**Principles of the Just War**

* A just war can only be waged as a last resort. All non-violent options must be exhausted before the use of force can be justified.
* A war is just only if it is waged by a legitimate authority. Even just causes cannot be served by actions taken by individuals or groups who do not constitute an authority sanctioned by whatever the society and outsiders to the society deem legitimate.
* A just war can only be fought to redress a wrong suffered. For example, self-defense against an armed attack is always considered to be a just cause (although the justice of the cause is not sufficient--see point #4). Further, a just war can only be fought with "right" intentions: the only permissible objective of a just war is to redress the injury.
* A war can only be just if it is fought with a reasonable chance of success. Deaths and injury incurred in a hopeless cause are not morally justifiable.
* The ultimate goal of a just war is to re-establish peace. More specifically, the peace established after the war must be preferable to the peace that would have prevailed if the war had not been fought.
* The violence used in the war must be proportional to the injury suffered. States are prohibited from using force not necessary to attain the limited objective of addressing the injury suffered.
* The weapons used in war must discriminate between combatants and non-combatants. Civilians are never permissible targets of war, and every effort must be taken to avoid killing civilians. The deaths of civilians are justified only if they are unavoidable victims of a deliberate attack on a military target.

Stanley Hauerwas, a highly respected theologian, wrote the following article:

Stanley Hauerwas is Gilbert T. Rowe Professor of Theological Ethics at Duke University. His most recent book is Hannah's Child: A Theologian's Memoir (Eerdmans, 2010). In 2001 he was named "America's Best Theologian" by Time magazine.

“JUST HOW REALISTIC IS JUST WAR?” By Stanley Hauerwas

ABC (Australian Broadcasting Company) October 27, 2010

<http://www.abc.net.au/religion/articles/2010/10/27/3049615.htm>

Pacifists always bear the burden of proof.  They do so because, as attractive as nonviolence may be, most assume pacifism just will not work.  You may want to keep a few pacifists around for reminding those burdened with running the world that what they sometimes have to do is a lesser evil, but pacifism simply cannot and should not be, even for Christians, a normative stance.

To call, therefore, as Enda McDonagh and I have, for the abolition of war is an unrealistic proposal made possible by our isolation as academics from the real world.  Nonviolence is unworkable or to the extent it works it does so only because it is parasitic on forms of order secured by violence.  Those committed to nonviolence, in short, are not realistic.

In contrast to pacifism, it is often assumed that just war reflection is "realistic."  It is by no means clear, however, if advocates of just war have provided an adequate account of what kind of conditions are necessary for just war to be a realistic alternative for the military policy of a nation.  In this article I want explore this precise issue.

In Christian tradition realism is often thought to have begun with Augustine's account of the two cities, hardened into doctrine with Luther's two kingdoms, and given its most distinctive formulation in the thought of Reinhold Niebuhr.  Thus Augustine is often identified as the Christian theologian who set the stage for the development of just war reflection that enables Christians to use violence in a limited way to secure tolerable order.

It is assumed, therefore, that just war is set within the larger framework of a realist view of the world.  With his customary rhetorical brilliance, Martin Luther gave expression to the realist perspective by asking:  "If anyone attempted to rule the world by the gospel and to abolish all temporal law and sword on the plea that all are baptized and Christian, and that, according to the gospel, there shall be among them no law or sword -- or the need for either -- pray tell me friend, what would he be doing?  He would be loosing the ropes and chains of the savage wild beasts and letting them bite and mangle everyone, meanwhile insisting that they were harmless, tame, and gentle creatures; but I would have the proof in my wounds.  Just so would the wicked under the name of Christian abuse evangelical freedom, carry on their rascality, and insist that they were Christians subject neither to law nor sword as some are already raving and ranting."

Luther was under no illusions.  War is a plague, but it is a greater plague that war prevents.  Of course, slaying and robbing do not seem to be the work of love, but, as Luther put it, "in truth even this is the work of love."

Christians do not fight for themselves, but for their neighbor.  So if they see that there is a lack of hangmen, constables, judges, lords, or princes, and find they are qualified they should offer their services and assume these positions.  That "small lack of peace called war," according to Luther, "must set a limit to this universal, worldwide lack of peace which would destroy everyone."

Reinhold Niebuhr understood himself to stand in this "realist" tradition.  In 1940, in his "Open Letter (to Richard Roberts)," Niebuhr explains why he left the Fellowship of Reconciliation.  He observes that he does not believe that "war is merely an 'incident' in history but is a final revelation of the very character of human history."

According to Niebuhr, Christianity does not hold out "redemption" from history as conflict, because sinful egoism continues to express itself at every level of human life, making it impossible to overcome the contradictions of human history.

Paul Ramsey understood his attempt to recover just war as a theory of statecraft, that is, that war is justified because our task is first and foremost to seek justice, to be "an extension within the Christian realism of Reinhold Niebuhr."  Ramsey saw, however, that there was more to be said about "justice in war than was articulated in Niebuhr's sense of the ambiguities of politics and his greater/lesser evil doctrine of the use of force."

That "something more" Ramsey took to be the principle of discrimination which requires that war be subject to political purpose through which war might be limited and conducted justly, that is, that non-combatants be protected.

Yet it is by no means clear if just war reflection can be yoked consistently to a Niebuhr's brand of realism.  Augustine's and Luther's "realism" presupposed there was another city that at least could call into question state powers.  For Niebuhr, realism stands for the development of states and an international nation-state system that cannot be challenged.

Niebuhr's realism assumes that war is a permanent reality for the relation between states because no overriding authority exists that might make war analogous to the police function of the state.  Therefore each political society has the right to wage war because it is assumed to do so is part of its divinely ordained work of preservation.

"Realism," therefore, names the reality that, at the end of the day, in the world of international relations the nations with the largest army get to determine what counts for "justice."  To use Augustine or Luther to justify this understanding of "realism" is in effect to turn a description into a recommendation.

In their recent article, "Just War Theory and the Problem of International Politics," David Baer and Joseph Capizzi courageously attempt to show how just war requirements as developed by Ramsey can be reconciled with a realistic understanding of international relations.  They argue that, even though a certain pessimism surrounds a realistic account of international politics, that does not mean such a view of the world is necessarily amoral.

To be sure governments have the right to wage war because of their responsibility to a particular group of neighbors, but that does not mean that governments have carte blanche to pursue every kind of interest.  "The same conception that permits government to wage war," Baer and Capizzi argue, "also restricts the conditions of legitimate war making . . . Because each government is responsible for only a limited set of political goods, it must respect the legitimate jurisdiction of other governments."

Yet who is going to enforce the presumption that a government "must respect the legitimate jurisdiction of other governments"?  Baer and Capizzi argue that Paul Ramsey's understanding of just war as the expression of Christian love by a third party in defence of the innocent requires that advocates of just war should favor the establishment of international law and institutions to better regulate the conduct of states in pursuit of their self-interest.

Yet Baer and Capizzi recognize that international agencies cannot be relied on because there is no way that such an agency can judge an individual government's understanding of just cause.  As they put it, "absent effective international institutions, warring governments are like Augustine's individual pondering self-defense, moved by the temptation of inordinate self-love."

Baer and Capizzi argue a more adequate understanding of just war will combine a realist understanding of international politics with a commitment to international order by emphasizing the importance of just intention.

This means that a war can be undertaken only if peace, which is understood as a concept for a more "embracing and stable order," be the reason a state gives for going to war.

The requirement that the intention for going to war be so understood is an expression of love for the enemy just to the extent that the lasting order be one that encompasses the interests of the enemy.

And pacifists are said to be unrealistic?  The idealism of such realist justifications of just war is nowhere better seen than in these attempts to fit just war considerations into the realist presuppositions that shape the behaviour of state actors.

(It would be quite interesting, for example, for Baer and Capizzi to address Philip Bobbitt's claim, in his majestic ***The Shield of Achilles***, that the deepest immorality is to be found in those that attempt to avoid war.  To make the going to war "a last resort" would only make the world more dangerous.  Bobbitt argues the issue is never whether we ought to avoid war, but rather "we must choose what sort of war we will fight, regardless of what are its causes, to set the terms of the peace we want."  The avoidance of war, therefore, cannot and should not be an objective because such a policy "counsels against the preparations for war that might avert massive, carefully balanced, large scale attacks by one state on another."  Such a view rightly rejects those that assume war is a pathology of the state.  Rather war is understood as that which gives birth to the state and is necessary for sustaining the state's existence.)

Ramsey, Baer, and Capizzi are to be commended for trying to recover just war as a theory of statecraft, that is, as an alternative to the use of just war as a check list to judge if a particular war satisfies enough of the criteria to be judged just.

Yet by doing so they have made the tensions between the institutions necessary for just war to be a reality and the presumptions that shape international affairs apparent.

For example, what would an American foreign policy determined by just war principles look like?

What would a just war Pentagon look like?

What kind of virtues would the people of America have to have to sustain a just war foreign policy and pentagon?

What kind of training do those in the military have to undergo in order to be willing to take casualties rather than conduct the war unjustly?

How would those with the patience necessary to insure that a war be a last resort be elected to office?

Those are the kind of questions that advocates of just war must address before they accuse pacifists of being "unrealistic."

To put the challenge more concretely, we could ask, Why was it possible for the United States to conduct the second war against Iraq?  The answer is very simple.  Because America had a military left over from the Cold War, a war that was fought according to an amoral realism, America could go to war in Iraq because nothing prevented America from going to war in Iraq.  A war that is, moreover, justified as part of a "war against terrorism."

Yet, in spite of the title of Jean Bethke Elshtain's much-praised book, ***Just War Against Terror: The Burden of American Power in a Violent World***, it is by no means clear you can fight a just war against terrorism.  If one of the crucial conditions of a just war is for the war to have an end, then the war against terrorism clearly cannot be just because it is a war without end.

I think the lack of realism about realism by American just war advocates, moreover, has everything to do with their being American.  In particular, American advocates of just war seem to presume that democratic societies place an inherent limit on war that more authoritarian societies are unable to do.

While such a view is quite understandable, I want to suggest that democratic societies -- or at least the American version of democracy -- are unable to set limits on war because they are democratic.

Put even more strongly, for Americans war is a necessity to sustain our belief that we are worthy to be recipients of the sacrifices made on our behalf in past wars.  Americans are a people born of and in war -- particularly, as I argue in my next article, the Civil War -- and only war can sustain our belief that we are a people set apart.