

stopping mass atrocities when they are under way. But the international effort to protect vulnerable populations, as flawed as it is, represents an advance over the sovereign immunity that so long protected perpetrators of mass atrocities on their own people or neighboring ethnic groups.³³ It also represents a working alliance between nonviolence, at a professional and institutional level, and the use of rule-governed armed force in the maintenance of a peace that upholds the dignity and rights of humanity.

In a way, R2P was made possible by a post-Cold War liberal order that itself is troubled in the Atlantic community that gave it birth.³⁴ Nonetheless, R2P represented a revolution in the post-Westphalian normative order, and it has given rise to a complex of institutions, roles, and practices that could well endure beyond the current Western political distemper.³⁵ At present, it provides recourse for victims of smaller, less complex humanitarian emergencies. It is quite possible that the R2P institutions and practices created over the last two decades could survive the present global disorder, and will continue to evolve to meet the challenge of a future Syria or Libya.

DREW CHRISTIANSEN, SJ
Georgetown University

II.

Just War and Imagination Are Not Mutually Exclusive

The *Appeal* declares, “We believe that there is no ‘just war,’” because it has been “used to endorse rather than prevent or limit war,” and it “undermines the moral imperative to develop tools and capacities for nonviolent

Hasn't Killed It,” *Washington Quarterly* 37, no. 1 (2014): 7–20, <https://www.futureun.org/media/archive1/reports/MilitaryHumanitarianism-WeissTWQ.pdf>.

³³ On the imperfect success of R2P, see Weiss, *Humanitarian Intervention*, 169–73.

³⁴ See, for example, Robert Kagan, “The Twilight of the Liberal World Order,” Brookings Institute, January 24, 2017, <https://www.brookings.edu/research/the-twilight-of-the-liberal-world-order/>.

³⁵ On the evolution of thinking on responsibility to protect, see Weiss, *Humanitarian Intervention*, chap. 4, “New Thinking: The Responsibility to Protect,” 97–132; and on the institutionalization and implantation of the principle, see chap. 5, “So What? Moving from Rhetoric to Reality,” 133–73.

Tobias Winright holds the Hubert Mäder Endowed Chair of Health Care Ethics and is Associate Professor of Theology at Saint Louis University. He researches bioethics, Catholic moral theology, Christian ethics, and the ethics of war and peace. He co-edited, with Laurie Johnston, Can War Be Just in the 21st Century? Ethicists Engage the Tradition (Maryknoll, NY: Orbis Books, 2015).

transformation of conflict.” In what follows, I offer a response to the latter part of the *Appeal*'s criticism, one that has been similarly made by the Protestant pacifist theologian Stanley Hauerwas and the Irish Catholic theological ethicist Linda Hogan—namely, that JWT prevents us from imagining alternatives to war. For Hauerwas and Hogan, “just war” has been a dangerous figment of our imagination since the time of Saint Ambrose and Saint Augustine, and it has thereby impeded Catholics’ ability to imagine nonviolence as a faithful and practical way for addressing conflict. Similarly, the *Appeal* asks us to imagine a church without “just war” and, instead, with “just peace.” However, while I take both the *Appeal*'s criticism of just war and its call for nonviolence seriously, I think its portrayal of just war is a distortion and fails to acknowledge that just war theorists actually have imaginatively developed tools and capacities for addressing conflict that are directed toward protecting and building just peace. In the end, I will also suggest that the *Appeal* lacks consideration of the ethic behind just war, which actually provides a method for moral thinking about the use of all forms of force—not only war, but also nonviolent resistance, which is also a form of force—and, indeed, many other questions in applied ethics.

The Appeal's Critique

While Fr. Christiansen correctly notes how Pope Francis and recent Catholic teaching continue to reserve a small space for just-war reasoning, the *Appeal* itself explicitly calls on the Catholic Church to neither utilize nor teach JWT. The church instead should teach and utilize nonviolence, since most Catholics, as Fr. Christiansen rightly observes, are unfamiliar with it. However, contrary to what Fr. Christiansen believes, I worry that most Catholics know just as little about just war as about nonviolence. As Patrick McCormick once lamented, the default presumption for most Catholics is for war rather than against it.³⁶ Hence the *Appeal* asserts that there is no such thing as just war. No wars, it alleges, have been prevented or limited by JWT, which instead rationalizes and justifies any war. But, I would note, that criticism itself is made on just-war grounds. To critique a war or its conduct as unjustified—say, that it doesn't have just cause, or that it is indiscriminate—is to utilize just-war reasoning and principles. How can such critique happen if these are no longer taught? Perhaps what is needed is more imagination about how to teach critical thinking about conflict and how to address it. But that has been happening not only among pacifists and nonviolence practitioners, but also among just war theorists.

³⁶ Patrick T. McCormick, “Violence: Religion, Terror, War,” *Theological Studies* 67, no. 1 (2006): 159.

Imagination

The *Appeal* accuses JWT of failing not only to limit war, but also to prevent it. Just war theory “undermines the moral imperative to develop tools and capacities for nonviolent transformation of conflict.” In short, it stifles our imagination—we do not give as much effort to imagining other ways to nonviolently address conflict. One of my teachers, the pacifist Christian theologian Stanley Hauerwas, has made similar critical observations of JWT. He suggests that JWT “stills the imaginative search for nonviolent ways of resistance to injustice” so that violence, rather deterministically, “becomes the only alternative.”³⁷ Linda Hogan has made the same assertion in a plenary address to the Catholic Theological Society of America. She argues that imagination can “challenge the dominance of the just war paradigm in Christian theology, to push back against its weight, and make the case for Christianity as a tradition of non-violence and pacifism.”³⁸ However, while I think there may be something to this charge, I do not think that JWT *necessarily* lacks imagination, and I am not persuaded that more imagination necessarily entails only nonviolence or pacifism.

There is no evidence that not teaching JWT will create the imaginative space to promote peacemaking. While this is a common criticism of JWT, it is still primarily speculation. Indeed pacifism has existed much longer than JWT, and only in the last century has active nonviolence, which is not necessarily synonymous with pacifism, developed as an effective practice. Why has this approach not succeeded in capturing the imaginations of more Christians? The *Appeal* places the blame on JWT without offering evidence. One could just as easily argue the reverse: the failure is not with JWT but with pacifism and nonviolence, which have failed to make a convincing argument. I therefore concur with Joseph E. Capizzi’s response to Hauerwas’ assertion about the imaginative failure of just war theorists: “The Christian nonviolence advanced by Hauerwas is [actually] the approach that fails imaginatively to see that God’s love may act—does act—even in the sphere of international politics when the political act pronounces judgment on the evil pursued by a neighbor who must be stopped, for his sake and the sake of those he threatens.”³⁹ Perhaps by limiting just peacemaking to pacifism

³⁷ Stanley Hauerwas, *The Peaceable Kingdom: A Primer in Christian Ethics* (Notre Dame, IN: University of Notre Dame Press, 1983), 114, 123.

³⁸ Linda Hogan, “The Ethical Imagination and the Anatomy of Change: A Perspective from Social Ethics,” *Proceedings of the Catholic Theological Society of America* 68 (2013): 18–30. For my response, see Tobias Winright, “Response to Linda Hogan’s ‘Conversion and the Work of Ethical Imagination: A Perspective from Social Ethics,’” *ibid.*, 31–35.

³⁹ Joseph E. Capizzi, *Politics, Justice, and War: Christian Governance and the Ethics of Warfare* (Oxford: Oxford University Press, 2015), 182 n. 112.

and nonviolence, the *Appeal* instead cuts off imagining a wider range of options, including the use of armed force in extraordinary cases.

After all, JWT “has evolved and undergone modification over the centuries in response to changing circumstances and historical necessities”—always “focused on the idea that restraints must be placed on war and uses of force.”⁴⁰ The categories—*jus ad bellum* and *jus in bello*—and their criteria have developed and grown (and sometimes shrunk) over time. The core of what Ambrose or Augustine wrote about just war may still be evident in Aquinas centuries later, but Aquinas added to it (as did others before and after him). As new technologies in war appeared, such as crossbows or drones, JWT responded to these developments. Thought and imagination went into ongoing efforts to limit war. The same happened with the criterion of just cause, which was not static over the centuries—indeed, it became narrowed down over time so that during the twentieth century it was limited to defense against an attack or one that is grave and imminent toward one’s people or innocents elsewhere. The just causes that Augustine or Aquinas allowed for—such as righting wrongs, restoring what has been unjustly taken away, or punishing a nation—dropped out. So not only did the just-war framework and criteria develop and grow over time; there was also some snipping and trimming happening along the way.

Imagination is also evident in practices associated with JWT in the past. There were the medieval Peace of God and Truce of God, with the former stipulating what people and places were not to be targeted in just war, and the latter dictating times—days, weeks, namely holy days—when war was not to be fought. Here we see the roots of just war’s criterion of noncombatant immunity as well as its teaching that hospitals and churches (and other sacred spaces) ought not to be targeted. Similar imaginative efforts to limit war may be found more recently, too. Daniel M. Bell’s work on virtues and just war, identifying practices that should form and shape persons to be truly *just* warriors who stringently adhere to the tradition’s principles, has received significant attention even in the military. There is also the work being done on just policing by Gerald Schlabach and myself,⁴¹ as well as the recent international norm called the Responsibility to Protect (R2P). Its

⁴⁰ Lloyd Steffen, *Ethics and Experience: Moral Theory from Just War to Abortion* (Lanham, MD: Rowman & Littlefield, 2012), 21.

⁴¹ The phrase “just policing” has been disseminated more widely recently through the work of Gerald Schlabach, including in his edited collection *Just Policing, Not War: An Alternative Approach to World Violence* (Collegeville, MN: Liturgical Press, 2007). However, my own work on policing and the use of force preceded his, resulting in “The Challenge of Policing: An Analysis in Christian Social Ethics” (PhD diss., University of Notre Dame, 2002). In March 2000, while teaching at Simpson College, I was invited by Methodist social ethicist Roger Betsworth to give a presentation that I

originators say it is JWT as it should be, even as it encompasses nonviolent practices to prevent and respond to conflict.⁴² Just-war thinkers have also extended the just-war framework, telescoping its categories and criteria in two directions: *jus ante bellum* and *jus post bellum*.⁴³ None of these imaginative efforts aim to endorse war. Rather, they seek to limit war—narrowly clarifying when it is justified and how it is to be justly conducted—as well as to prevent it in the first place (*jus ante bellum*) and to prevent it from flaring up again (*jus post bellum*).

The Ethic behind Just War

Finally, imagination is evident in JWT in the way that it has contributed to ethics more generally. One example is Aquinas' treatment of personal self-defense, which was the genesis for what we now call the principle of double effect that is applied in both JWT and bioethics. Proportionality, too, is a principle or method of moral reasoning that can be found in other areas of applied ethics beyond just war. In addition, the Catholic moral tradition's principle of cooperation with evil owes a lot to JWT. Each of these is employed not only in JWT but also in other areas of applied moral theology, including bioethics. Lisa Sowle Cahill, for instance, uses just-war principles in an analogous way when considering embryonic stem cell research.⁴⁴ Accordingly, Lloyd Steffen has argued that "just war thinking is itself an expression of a more basic approach to ethics," one that includes elements of deontology and consequentialism, as well as virtue ethics.⁴⁵ As he puts it, there is an "ethic that lies behind

titled "Just Policing" to an adult education group at First United Methodist Church in Indianola, Iowa, and I believe that is the first time I used this terminology.

⁴² Roger Williamson, along with others, has noted, "The report is set within the intellectual framework of the just war tradition, which includes criteria relating both to the decision to use military force and on the conduct of war." See Roger Williamson, "Further Developing the Criteria for Intervention," in *The Responsibility to Protect: Ethical and Theological Reflections*, ed. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 60. In the same volume, see Sturla J. Stålsett, "Notes on the Just War Tradition," 28–30, who observes that the criteria for R2P in the various reports are in line with the "tradition on the justifiable use of coercive force" (29). See Tobias Winright, "Just Policing and the Responsibility to Protect," *Ecumenical Review* 63, no. 1 (2011): 84–95.

⁴³ Mark J. Allman and Tobias L. Winright, *After the Smoke Clears: The Just War Tradition and Post War Justice* (Maryknoll, NY: Orbis Books, 2010); and Allman and Winright, "Growing Edges of Just War Theory: *Jus Ante Bellum*, *Jus Post Bellum*, and Imperfect Justice," *Journal of the Society of Christian Ethics* 32, no. 2 (2012): 173–91.

⁴⁴ Lisa Sowle Cahill, *Theological Bioethics: Participation, Justice, and Change* (Washington, DC: Georgetown University Press), 231–34.

⁴⁵ Steffen, *Ethics and Experience*, 33.

just war” that can be “applicable to all kinds of ethical issues” as well as to uses of force other than war.⁴⁶ Capizzi similarly refers to the “just war ethic” rather than “theory” as “an ethic of the use of force.”⁴⁷ Indeed, for his part, Steffen extends this mode of moral reasoning to include nonviolent resistance, which is a kind of use of force. He writes, “The ethic that underwrites just war thinking may appear to be focused on the coercive force of violence, but the normative guide against using force applies not only to uses of force that are destructive and violent but to any use of force.”⁴⁸ He shows how Gandhi and King both recognized this, and how they used just-war reasoning, even if not explicitly, when arguing that nonviolent resistance, which is a form of coercion, must be morally justified like any other form of coercive force. That is, as a response to an injustice (just cause), nonviolent resistance may justifiably be resorted to after noncoercive (persuasion) or less coercive means have failed. This attention to the deeper ethic behind just war by just war theorists may help Catholics and others to imagine a way forward. My worry, though, is that the *Appeal* needlessly and hastily jettisons JWT and what it can imaginatively contribute toward the ongoing development of just peacemaking and just peacebuilding, such as an integral peacemaking approach, akin to Pope Francis’s call for an “integral ecology.”⁴⁹ Let’s begin imagining that.

TOBIAS WINRIGHT
Saint Louis University

III.

Talking about War

Pope Francis titled his recent World Day of Peace message “Nonviolence: A Style of Politics for Peace.” The use of the word “style” is unusual but important. It reveals the significance of the way we talk about

⁴⁶ *Ibid.*, 15.

⁴⁷ Capizzi, *Politics, Justice, and War*, 1, 3, 14, 28, 36.

⁴⁸ Steffen, *Ethics and Experience*, 52.

⁴⁹ I suggest an “integral peacebuilding” or “integral peacemaking” in my chapter “Peace on Earth, Peace with Earth: *Laudato Si’* and Integral Peacemaking,” in *All Creation Is Connected: Voices in Response to Pope Francis’s Encyclical on Ecology*, ed. Daniel R. DiLeo (Winona, MN: Anselm Academic, 2017), 195–211. Pope Pius XII first used the phrase “integral peace” in his Christmas message of 1942, “The Internal Order of States and People,” <http://www.papalencyclicals.net/pius12/p12ch42.htm>. I am grateful to Gerard F. Powers for bringing his use of this term to my attention.

Laurie Johnston is Associate Professor of Theology and Religious Studies at Emmanuel College and a social ethicist specializing in public theology, the ethics of war and peacemaking. She has written articles on war and peacemaking, co-authored Can War Be Just in the 21st Century? with Tobias Winright, and holds a PhD in theological ethics from Boston College.