OMNI JUST-WAR NEWSLETTER #1, October 15, 2013. Compiled by Dick Bennett for a Culture of Peace and Justice.

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Contents #1
Camillo Mac Bica, “Refocusing Anti-Drone Activism.”
Friday, 11 October 2013 10:56 Truthout, VFP
I am idealist enough to admire pacifism. But I'm enough of a realist to believe that if and when the criteria of Just War Theory (JWT) are satisfied and International Law adhered to, war may be necessary, unavoidable, just and moral. I recognize as well, and regret, the brutality that war entails, but I begrudgingly accept that in a just and moral war (one in which JWT's jus ad bellum criteria have been satisfied and international law adhered to), the use of weaponry to destroy property and to kill and injure human beings can be just and moral as well (again if and only if the JWT's jus in bello criteria are satisfied and international law adhered to). In this article, I will consider whether one particular weapons system, unmanned aerial vehicles (UAVs), commonly referred to as drones, can satisfy these necessary criteria.

MORE https://mail.google.com/mail/?hl=en&shva=1#inbox/141b2e90caea4416

Dick: This article is well-worth reading as it sharpens our understanding of drones, but its opening paragraph is misleading in regard to Just-War Theory. The author does not discuss this theory, but only a fragment of it--the question of drone accuracy and ability to avoid killing noncombatants--though the final paragraph is more inclusive. For example, Trzyna below examines eight principles of Just-War: 1) last resort, 2) just cause, 3) just ends, 4) limited objectives, 5) just means, 6) limited means, 7) noncombatant immunity, 8) reasonable chance of success.

JUST-WAR THEORY


The diversity of theory this title suggests by the present day has become a consensus of six to eight principles, as the following books reveal. Their authors make a case for pacifism partly by the absence of any war in which just-war criteria are satisfied, since both sides always claim their side is just according to one or several criteria. That is, combatant nations always regret the brutality, etc., select the j-w principles which support their side, and add whatever definitional emendations are necessary, each believes, for self-exculpation. The name for this mental and political process is called cant. For the theory to validly apply, all just-war principles must be included.

In Chapter 5, “The Just-Unjust War Theory,” McSorley examines five fourth-century basic criteria of the theory: 1) Declaration of war by the king, 2) Last resort, 3) good intention, just cause 4) protection of innocent, 5) proportion of good over evil. He finds fourteen weaknesses in these criteria, particularly if nuclear weapons are involved. He concludes that the JWT “does more harm than good. It is used as a front for accepting war.” (p. 94).

Instead of Just-War Theory, Pope John XXIII presented his encyclical *Peace on Earth*, and his Council, Vatican II, the *Constitution on the Church in the Modern World*. To Pope John, reliance on armed force was a failure of faith. Instead, with humankind threatened by an array of catastrophic weapons, our aim must be the human family and the community of nations.

Chapter 6 presents sixteen Answers to Objections to Pacifism. Chapter 7 recounts US Bishops’ opposition to nuclear weapons. --Dick

**CRITIQUE OF JUST WAR**

Donald Wells, *The War Myth* (1967), Chapter II

The doctrine of Just War has many advantages. It enables people to think comprehensively about the morality of war. In the version presented by the 1983 U. S. Bishops’ Pastoral on War, some seven stringent criteria, if strictly adhered to, would drastically limit the number of wars. The notion is therefore no empty cliche. Reflection on the just means and ends of wars is a part of the hoped-for evolution toward a peaceful world.

The problem is that up to now all nations--or nation's leaders--have believed themselves to be or claimed to be in the position of defender when they go to war. And although Catholics are forbidden to participate in unjust wars (and Catholics are the oldest and greatest advocates of just and unjust war principles), the Catholic leadership within nations have seldom declared the wars of their nation to be unjust. In the U. S. perhaps only once--during the Vietnam War. The same reluctance to oppose its nation's wars is true of Protestant churches. In the U.S. again, during the Vietnam War the National Council of Churches bemoaned the war in December, 1966, but described the U.S. as an innocent victim. (Earlier in Feb.,1966, the World Council of Churches had emphatically condemned the U.S. and supported the cease-fire, negotiations, and general positions of U Thant
and the Geneva Accords, but the U.S. National Council did not follow that protest.)

Underlying the failure of religions to apply Just War principles to their own countries is the presumption that the wars of one's own nation are always just, unless proved otherwise. This means that unless the citizen has overwhelming evidence that a war is unjust, he must obey the state. Of course, even in democratic societies, the secrecy of governments when planning and engaging in wars, their control over the media, and the power of government patriotic propaganda during wars, nullify the the ability of citizens to acquire evidence and upon it to assess the justice of its government's wars.

Mel Gibson's and Randall Wallace's reply to the question, “Do you worry about your boys having to fight?” [in a war] typifies the cant created by Just War ideas. (Gibson plays a hero in the pro-war film, We Were Soldiers; Wallace is the Director.) Wallace: “Absolutely. I do not want my sons to ever have to be soldiers. But I do want them, and I want myself, to live for more than just the indulgence of our own comfort. Killing some two to three million Vietnamese and some 60,000 U.S. soldiers is justified by acting out the inherent nobility of a soldier; such things as duty, honor and country.” Gibson: I would hate to send my children to war. I would hate it. If it's for a just reason, so be it. I would still hate it, but it would be really awful if it wasn't a just cause. Only a madman would say otherwise. “ (USA Weekend, March 1-3, 2002, p. 12). The film and Gibson's preceding statements on honor and courage suggest that, if he thought the Vietnam War just, he would find a “just cause” in whatever war his government initiated. Better to assume wars are unjust until proven just!

Another powerful reason why Just War doctrine has become questionable is the destructiveness of modern weapons. Not only nuclear weapons, but chemical and biological, and the many enormous “conventional” weapons in use make the old Just War distinction between combatants and non-combatants otiose. The rise of air war during WWII and area bombing of cities and the punishment of almost cosmic quantity treated civilians as combatants and denied any possibility of a just war. This is why Franziskus Strattman, director of the Catholic Peace Union, concluded already in 1940 that war--defensive as well as offensive--should be forbidden. Also, the old rationalization for war--the guilt of the enemy--becomes
preposterous given the mass deaths of people who had nothing to do with starting
the war or committing the crimes of their leaders. In modern war's total-obliteration,
saturation-bombing tactics (Hamburg, Dresden, Tokyo, Hiroshima and Nagasaki),
it is absurd to claim that national guilt can justify the slaughter. Consequently,
Pope Pius XII took the position that wars of aggression, just or unjust, were
morally banned as legitimate instruments of national policy. If wars are like
lynching or concentration camps, destroying the innocent with the guilty, then
we err fundamentally in looking for just and unjust ways to use them. Wells' conclusion at end of
Chapter II:

Early attempts to delineate just from unjust wars assumed that war was
a moral means to certain ends. The aim was to determine who had the right to
declare war, and answers to this question generally conceded that the duly authorized
political leaders had this moral right. Since political leaders of two opposing
states may both declare the war, it followed that such a war would be just for
both sides. As long as the political chief declared the war, it was assumed
that any war was just until proved otherwise. In determining which of the properly
declared wars were morally just, the criteria ranged from war against barbarians,
for property, glory, empire, vengeance, rescue of victims of oppression, to
the repulsion of invaders. Generally, the concern, up to the eighteenth century,
was with the moral defense of war. Since then thinkers like Charles Montesquieu,
Adam Smith, or J.G. Fichte were more concerned with the legal bases of war.
If the earlier strictures on the just war were intended for Princes so that
they would not declare war for flippant reasons, the later pronouncements on
just war were probably intended for the citizens of the nation, or for the neutral
nations, so that the wars of any given nation might appear lawful or legal.

The crassness of the amenability of Western religion to Western wars stems doubtlessly from the
naive acceptance of Western culture, or of [U.S.] culture, as the cosmic norm. Most of the theological
double-talk on the just war stems from this chauvinism. If religion gives to Caesar his thermonuclear
bombs, then it will be hard pressed, after this concession, to come up with any fruitful advice, since
Caesar knows

better than religious saints when to take the first offensive step. Perhaps
the whole effort to moralize war and then to legalize it rests upon a mistake.
This would appear particularly so in the fact of the almost complete absence
of any religious identified unjust war, and the almost universal presence of
the claim to legality by every nation in any war. (p. 48).

Is nonviolence a practical or sustainable practice for a country still at war? Is it even biblical? Assuming the command to love one’s enemies is at the heart of the Gospel, a number of crucial and difficult questions arise. In this book, editors Tripp York and Justin Bronson Barringer have assembled provocative essays from a number of well-known pastors, scholars, and activists, including Sam Wells, Lee C. Camp, Greg Boyd, and Amy Laura Hall among others, to answer these and other questions about Christian nonviolence:

- Does God expect nations to turn the other cheek?
- What about protecting the innocent?
- What about war and violence in the Old Testament?
- What about Hitler?

A Faith Not Worth Fighting For: Addressing Commonly Asked Questions about Christian Nonviolence attempts to explain why the nonviolent path of Jesus is an integral aspect of Christian discipleship. By addressing misconceptions about Christian pacifism, as well as real-life violent situations, this book will challenge the reader’s basic understanding of what it means to be a follower of Jesus. Stanley Hauerwas provides the foreword and Shane Claiborne, the afterword. This is the first volume in The Peaceable Kingdom Series, a multi-volume series that seeks to challenge the pervasive violence assumed necessary to humans, non-human animals, and the larger environment.

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Foreword – Stanley Hauerwas
Introduction: Why Refusing to Kill Matters for Christian Discipleship – Justin Bronson Barringer and Tripp York
1 Isn’t Pacifism Passive? – C. Rosalee Velloso Ewell
3 What Would You Do if Someone Were Attacking a Loved One? – Amy Laura Hall and Kara Slade
4 What About Hitler? – Robert Brimlow
5 Must Christian Pacifists Reject Police Force? – Gerald W. Schlabach
7 Does God Expect Nations to Turn the Other Cheek? – Gregory A. Boyd

Ch. 5, “Just War?” “As a ‘theory’ or a ‘set of principles,’ it fails in two fundamental ways: it does not define what is worth fighting about, and it is not part of the public consciousness or the body of law” (82). Ch. 6, “Just War Reformulated.” “A revised just war theory would need to include at least two additional criteria. There must be international agreement that a war is worth waging. And there must be a demonstrated capacity to restore the conquered territories, with full respect for the cultures” (111).

--Dick

One of the major divides within the Christian community has been around issues of war and peace. More specifically, Just War and pacifism. The debate has raged for centuries, with neither side scoring a decisive victory, nor escaping criticism completely unscathed. In his book "Blessed are the Pacifists: The Beatitudes and Just War Theory", Thomas Trzyna compares and contrasts these two theories and tries to make sense of just what Jesus wanted us to do in cases of war. The analysis here is not deeply theological or academic, save some references to a few philosophers and theologians of past centuries. Many of the conclusions for the book come from Trzyna's own honest and no nonsense examination of what it means to be Christian and live how Jesus taught us to live.

One overarching theme jumps out at you as you read. Trzyna argues that pacifism and Just War theory operate in different temporal planes. Just War theory, and war in general, seeks immediate results. Pacifism is a more long-term approach that addresses the root causes of conflict. Indeed those who remain pacifist to achieve their goals may seem to have failed in the short term, perhaps never seeing "success" in their own lifetime. But when measured across the broad swath of history, success becomes more apparent. Over that same time, war's folly becomes starkly real.

Trzyna's examination is not completely flawless, however. He argues that living out the beatitudes and following pacifism means that civilization is not worth saving. Indeed it is precisely because Jesus calls us to act as agents of
reconciliation in the world that we engage civilization using his model (pacifism) as our guide. Civilization in all its human forms may fall short of the ideal. But in as much as humans are created in the image of God, civilization or other human creations are at least to some extent using what God has given us (intellect, creativity, kindness, patience) to live in communities. Pacifism does not reject civilization. It actually values civilization highly. But a pacifist will not kill for civilization, even if they might die trying to save it.

Ultimately, Trzyna comes to the conclusion that to truly follow Christ, to be Christian, means to be pacifist. This means understanding one's role in the broad scope of history and emptying oneself so that one may learn what God would have us do. This is the strongest point of Trzyna's book. We are on a journey, responding as best we can to situations that arise around us. Being faithful is difficult, and success is fleeting as many in this world define it. But we take solace in the fact that we are a part of the forward march of time. A march that will lead eventually to that perfect peace.

Keith Swartzendruber  Director

IRAQ AND AFGHANISTAN: JUST CAUSE, JUST MEANS, LIMITED MEANS  Dick Bennett, August 10, 2009

In her letter of July 14, 2009, Lotte Willett accurately contrasts the number of civilians killed by the U.S. bombings in Iraq and Afghanistan to the much greater number killed during World War II area bombing. At least 45,000 corpses were found following the Operation Gomorrah bombing devastation of Hamburg between July 24 and August 3, 1943.

What is questionable on several levels is whether killing civilians is justifiable because it is expedient. “Collateral damage [the euphemism for killed noncombatants] cannot be avoided if you want to win the war.”

On the ethical level, our philosophical tradition and the major world religions have striven to devise humanitarian rules which protect civilians in wartime, rules that forbid dropping a bomb on a house in which unarmed and noncombatant women, children, and elderly people are seeking shelter. These same ethical traditions also concluded that wars must have not only a just cause but must be justly fought. That is, even a just cause does not automatically make right every act committed during the fighting of it. (The dubious origination of these wars—the sovereign nations of Iraq and Afghanistan not aggressors against the US—only makes the just prosecution of the wars more important.)

But Ms. Willet expresses not an ethical but an expedient or self-interested argument: killing unarmed, noncombatant women, children, and elderly is acceptable in order to win. But in Iraq and Afghanistan (and now in Pakistan) the efficacy of unjust acts is being questioned by many, including the U. S. Army itself. Killing civilians inspires anger and opposition, makes enemies (the Hydra Effect), and drives the population to the extremists. Killing women, children, and the elderly must be avoided if US leaders hope to declare victory, particularly in wars widely judged to be without just cause.

Engelhardt, Tom. “From Guernica to Iraq.” The Nation (Feb. 25, 2008),
World War II

WWII is often called the “Good War.” Because I still justify WWII in Europe (but not in the Pacific), I am not a pacifist. But mass death from the air calls even that last bastion of “just war” into question. The strongest case against WWII as a just war, in my knowledge, has been made by A. C. Grayling in *Among the Dead Cities: The History and Moral Legacy of the WWII Bombing of Civilians in Germany and Japan*. 2006. The Allies might have had a just cause but they did not employ just means. Michael Sherry gives a closely related history in *The Rise of American Air Power: The Creation of Armageddon*. 1987.

“Methods of barbarism”

AC Grayling’s *Among the Dead Cities* asks important questions about how far a civilised power should go in waging war, says John Charmley

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• John Charmley

• *The Guardian*, Friday 3 March 2006
Buy Among the Dead Cities at the Guardian bookshop

Among the Dead Cities
by AC Grayling

This book is going to cause a good deal of annoyance, not least because its extremely sophisticated argument lends itself to being immediately misunderstood by those of a less liberal frame of mind. Grayling uses his fine philosopher’s mind to examine the question of whether the western Allies committed "war crimes" in their area bombing campaigns during the second world war. That he thinks the answer to this question should be in the affirmative is what will lead to a good deal of huffing and puffing. Those historians who have written about Bomber Command will object to his moral judgment; others will object simply to the way his mind works; still others will rail against the concept of applying such moral judgments to something designed to stop Hitler. All such readers would be well advised to take a deep breath and count to 10; after that they should proceed to chapter seven, where they will find that Grayling has anticipated all their arguments (save the most bone-headed). If they read him with the care he deserves, they will find that his critique is directed against the concept of area bombing, not against the idea of bombing itself.

Grayling outlines his argument carefully, and its obvious contemporary relevance gives this book a timeliness to add to the timeless nature of the debate to which it contributes. It might be objected that all he does is prove that by 21st-century standards those who dictated our bombing policy in the last world war were war criminals; that would be to simplify things to the point of misrepresentation. As Churchill himself recognised, once one begins to use concepts such as "war crimes", all war leaders stand in danger of condemnation; if that makes our leaders rather more careful in future, it is no bad thing. The modern international laws of war, whose origins Grayling details in chapter six, owe those origins, at least in part, to the horrors depicted here; this is not a book for the squeamish.

Grayling is not deaf to the argument that war justifies whatever means might be necessary to win it most effectively, but he shows that even this cannot be deployed to condone barbarism - especially when this makes it more difficult to win the war. He shows, convincingly, that area bombing may have lowered the western governments to the level of the Nazis but did not speed up the Allied victory. German morale was not broken, nor was its ability to carry on the war much impeded. Targeted bombing campaigns might have been just as effective in military terms, and would not have carried the moral stigma of area bombing; much the same argument is used to combat the idea that area bombing pulled German war matériel away
from the eastern front. It might seem pertinent to ask whether Allied bombing techniques were advanced enough in the 1940s to allow precision strikes, and even here, as recent events have shown, civilian casualties cannot be avoided.

The bigger question lurking in this provocative and readable study is how far civilised powers should go in waging war. For pacifists the question has an obvious answer, but for those engaged with the Hobbesian struggle that is international relations, other answers have to be found. The claim to be fighting for civilisation is one that is hard to deny to Churchill and company; a victory for Hitler would indeed have signalled a "new Dark Age". But it does no one any favours to overlook the crimes committed in pursuit of that victory. Allied leaders themselves had earlier rejected the concept of mass area bombing and, on the evidence offered here, they were right to do so; it was militarily ineffective and morally repugnant; two wrongs do not make a right.

This book has a clear moral purpose. Only by acknowledging where mistakes were made in the past can we avoid making them in the future. Perhaps Grayling's tone is, at times, too much of that of the detached moral philosopher, and he is bound to find reviewers asking him what he would have done at the time; but that is the purpose of his book, to provoke our leaders, and those on whose behalf they purport to act, to ask how to wage a war by methods short of barbarism. Although Grayling does not cite him, he might like to be reminded of the comment of that unjustly forgotten Liberal leader, Sir Henry Campbell-Bannerman, who, when confronted with evidence of the British use of concentration camps in the Boer war asked: "When is a war not a just war? When it is carried on by methods of barbarism in South Africa."

Unless we exercise vigilance over our leaders, they will fall for the tempting arguments that lead to area bombing, or its modern equivalent. Books like this should be compulsory reading for all senior politicians.

· John Charmley is professor of modern history at the University of East Anglia

END JUST-WAR NEWSLETTER #1

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Dick Bennett

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j.dick.bennett@gmail.com
(479) 442-4600
2582 Jimmie Ave.
Fayetteville, AR 72703