Christian Just War Reasoning and Two Cases of Rebellion: Ireland 1916–1921 and Syria 2011–Present

Nigel Biggar

The contemporary West is biased in favor of rebellion. This is attributable in the first place to the dominance of liberal political philosophy, according to which it is the power of the state that always poses the greatest threat to human well-being. But it is also because of consequent anti-imperialism, according to which any nationalist rebellion against imperial power is assumed to be its own justification. Autonomy, whether of the individual or of the nation, is reckoned to be the value that trumps all others. I surmise that it is because in liberal consciousness the word "rebel" connotes a morally heroic stance—because it means the opposite of "tyrant"—that Western media in recent years have preferred to refer to Iraqi opponents of the Coalition Provisional Authority in Iraq and Taliban opponents of the ISAF in Afghanistan not as "rebels," but as "insurgents."

The Christian tradition of just war reasoning, however, is more discriminate. It is not mesmerized by the problem of excessive state control and coercion. It is capable of recognizing that a too weak state can be quite as threatening to political health as an overbearing one. This is because the tradition predates the formation of strong nation-states in the late middle ages, and so remembers the terrible woes of anarchy, when powerful regional barons were wont to trample on the king's fragile peace in pursuit of private quarrels or ambitions. If twenty-first century Westerners find, for example, Thomas Aquinas' general prohibition of sedition[1] to be reactionary, it is only because they luxuriate unreflectively in the peaceful order that their forbears spent sweat and blood in constructing—and because, not withstanding the many hours spent in pious cultural devotion to Shakespeare, they have failed to imagine themselves into the turbulent world of his history plays.

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Grave Injustice, Last Resort, and the Case of the Easter Rising, 1916

Because of its high appreciation of the good of peaceful order, the just war tradition requires that force be used only to address a *grave* injustice. Just war is about lifting political affairs from a state of intolerably bad to one of tolerably better, not about improving them from what is tolerable to what is best. The evils of war can only be worth incurring, and its hazards risking, when the evils of the current order are beyond bearing.

What this implies for rebellion is that the use of armed force can only be justified when the political status quo involves grave wrongs. What makes a wrong grave is, of course, a moot point. However, it seems reasonable to stipulate that one of its features must be its integral rootage in current arrangements. It is not enough for the wrong, however atrocious in itself, to be the random work of, say, a maverick provincial governor. It needs to be something that the central government or paramount authority endorses, or at least refuses to punish. It needs to be a wrong sufficiently persistent as to make unreasonable the extension of further trust in the good faith of the powers-that-be, or at least in their effectiveness. The wrong needs to be essential rather than accidental. Otherwise, the rebellious resort to arms is premature and offends against another criterion of just war—that it be waged only as a last resort, with all feasible, peaceful alternatives having been exhausted.

I propose that one example of a rebellion that lacked the marks of just cause and last resort was the 1916 Easter Rising in Ireland. The British-dominated government in Dublin, against which the rebels took up arms, was not persisting in grave injustice. The Irish people had been electing their own representatives to the Westminster Parliament (in London) since 1801, and, consequently, Irish issues had succeeded in dominating parliamentary business for much of the later nineteenth and early twentieth centuries. As a result, by 1916 all of Ireland's major grievances had been addressed. In 1829 the Catholic Emancipation Act had ended the legal exclusion of Catholics from public office. By the close of the century, Protestant control of local government in Ireland had been largely lifted: the majority of Irish magistrates and judges, and senior officers in the Dublin Metropolitan Police and the Royal Irish Constabulary, were of Catholic, nationalist stock.[2] In 1903 the Wyndham Act had addressed the chronic vulnerability of tenant farmers by providing them with government funds to purchase land from

their landlords, allowing a majority of them to become landowners. Further, Ireland was enjoying a cultural renaissance; and while her per capita national product was less than two-thirds that of the rest of the United Kingdom, it was higher than that of Norway, Sweden, Italy, and Finland, and only 7.6 percent behind that of France.[3] Further still, a measure of Home Rule (that is, autonomy within the British Empire) had been on the Westminster statute book since 1914, awaiting implementation at the war's end. For sure, such implementation was rendered uncertain by the threat of armed resistance from Protestants in northern Ireland, but the outcome had not been determined and success was still possible. Therefore, there was no grave, systemic, persistent injustice to provoke the 1916 rebels. Instead, what motivated them was a belief in the cathartic property of nationalist bloodshed, an atavistic hatred of the British political and cultural connection, and a revolutionary elite's fear that the Irish people were becoming decadent in their contentment with the status quo.[4] The Easter Rising was thus less a last resort in fending off a grave wrong than an aggressive attempt to provoke one.

Legitimate Authority and the Guerrilla War in Ireland, 1919–1921

The requirements that, to be just, a rebellion must be a last defense against a wrong and that this wrong must be grave, systemic, and persistent are not the only ones generated by the just war tradition's high appreciation of the good of peace. Another is that only a legitimate authority may use force. Of all the just war criteria, this might appear to be the most obviously problematic for rebellion. However, a legitimate political authority is not necessarily the sitting government or one constituted by established procedures. Rather, it is a body that takes responsibility for serving the *common* good of *all* the people. This endows it with moral authority. But moral authority alone is not sufficient for political legitimacy: a legitimate political authority also needs to be able to make its moral authority effective, which requires sufficient popular support and sufficient powers of coercion. It needs to be not only possessed of right motives and intentions but also capable of *effecting* tolerably just peace.

According to this criterion, it is arguable that the Easter Rising, while itself morally unjustified, helped to inspire a wider rebellion that eventually acquired legitimate authority, thereby justifying the 1921 British agreement to the creation of an Irish Free State. The period between 1916 and 1919 was characterized by

intermittent bouts of military repression on the part of the British government, the severity of which is partially attributable to the fact that it was in the middle of waging a world war at unprecedented cost. In 1919 the Irish Republican Army (IRA) killed two armed policemen, launching a guerrilla war. The British military response culminated in the infamous campaign of the so-called Black-and-Tans, whose indiscriminate reprisals against a population that many of them had come to loathe had the counterproductive result of shifting the loyalty of most Irish people to the nascent institutions of republican rule.[5] It is true, of course, that the rampaging of the Black-and-Tans was partly a reaction to the IRA's aggressive campaign of assassination and guerrilla warfare,[6] which was itself less than scrupulously discriminate, erasing the distinction between combatants and civilians.[7] It is also true that the rampaging of the Black-and-Tans was not official British government policy.[8] It was, however, the government's responsibility. By failing to prevent the misbehavior of its forces, the British government lost the power to win back popular trust, and could only have clawed back popular compliance by the use of force on a massive scale. Since this would have been widely unpopular in England and therefore politically unsustainable, it would have been disproportionate and therefore—according to just war reasoning—unjust. The government had lost legitimate political authority both as a moral claim and as a social fact, so that by the time the Anglo-Irish Treaty of December 1921 was signed the republican movement, for all its moral ambiguities, had acquired the political power to govern better.

Grave Injustice, Last Resort, and Legitimate Authority in the Case of the Syrian Uprising, 2011–Present

Like the Easter Rising and the subsequent guerrilla war in Ireland, the current rebellion in Syria against the government of Bashar al-Assad raises questions about both just cause and legitimate authority.[9]

Under Bashar al-Assad's father, Hafiz al-Assad, the Syrian regime was populated largely by members of the Alawite minority, was backed by the dominant military and security forces, and was secured and enriched through the patronage of business. The regime was also fiercely repressive of dissent, holding that it alone stood between peaceful order and anarchy—anarchy of the kind that would ensue, it argued, if Islamists such as the Muslim Brotherhood were ever to get their hands on the levers of power. Upon Hafiz al-Assad's death and his son's election to the

presidency in 2000, there was some hope that Bashar would pioneer both economic and political reform, and indeed he gave some early signals that these hopes would be met.

However, when in 2011 symptoms of the Arab Spring began to blossom in Syria, the regime reflexively reverted to its customary, repressive mode. In the first week of March 2011, ten children in Deraa, aged between nine and fifteen, wrote an anti-regime slogan (probably more anti-corruption than pro-democracy) on the wall of their school. For this misdemeanor the Syrian authorities had them arrested, sent to Damascus, interrogated, and apparently even tortured.[10] On March 15 a few hundred protesters, many of them relatives of the detained children, began protesting in downtown Deraa. Their ranks swelled to several thousand. Syrian security forces, attempting to disperse the crowd, opened fire and killed four people. The next day the crowd ballooned to about 20,000. According to reports, on March 23 security forces killed at least fifteen civilians and wounded hundreds of others. President Assad subsequently refused to punish the governor of Deraa, his cousin.

I have described the evolution of these events in some detail in order to make clear that the Syrian rebellion was not—like Dublin's Easter Rising—an *acte provocateur*, designed to provoke repression in order to breathe new life into a dissipating nationalist movement. It was not deliberately launched in order to rekindle the dying embers of conflict. Rather, it was originally an act of nonviolent protest against arbitrary and ruthless state coercion. Only when it became clear that the state was unrepentant, and that its very center was prepared to *own* the arbitrary repression by refusing to repudiate it, did peaceful protest develop into armed rebellion. David Lesch reports that "most opposition elements, if convinced that Bashar was serious about reform, would have been willing to give him one more chance."[11] As it was, Assad's refusal to dismiss the governor of Deraa, and his blaming the unrest on external interference, meant that the "the reckless nature of this act [of arresting the Deraa children] became a potent symbol of the decades of arbitrary oppression."[12] It also made it clear that this oppression was essential, not accidental, to the regime. Since March 2011, of course, the regime has confirmed the indiscriminate ruthlessness of its determination to crush opposition through its use of chemical weapons against rebels in the Ghouta suburb of Damascus on August 21, 2013, and possibly on several earlier occasions.[13]

Given this history, it seems to me that the launching of armed uprising in Syria did have just cause, both as an act of self-defense against grave, systemic, and

persistent injustice, and as part of a demand for sufficient political change. It was also a last resort, developing only after hopes for a negotiated solution had been dashed. But does it have political legitimacy? Like the Irish case, the Syrian one presses us to deepen and complicate our understanding of what such legitimacy means. On the one hand, the armed rebellion can rightly claim to be serving the common good of all those on the wrong side of the ruthless Baathist state. It is not just the reckless adventure of a self-appointed revolutionary elite, but rather the necessary self-defense of a gravely oppressed group. In that limited sense, it is a responsible public undertaking, rather than an irresponsible private one.

On the other hand, the rebels cannot claim to represent all of the Syrian people, or even a majority of them. According to Lesch, by presenting itself as the protector of minorities against repressive Sunni Muslim rule, the Assad regime has secured "at least a 20–30 percent loyal support base"; and when loyal Sunnis from the business class and Sufi Muslims are added, loyalists "probably account for close to half the Syrian population."[14] Additionally, the rebels cannot claim to offer a coherent alternative to the Assad regime and Baathist state, since the opposition movement is riven with political, if not military, disagreement.[15] What is more, the proportion of jihadist elements in the movement appears to be rising, which means that an increasing number of rebels are now quite as ruthless and indiscriminate in their means as the Assad regime, and their political ends quite as repressive.[16] Does this mean that, according to just war reasoning, the Syrian rebellion is unjust? I do not think so. The rebellion retains the basic form of a corporate act of last defense by a gravely oppressed part of the population. While it is possible that the ruthless means and repressive aims of some of its members could infect the whole of the opposition movement so as to make it morally indistinguishable from the regime, it is not clear that this has yet happened. Until it does, the rebellion will remain basically just in its cause and last resort, and predominantly just in its intention and means.

Nevertheless, as of October 2013 *no* party in the Syrian civil war has *overall* political legitimacy in terms of the social fact of popular support. If the rebellion is to achieve more than partial legitimacy, it will have to transcend its own political quarrels, marginalize the jihadists, and offer a political plan acceptable to the vast majority of Syrians. But if this is to work, it would require the regime and its supporters to become convinced that military victory over the rebellion is beyond reach and that political compromise is the only way forward. And that

might require a more even balance of military forces—and therefore increased Arab and Western support of the rebels.

Conclusion

Christian just war reasoning about rebellion is critically conservative. It is conservative in its recognition that peaceful order is basic to all other forms of human flourishing, and so should not be disturbed needlessly. Nevertheless, it is morally critical in its awareness that sometimes peaceful order can be tyrannical or repressive to an extent that should not be borne. In such a case of grave injustice, remedy should first be sought by peaceful means. When these are not available, a last resort to armed rebellion is justified—provided that the rebels can lay claim to legitimate authority.

In this essay I have developed two of the just war tradition's criteria. First, in order to qualify as a just cause of armed rebellion, the provoking injustice must not only be grave but systemic and persistent. Second, in order to claim legitimate authority, a warring party has to satisfy two distinct requirements, one moral and the other social.

These conceptual developments have enabled greater subtlety in the judgement of cases. Thus, I have judged that in Ireland, while the rebellion in 1916 was not justified, it was nevertheless right for Britain to cede an Irish Free State in 1921. And in Syria, while the Assad regime has yielded the moral high ground to the rebels, it has nevertheless retained considerable social support. Therefore, if the rebellion is ever to acquire complete political legitimacy, it will have to woo Assad's supporters by offering a political future that wins their confidence. Whether it can succeed in this, we wait to see.

NOTES

[1] Thomas Aquinas, *Summa Theologiae*, ed. Thomas Gilby (London: Blackfriars with Eyre & Spottiswoode, 1964–81), 2a 2ae, q. 42.

[2] So claimed Kevin Myers in "Never, never, never . . . imagine that our history is now behind us," Irish *Independent*, May 31, 2007. For substantiation at the level of local government, see Virginia Crossman, "Epilogue: Breakdown: 1892–1922," in *Politics, Law and Order in Nineteenth-Century Ireland* (Dublin: Gill & Macmillan, 1996), pp. 182–92; and Terence Dooley, "Introduction," in *The Plight of Monaghan Protestants, 1912–1926* (Maynooth Studies in Irish Local History; Dublin: Irish Academic Press, 2000), pp. 7–19. I have not been able to substantiate Mr Myers' claims about senior judges and policemen, but I did refer them to one leading scholar of the history of Ireland in the nineteenth century, who did not think them implausible.

[3] See J. J. Lee, *Ireland, 1912–1985: Politics and Society* (Cambridge: Cambridge University Press, 1989), p. 513, Table 12.

[4] Patrick Pearse's faith in the redemptive power of the blood of nationalist martyrs is famous: see, e.g., Ruth Dudley Edwards, *Patrick Pearse: The Triumph of Failure* (Dublin: Poolbeg Press, 1990), p. 179.

For evidence that anxiety about terminal Irish decadence was among the motives that impelled the 1916 rebels, see, e.g., Desmond FitzGerald, *Desmond's Rising: Memoirs 1913 to Easter 1916* (Dublin: Liberties Press, 2nd rev. ed., 2006), pp. 58–59, 88.

[5] The title "Black-and-Tans" refers to two bodies of policemen commonly characterized by their motley uniforms. The first comprised English and Scottish veterans of the First World War, who were recruited into the Royal Irish Constabulary (RIC) from January 1920; the second was made up of members of the RIC's Auxiliary Division. The latter were responsible for most of the outrages. I thank William Sheehan for alerting me to this distinction. See Peter Hart's contemporary classic, *The I.R.A. and its Enemies: Violence and Community in Cork, 1916–1923* (Oxford: Clarendon Press, 1998), pp. 4, 81–83, 118.

[6] According to Richard English, in his widely praised *Irish Freedom: The History of Nationalism in Ireland* (London: Macmillan, 2006), p. 287: "There is no doubt that republicans were the aggressors in this war [of 1919–1921]."

[7] See Hart, *The I.R.A. and its Enemies*, especially Part IV, "Neighbours and Enemies."

[8] See William Sheehan, *A Hard Local War: The British Army and the Guerrilla War in Ireland, 1919–1922* (Stroud, U.K.: The History Press, 2011).

[9] Most of what I know about the modern history of Syria and its current politics I owe to David W. Lesch, *Syria: The Fall of the House of Assad* (New Haven, Conn.: Yale University Press, 2013). Lesch met regularly with Bashar al-Assad from 2004–2008 and had meetings with high-level Syrian officials until well into 2013 (*Syria*, p. vii).

[10] Lesch, *Syria*, pp. 55–56.

[11] Lesch, *Syria*, p. 85.

[12] Lesch, *Syria*, p. 93.

[13] The Assad regime, backed by its ally, Russia, does not deny that chemical weapons were used, but pins culpability on the rebels. United Nations inspectors, however, have reported that munitions casings found at the scene of the crime point to an origin in the state's forces. For a summary of earlier occasions of the use of chemical weapons, in which the Syrian regime might be implicated, see www.bbc.co.uk/news/world-middle-east-22557347.

[14] Lesch, *Syria*, pp. 51–52. Given that Lesch updated his 2012 book for republication in paperback, and given the date of his latest references in that second edition, we may take his assessment here to apply at least until May 2013.

[15] Lesch, *Syria*, pp. 167–79.

[16] Writing not later than May 2013, Lesch claimed that "most observers believe that the threat of an al-Qaida-type organization gaining control of the rebellion has been blown out of all proportion, particularly in Western circles, which are perhaps using it as a convenient rationale not to arm the opposition. . . . the rebels are, indeed, mostly conservative Sunni Muslims; but that does not make them *salafis*. . . . most of the rebels are not fighting for the imposition of an Islamic republic; indeed, most want a more democratic, still secular polity—if anything more along the lines of Turkey than Iran" (*Syria*, pp. 237–38). However, by the time of my writing this in September 2013, news reports have it that the influence of jihadism on the rebels is increasing significantly.