# Terrorism and 'just war'; an old tradition, new challenges: Seeking justice

by Jean Bethke Elshtain in the November 14, 2001 issue

*The mainstream of Christian ethics has contended that there can be a legitimate or "just" use of military force—legitimacy being determined by a variety of factors, such as the presence of a "just cause," "right authority," "last resort," and the use of "means proportional to the end," to cite some of the traditional language of just war thinking. In the wake of the terrorist attacks of September 11, Christian thinkers in the U.S. have again drawn on the vocabulary of this tradition as they ponder the proper response to terrorist acts. At the same time, many commentators—including some of the following four—have acknowledged that the categories of just war thinking are not easily adapted to the challenge now facing public authorities in the U.S.—the challenge of responding not to an aggressive state but to unidentified individuals whose aim is to spread terror.*

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Americans are evoking the language of justice to characterize the U.S. response to the despicable deeds perpetrated against innocent men, women and children on September 11. When they do this, they are tapping into the complex just war tradition. The origins of this tradition are usually traced to Augustine, who grappled in the fourth century with the undeniable fact that Christian teaching challenges any resort to violence. Augustine concluded that wars of aggression and aggrandizement are never acceptable, but that there are occasion when the resort to force may be tragically necessary—never a normative good, but a tragic necessity.

What makes the use of force justifiable? For Augustine, the most potent justification for using force is to protect the innocent. If one has compelling evidence that harm will come to persons unless coercive force is used, the requirement of neighborly love may entail a resort to arms.

Self-defense is a trickier issue for Christians. According to Augustine, it is better for Christians to suffer harm than to inflict it. But are we permitted to make that commitment to non-self-defense on behalf of others? I would say no.

One of the upshots of just war thinking is the rule of noncombatant immunity, or discrimination, meaning that noncombatants must not be the intended targets of violence.

A further implication is that a deliberate action of terror against noncombatants is an injury that demands a response, demands punishment. The response should not be to inflict grievous harm on noncombatants, but to prevent further harm from taking place. To respond in such a way, abiding by certain limits, affirms a world of moral responsibility and justice. Not to respond to the attacks of September 11 would be to flee from the responsibiliy of government.

The Christian tradition tells us that government is instituted by God. This does not mean that every government is godly, but that every government is responsible to God for the common good of its people. As I said to a friend soon after September 11, “We are now reminded of what governments are for.” None of the goods humans cherish, including the free exercise of religion, can flourish without a measure of civic peace and security. If evil is permitted to grow, good goes into hiding.

What good do I have in mind? The simple but profound good of moms and dads raising their children, of citizens going to work on streets and subways, of ordinary people buying airplane tickets to visit their kids or to transact business, of faithful people being able to attend churches, synagogues and mosques without fear.

This quotidian idea—*tranquilitas ordinis*, it’s called in the Christian tradition—is a great good. It is not, of course, the peace of the kingdom promised in scripture. That peace awaits the end time. But ordinary peace is a good to be cherished. It is a good we charge our public officials with maintaining.

Though the just war tradition permits a limited resort to arms, it rejects an “anything goes” approach to violence. Responding justly to injustice is a tall order. It means risking the lives of one’s own combatants and not intentionally killing noncombatants. Just war means that we do not threaten to kill 5,000 civilians as revenge for the number of our citizens murdered. We put soldiers into combat rather than unleash terrorists.

Many of the rules of just war have been incorporated in various international agreements. During and after a conflict we assess the conduct of soldiers. Did they rape and pillage? Did they operate under rules of engagement? Did they make every attempt to limit civilian casualties?

The course charted thus far by the U.S. has been complex, nuanced, restrained. The use of military force is one part of an overall strategy. The president has repeatedly said that the U.S. response is not aimed at a nation or a way of life, but at those who drag their own people into harm's way, defame their religion, and perpetrate an ideology that has as its end the deaths of innocent people.

If it abides by just war constraints, the U.S. will put its combatants in harm's way to punish and interdict those who have put our noncombatants in harm's way. This is responsible action.

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See the other contributions to this conversation, by:

Martin L. Cook
Glen Stassen
James Turner Johnson