Morality and war: Bringing contemporary warfare into focus

by Martin L. Cook in the January 17, 2001 issue

Morality and Contemporary Warfare, by James Turner Johnson

It is a truism that generals always prepare to fight the previous war. The memory of the past so shapes military thinking that the new challenges of future conflicts are frequently obscured. In a similar way, moral thinking about war is to a large degree focused not on the shape of future conflicts, but on the moral questions of previous eras.

James Turner Johnson wants to bring ethical reflection to bear on the conflicts most typical of the present and the foreseeable future. Ours is a post-cold-war world of small-scale ethnic and religious conflict amid the ruins of collapsed empires. The analyses applied to the Vietnam war or the problems of nuclear deterrence are ill suited to illuminate the contemporary scene.

A professor of religion at Rutgers University, Johnson is a leading authority on just-war thinking, especially on its historical development. Among his earlier works are *The Holy War Idea in Western and Islamic Traditions* and *Can Modern War Be Just*? Johnson's thesis is that much of American literature and thought about war in the 20th century is of limited relevance to the typical forms of contemporary armed conflict and the changing shape of the international order.

Johnson discerns three stages in the post–World War II development of thought about war. The issue of nuclear weapons dominated the 1950s and a good part of the '60s. During the Vietnam war Americans were preoccupied with the morality of intervention and the assessment of the means of fighting that war—all, of course, still under the nuclear umbrella of the cold war. In the '80s, the focus returned to nuclear weapons issues, but opposition to all war also became an important factor in the debate.

Although all those issues remain alive, none is directly relevant to current problems:

> Contemporary warfare has in fact taken the form of local conflicts, more often than not civil wars, in which no great alliances of nations are involved; these have been wars fought for reasons based in local rivalries, typically inflamed by historical animosities, ethnic disparity, or religious difference, rather than for reasons of global Realpolitik; they have been fought not with nuclear weapons (or, indeed, other types of weapons of mass-destructive capability) or the latest in military technology, but instead with conventional weaponry, often of old design, and often limited to rifles, knives, grenades, and light, crew-served weapons which individual soldiers can carry on their persons. A further feature of empirical contemporary warfare is that it involves face-to-face uses of military power by the participants against one another, not the remote destruction of distant, unseen, and often abstract targets.

This is the kind of armed conflict that has erupted in the former Yugoslavia, in many places in Africa and in the former Soviet republics.

Johnson graphically illustrates the moral schizophrenia of much contemporary moral and religious-ethical thought, including that of the U.S. Catholic bishops and other official religious bodies. On the one hand, there is a strong resistance to the use of military power, rising in some Roman Catholic documents and papal statements to a “presumption against war” and the suggestion that recourse to military power is always bad. Counterbalancing this trend is the frequent advocacy (often by the same groups and individuals) of using military power in humanitarian causes.

To those wrestling with this dilemma, Johnson offers an historical review of the fundamental principles of the justified use of force and their application to this new environment. Neither the political tradition of realism, with its sharp focus on narrowly conceived national interest, nor a utopian universalism uninformed by the hard practicalities of military capability offers significant conceptual help. The former would counsel undue isolationism on the grounds that very few humanitarian causes genuinely engage vital national interests. The latter would advocate impossibly grandiose involvements in humanitarian interventions, involvements far beyond the nation’s military and diplomatic capabilities and resources.

Johnson draws on the whole history of just-war thinking to find the appropriate moral framework to guide us. With caution and even-handedness he shows the limitations

of so-called “just-war pacifism” (the thesis that modern weapons are so inherently destructive and indiscriminate that no war fought using them could be just). He also cautions against an overenthusiastic embrace of the United Nations as the sole guarantor of international peace and security.

The end of the cold war makes it politically more likely that the UN will want to exercise the powers granted it in its charter. For example, in principle the UN has “the right to intervene, by force if necessary, in conflicts where no peace has been established, in order to set right conditions deemed to pose a threat to international peace and security.” But Johnson notes that the presently constituted UN “lacks in itself the attributes necessary to make it capable of effectively acting out this role stipulated in the Charter.”

The conclusion often drawn from such observations is that the UN should increase its power and authority, developing sufficient military power to perform far-flung humanitarian operations.

Here, too, Johnson provides some valuable cautions against a too quick criticism of the nation-state and an overenthusiastic embrace of a single global authority. Legitimate authority for humanitarian interventions, Johnson notes, is not dependent on the Security Council actually agreeing on action. As a practical matter, “what is required is that the majority of Security Council members agree to support a particular use of force, while no one permanent member opposes it enough to veto it.”

But the military forces necessary to execute such operations must be drawn from the best national forces available or from those of longstanding and highly trained alliances such as NATO. Consequently, although the legal authority may reside with the UN, “the de facto authority for the use of force has been delegated to . . . regional organization[s].” Further, only if those forces are large, well equipped and well trained will the aims of the “international community” be effectively advanced.

Johnson focuses on four aspects of contemporary armed conflict that, while not unprecedented, have become special concerns: the legitimacy of intervention, the place of noncombatants, the significance of cultural differences, and procedures for dealing with war crimes and achieving reconciliation after conflict.

Johnson’s discussion of intervention is organized around his assessment of the thought of Paul Ramsey, Michael Walzer and the U.S. Catholic bishops. This lends

the discussion an air of conversation among scholars, but Johnson's review of the debate helps bring readers into that conversation.

Perhaps Johnson's most powerful contribution is his demonstration that American Catholic thought has lacked clarity on the issue of intervention. In *The Challenge of Peace*, their 1983 pastoral letter, the bishops "identified as critical the need for arms control and disarmament, efforts to minimize the risk of 'any war.'" But in their tenth anniversary "reflection" on the '83 pastoral, *The Harvest of Justice Is Sown in Peace*, a new topic appears: "the forceful, direct intervention by one or more states for essentially humanitarian purposes," such as alleviating "internal chaos, repression and widespread loss of life." The bishops note that Pope John Paul II called such interventions "obligatory" and "a duty for nations and the international community," and they listed the particular conflicts where intervention seemed justified: Haiti, Bosnia, Liberia, Iraq, Somalia, Sudan and Burundi.

The bishops' confusion mirrors the situation in many religious communities. The source of the confusion is the tension between the older standard of state sovereignty, which focuses moral obligation within political communities, and the emerging standards of universal human rights, which call for intervention into states in the name of the rights of citizens and the pursuit of justice.

Tension becomes pernicious when it prevents people from considering practical issues of intervention. Advocates of aggressive humanitarian intervention need to reflect more deeply on the military capabilities required for and the limitations of possible intervention. What rules of engagement and weaponry will allow forces to be effective and yet avoid drawing them into the conflict as additional combatant parties?

Although Johnson does not make the point, I would add that religious communities have an obligation to understand the consequences to the armed forces deployed. Each deployment has major impacts on defense funding, retention of personnel and the ability to perform tasks essential to national military strategy. To be specific, a military large enough to execute the current U.S. strategy and also to conduct numerous long-term humanitarian interventions would have to be considerably larger and better funded than the one we have now (our present army, for example, is only two-thirds the size it was during the Desert Storm offensive). Are religious communities prepared to advocate a military large enough to implement interventionist ideals?

Johnson examines in some detail two features that have made contemporary wars particularly horrific: wholesale warfare against noncombatants, and warfare fueled by religious and ethnic difference. The idea of making discriminations in combat, so central to Western just-war thought, was jettisoned completely in the style of air war fought in World War II. Johnson reviews noncombatancy and discrimination as they have been articulated and reaffirmed by official religious statements, scholars and international law since then. The massively destructive character of modern warfare is often cited as the central difficulty in protecting noncombatants. In the recent conflicts in Rwanda-Zaire and in Bosnia, however, the massive and indiscriminate attacks on noncombatants were “not collateral, but a deliberately chosen means of prosecuting the war.”

Johnson reviews and rejects various bases on which one might claim that the distinction between noncombatants and combatants is irrelevant in such conflict. While granting that each form of conflict generates ambiguous cases, he argues for the importance of maintaining the fundamental immunity of noncombatants and for intervening to protect victims of indiscriminate warfare. “Intervening to help the victims of such conduct in war . . . is not simply a humanitarian action oriented to the good of the victims; it also serves the cause of international peace and stability.”

The role of religion and ethnicity in generating and sustaining conflict is a striking and depressing aspect of many modern wars. Johnson notes that realist political theory (with its focus on rationally conceived interests) and the rational and cosmopolitan ethic of the Enlightenment do not take such matters into account. “In terms of an interest-based conception of politics, wars in which the influence of cultural factors looms large are dangerously irrational, unpredictable in their beginnings, and often extreme in their conduct.” But since such wars have become pervasive, an adequate theory of statecraft must take diverse theories of causation into account.

Johnson concludes by discussing “conflict resolution.” What means can bring secure and stable endings to conflict? Would a universal regime of war crimes trials bring standards of justice to bear on past conflicts? Would the existence of a permanent international criminal court deter violations of the laws of war, or would it prolong conflict? Or is some version of “no-fault” reconciliation a better approach?

Johnson identifies “two useful strategies”: active efforts to increase communication across lines of cultural difference, and a focus on reconstructing societies

devastated by conflict rather than on settling scores. But Johnson is wise enough to know that “both have limits; neither is a panacea.”

To those caught between uncritical pacifism and equally uncritical interventionism, Johnson provides an invaluable perspective and sense of balance. He reminds us that the deepest presumption in Christian thought is not against violence, but in favor of protection of the weak and the innocent from unjust attack and oppression. It is that presumption that leads serious Christians soberly, even mournfully, to take up the sword. Johnson helps us to think clearly about that task.