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Nuclear bomb and liberation bullet.

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Howard J. Loewen

How Do They Rate Against the Just War Theory

For many years Billy Graham has preached about peace with God to large audiences around the world. In 1978 he began to speak out about the global arms race, and in particular about nuclear weapons. "The nuclear issue is not just a political issue," he said at the time. "It is a moral and spiritual issue as well." Graham said he was not a pacifist and did not favor unilateral disarmament, but said he could see no way "in which nuclear war could be branded as being God's will. Such warfare, if it ever happens, will come because of the greed and pride of the human heart." When asked why he had changed his thinking on this question, Graham replied, "I have gone back to the Bible to restudy what it says about the responsibilities we have as peacemakers. I have seen that we must seek the good of the whole human race, and not just the good of any one nation."

Throughout history one of the church's main positions on war has been the just war theory (JWT). This view states that war is acceptable under certain conditions. Today people are showing a renewed interest in the JWT. Some are reacting strongly against this view, while others are finding new ways to apply it.

Two vivid events, etched into the memory of the twentieth-century mind, form the backdrop for the modern church's thinking

about war. One is Hiroshima and the other is Vietnam.

The bombing of Hiroshima triggered the nuclear age. The United States won an armed conflict with nuclear might. Now the world would have to live under the threat of the bomb.

The American defeat in Vietnam symbolized the effectiveness of the liberation revolution. The U.S. lost “a war of liberation.” Now the world would have to live under the threat of the liberation bullet.

These two threats are related. The nuclear build-up of the northern hemisphere is, to a large extent, being done at the political, social and economic expense of the southern hemisphere. The violence that is waged against the south in order to maintain the goals of the north is greater than the south can bear. The seeds for revolution are being sown in many places.

How can we discuss the just war theory meaningfully today? One way is to discuss it with the nuclear bomb and the liberation bullet in mind. Let’s try it.

The history of the just war theory

The JWT was born in the third century following a long period of early church pacifism. Constantine had just conquered the entire Roman Empire, and made Christianity the faith of the empire. Against this background the church father Augustine developed a doctrine of just war which could be applied to pagan people and Christian heretics alike. Under certain conditions Christians could fight to protect the interests of the state and the church.

During the medieval period Thomas Aquinas was the foremost proponent of the JWT. He made one major addition to Augustine’s just war doctrine: he allowed the violent overthrow of an unjust government. However, the JWT seriously declined during this period as a means of dealing with wars and conflicts, and the just war code was frequently violated.

The churches of the Protestant Reformation went beyond the medieval JWT in the direction of making war more acceptable. Luther and Lutheranism taught that the citizen has a duty to obey the state. This allowed the state to step up its preparations for war.

Calvin and Calvinism also strongly endorsed JWT. However, the Reformed churches moved more in the direction of the crusade, partly because they thought of the church as a holy nation.

Both Lutheran and Reformed contributions strengthened the power of the state and made war more acceptable. This led to a century of religious warfare and intolerance.

After many decades of religious wars there was a marked change in mood brought about by the Enlightenment. The peace themes of earlier times were revived. The JWT was re-examined within the environment of growing pacifism and secularism. But the wars of nationalism in the nineteenth century ended that optimism and began to usher in a new period of world history.

Our contemporary church and world have witnessed a significant revival of the JWT. World War II brought in the age of Auschwitz and Hiroshima and forced people to consider old questions about war. The atrocities at Auschwitz seemed to justify war; the atrocities at Hiroshima seemed to outlaw war.

The just war doctrine also emerged clearly as a powerful force in the conscience of America during the Vietnam War. It served as a test-case for the rules of war.

The rules of war

An official list of the right conditions and conduct for a just war do not exist. There are no official documents that spell out the criteria clearly and completely, even though after the Reformation this doctrine became part of what it meant to be a confessing Christian. However, the JWT can be outlined in the following way.

Eight criteria provide the basis for determining a just war. The first four deal with the just conditions for war—the bases on which war can be justified.

Just intention requires the right attitude which does not harbor revenge or anger. It also involves the restoration of peace, granting mercy and not vengeance to the defeated, not requiring unconditional surrender, and the restoration of justice. The underlying intention must be peacemaking.

Just authority deals with the decision-making process. A lawful, legitimate authority must declare war. The highest governmental authority must sanction it. *Just cause* means that there must be a clear offense that is worthy of response.

Last resort insists that only when negotiation, mediation, and compromise have failed can a nation engage in armed conflict.

The second four criteria deal with just conduct in war. *Reasonable hope of success* means that war is conducted by military methods which promise reasonable hope of winning the war. It is not sufficient simply to have a just cause.

Limited ends involves a definite relationship between the methods one uses and the ends one is trying to accomplish in a war. An entire city should not be destroyed to capture a small group of enemy soldiers. Unconditional surrender, excessive force, or utter destruction of a nation are questionable. Human nature is to be respected.

Proportionate means refers to the reasonable expectation that the good result of the war will exceed the horrible evils it brings. This applies to war in general and to tactics in particular.

Finally, *non-combatant immunity* requires that civilians not involved in the manufacture, direction, or use of arms must not be attacked. Non-combatant casualties are permissible if they are not intended. If large numbers of non-combatants, prisoners-of-war, injured, and/or civilians are affected, the principle of proportionality is violated.

THE THREAT OF NUCLEAR WAR

What happens when the rules of the JWT are applied to nuclear and counter-revolutionary wars?

Most people respond to the possibility of nuclear war in one of four basic ways. Let's evaluate each approach against the rules of the just war.

Unlimited nuclear war

One group of people would be willing to fight an unlimited nuclear war if provoked. The basic policies of the USA and the USSR

are to retaliate in kind if one attacks the other—to the point of virtual annihilation. This is a policy of mutually assured destruction.

In the event of a USSR massive first strike on the USA the JWT criteria could never be met. Just intention, just cause, prior declaration of war, reasonable hope of success (not just winning but preserving), limited ends or moderation, non-combatant immunity, and proportionality are all not possible because both sides would be completely destroyed.

Limited nuclear war

Other people propose three more limited kinds of nuclear war.

(1) The *strategic nuclear war* involves the direct targeting of population centers such as large cities. However, this violates the JWT's demand for protection of non-combatants. The direction of recent American nuclear policy, the destructive trading of cities planned during the Cuban missile crisis in 1962, and the obliteration bombing of World War II that destroyed whole cities suggest that the U.S. is open to considering such a war.

(2) The *tactical nuclear war* involves limited nuclear attack on military targets. This limited strategy is now becoming an official part of USA and USSR nuclear policy. This has created a belief in the possibility of nuclear war by suggesting that limited nuclear warfare is less horrible than an all-out nuclear war.

Church leaders and theologians are divided on their response to the idea of nuclear war. Some argue that limited nuclear attacks against specific military targets can be justified on the basis of the JWT. The large number of non-combatants that would be killed—thus violating the criterion of non-combatant immunity—is justified on the grounds that their death was not intended.

The case against this position is illustrated by the response of the Catholic bishops of America in 1983. They reject this position because of the danger of fallout on population areas and because of the possibility of escalation once the leap from conventional to nuclear weapons has been made.

(3) The *deterrence without use* involves having enough nuclear

weapons so that they serve as a threat. This policy states that it is not wrong to build and stockpile nuclear weapons even though it is wrong to use them. Their only purpose is to deter enemy nations from starting anything. Until recently this was the official USA policy.

Some people argue that since World War II deterrence has worked and is the basis for stability. The question is how long can you keep it secret that you have no intention of actually using nuclear weapons? This position lacks credibility.

The result of this approach, however, is to justify the current policy of nuclear stockpiling, thereby increasing the risk of accidental nuclear war. This policy therefore only makes the problem worse with no change in sight.

Nuclear pacifism

There is a growing number of people who, on the basis of the JWT, are concluding that the only viable position in our time is nuclear pacifism. These people are using JWT to reject nuclear warfare.

The age of Hiroshima and Vietnam has produced a major shift in this generation's sense of the rightness of modern warfare. Many people are now calling for bilateral, and even unilateral, nuclear disarmament between the superpowers. Although these people are willing, on the basis of the JWT, to acknowledge the need for non-nuclear forms of defense and war, they use the moral rules of the JWT to outlaw the production, deployment and use of nuclear weapons under any conditions.

Total pacifism

Some people want to abandon weapons altogether, even though they are very conscious that war and the making of war will always be with the human family. There are different types of pacifism emerging from varying philosophies. However, they all reject the JWT as the way in which the church and society should respond to war.

This does not mean that some do not see value in using JWT as a basis to respond to war. An increasing number of pacifists encourage

a more rigorous application of the JWT. But they see it as a secondary and not primary answer to the question of war.

The rules for just war seriously challenge those who advocate nuclear warfare.

WARS OF LIBERATION

Beyond the nuclear threat we must also apply the JWT criteria to wars of liberation. The struggle for justice is a crucial issue in our time. Violence in our day is much more widespread than we like to admit. It is present not only in obvious acts of war, but also in more subtle forms that characterize the structures of our society.

The victims of this "structural violence" are a majority of the human family. They suffer from political, economic, social and spiritual oppression. Those who enjoy the advantages of the present structures of our society are a minority of the human family, yet they possess the most power.

Can the change from an unjust to a just situation come about peacefully? Can those with power be persuaded to give any of that power to the powerless? Or must the powerless use violence to bring about justice?

The problem of unjust structures has led some to argue that there is a stronger justification for revolution than for most traditional wars. These people have dusted off the doctrine of the just revolution to support their argument. Where did this doctrine start?

"Just revolution"

In the twelfth century an English pastor, John of Salisbury, wrote that when the prince disobeys the law he becomes a tyrant, and that it is just for public tyrants to be killed and the people set free for the service of God. In the thirteenth century Thomas Aquinas, in a more moderate way, came close to defining a doctrine of just revolution against unjust governments.

Martin Luther in the sixteenth century hinted at a doctrine of just revolution when a combination of emperor and pope faced off against the Protestant princes. He wrote that the princes must resist

the tyrants. His basic position, however, was that rebellion against lawful authority is unjust.

A few years later, Thomas Muentzer used Luther's teachings to support rebellion in a way that Luther never dreamed of. He led a peasant revolt against the authorities of his day.

John Calvin called for strong authority in government, and at the same time he authorized magistrates to oppose tyrants who betrayed the freedom of the people. Later Calvinism became a revolutionary force in several societies. For example, Beza, Calvin's successor, endorsed resistance to tyrants. Likewise the English Puritans frequently became revolutionaries.

Thus, within the just war tradition a doctrine of just revolution was formulated. Can this doctrine be used to justify the liberation wars throughout the world today?

Applying the just war code

Is it ever right for the Christian to use violence to overthrow an oppressive government? To answer that question, let's apply the traditional criteria of the JWT to "just revolution."

The requirement of *just intention* is one of the most difficult to meet. The origin of revolution usually arises out of a deep sense of anger at injustices. During early stages of a revolution the personal risk is high. But after the revolutionaries have tasted success this rule must be rigorously applied, for revolutions can easily degenerate into one tyranny replacing another tyranny.

The criterion of *just authority* is the most difficult to apply. The revolutionaries find it difficult to establish themselves as just authorities. But it should be remembered that a justly elected government that has strayed from its moral and legal obligation is also unable to establish its own legitimacy. Many revolutionaries, therefore, use Jesus and the Bible as the legitimate authority to warrant revolution in an oppressive situation.

The importance of *just cause* is perhaps more easily applied. It calls for a clear offence. The structural violence experienced by many people under oppressive governments provides the evidence

they need.

The criterion of *last resort* has a wide range of responses. A government in power will always believe that a revolution is premature, while the revolutionaries will insist that they should have revolted long before the actual outburst took place.

All violence looks the same

The *reasonable chance of success* of a revolution is dicey at best. Classical JWT says it is wrong to engage others in a lost cause. If the revolution fails, the repressive regime will likely become more repressive. To be responsible, revolutionaries must carefully count the cost ahead of time.

Many revolutionaries re-interpret the JWT at this point. They argue that the most important objective of revolutionary movements is not to win victories but to stay in existence as a continuing threat until the unjust government is overthrown. Thus, the criterion of success can be met, they contend.

The criterion of *limited ends* is just as difficult to insure in the process of fighting as it is to measure success in advance of it. Very quickly the violence of the oppressed becomes indistinguishable from the violence of the oppressor.

Likewise the criterion of *proportionate means* raises the question of how much violence can now be justified in the hope of avoiding more extended violence later. How does a fighter keep raw anger in check? The very nature of modern guerrilla warfare, which is not limited to military targets, makes it extremely difficult to control the extent of violence.

Finally, the requirement of *non-combatant immunity* is not met by revolution. Guerrilla warfare, in its attempt to overcome oppressive governments, must use tactics that destroy villages and civilians. It simply cannot limit its destruction to military targets. Innocent people get killed regularly and indiscriminately.

This completes our exploration of how the the dual threats of nuclear and revolutionary wars look when we apply the just war code to them. We have found that both situations are seriously

jeopardized by the JWT. We have also seen the workability and relevance of the JWT cast in doubt by these modern wars.

In the next chapter we will go on to carefully assess whether the just war theory itself is an adequate way for the Christian to respond to war in the modern world.