view that the nature and destructive power of modern warfare make it ‘very difficult nowadays to invoke the rational criteria elaborated in earlier centuries to speak of the possibility of a “just war”’.⁷ Hargaden, again, makes the point acutely:

Warfare in the last century has shifted to a position where fundamental assumptions of the just war theory no longer obtain. In an era of biological, nuclear, and chemical weaponry, when torture is used even by leading democracies, when surveillance technologies are ubiquitous and we are on the verge of machine-led killing, the old theory is showing its age. Whatever merits there might have been in thinking this way when a war was conducted by two monarchs deploying battalions of men in fields at a set time, they are irrelevant when insurgency, counter-insurgency, and total war are the order of the day.⁸

These words were written in 2020. Since then, the verge has been crossed. We are now in the age of machine-led killing, in which targets are supplied and verified by artificial

⁵ Oliver O’Donovan, *The Just War Revisited*, p. 6.

⁶ Kevin Hargaden, ‘Just war is just gone’: <https://jesuit.ie/blog/just-war-is-just-gone/>

⁷ Francis, *Fratelli tutti*, §258.

⁸ Kevin Hargaden, ‘Just war is just gone’: <https://jesuit.ie/blog/just-war-is-just-gone/>

intelligence, and battlefields are dominated by autonomous and semi-autonomous drones and systems. Can the wisdom of the Just War tradition contribute in such a world?

The ideas of the Just War tradition are not outdated in any straightforward sense. War in the past was not as simple as this objection implies, and the tradition has repeatedly had to navigate the appearance of new and disorienting weapons. Just War principles sometimes retain striking contemporary relevance, such as the prohibition on assassination.⁹ The core principles of *ius in bello*, proportion and discrimination, remain central to modern thinking about the ethics of war, and have obvious intuitive value.

The real force of this objection lies rather in the genuine concern that the realities of modern warfare must make a mockery of any attempt actually to pursue justice in war. The argument to be heard is that the fundamental Christian proposal, that armed conflict may be reconceived as an act of judgment, is inconceivable in a world in which warfare has been thoroughly corrupted and horribly brutalised.¹⁰

This argument should not be brushed aside. It seems likely that there are contexts and forms of military activity that are inherently corrupting and fundamentally at odds with Christian discipleship. However, to put all military service in this category is an oversimplification. Wars, and armed forces, are diverse things, requiring different things in different places. The excesses and worst features of modern warfare do not define the whole, and we may pray that they will be marginal, and in time pass away. Soldiers will, as they have always done, need to make discernments about where and how they serve; and commanders will, as they have always done, need to make discernments about what tactics they deploy. The Just War tradition remains a source of wisdom for those seeking to subject those discernments to the Lordship of Christ. Augustine's words in the fifth century still carry moral weight, and set a vision for the Christian soldier: 'As violence is used towards him who rebels and resists, so mercy is due to the vanquished or the captive, especially in the case in which future troubling of the peace is not to be feared'.

Still, the hope of peace must always have the last word, and the decision of the Christian to refuse to take up arms must always be respected. For the work of judgment must always be an alien work for those who know where judgment has been given once and for all, and who live by the call that follows it, to 'judge not'. Though the church may respect and support in prayer the work of governing authority to preserve justice in this world, it cannot delight in war, and should be very cautious about its support of it.

Two prayers

Let us end by noting two prayers in *An Australian Prayer Book*.

A Prayer for the Members of the Armed Forces

Eternal God, the only source of peace;
we pray for all who serve us in the defence forces of this land.
Give them courage and comfort in all dangers,

⁹ See Oliver O'Donovan's discussion on the assassination of Osama Bin Laden in 'An Act of Judgment?': <https://www.fulcrum-anglican.org.uk/articles/an-act-of-judgment/>

¹⁰ This objection is made in a different way by Stan Goff's troubling account of war, drawn from his own experience as a special forces soldier, as deeply and unavoidably misogynistic. Stan Goff, *Borderline: Reflections on War, Sex, and Church* (Wipf and Stock, 2015).

and help us, we pray, to seek for all people
the freedom to serve you and each other in peace and justice.
We ask this through Jesus Christ our Lord. **Amen.**

For peace

God of the nations, whose kingdom rules over all,
have mercy on our broken and divided world.
Shed abroad your peace in the hearts of all men
and banish from them the spirit that makes for war;
that all races and people may learn to live
as members of one family
and in obedience to your laws;
through Jesus Christ our Lord. **Amen.**