

THE DOCTRINE OF JUST WAR:
A CHRISTIAN VIEW OF THE RIGHTING OF ATROCIOUS WRONGS

By Nigel Biggar

Does a 'religious' view of the righting of atrocious wrongs have any advantages over its 'secular' peers? That is the main question that this essay will address.

Before we begin to address this question we must stipulate that the 'religious' view we mean to consider here is that of the Christian doctrine of just war. We make this selection for three reasons: first, because the doctrine of just war comprises a highly developed theory of how grave wrongs (including atrocious ones) should be righted on the international stage; second, because it bears the marks of its theological provenance at several important points; and third, because the issue of military intervention in the affairs of a sovereign state to halt or prevent atrocities is a major point of contemporary controversy.

In order to consider whether the Christian doctrine of just war has any advantages over 'secular' views of how to deal with atrocities in foreign states, we must first give an account of the relevant features of that doctrine.

The first of these features is the invocation of 'natural' justice. That is to say, the doctrine takes it for granted that there is a universal moral order—a natural law—that transcends national legal systems and applies to international relations, and that can even trump positive international law. This belief in a transcendent, natural law follows from Christianity's monotheism.

Retribution is the second feature. Expressing the high esteem in which Christian theology holds human beings, the doctrine of just war's affirmation of a retributive element in the response to atrocious wrongs takes seriously both the victim's injury and the perpetrator's dignity as a bearer of moral responsibility.

Insofar as the doctrine insists that just belligerents understand what they are doing as the action of one set of sinful creatures to limit and repair the wrongdoing of another set—and *not* as the action of the 'righteous' upon the 'unrighteous', or the godly upon the infidel—it enjoins a constitutive element of forgiveness-as-compassion. This is the third feature.

Such compassion is one of the factors that should moderate retribution. Another is the intention of 'peace'. Just war doctrine is wisely Augustinian in the realistic modesty of what it intends: the stopping of the atrocious wrongdoing by the disabling of those who are perpetrating it, and the building of a new political order that is at least *sufficiently* just and stable not to return to the old ways. The building of a just future will require that there is sufficient public repudiation of the past; but the building of a stable future may well require something less than comprehensive retribution. No 'infinite justice' here, then.

Such Augustinian modesty is partly inspired by the prudence that cumulative common experience teaches: to insist on too much justice is to risk propagating further injustice. But it also has the support of eschatological hope—our fifth feature. This is the hope that the justice that we humans cannot do here and now—the raising from the dead of innocent victims, the meting out of retribution upon those perpetrators who escaped earthly punishment—will yet be done by God at the end of history.

Having identified those elements of the Christian doctrine of just war that are directly shaped by theological concepts, we will proceed to compare this 'religious' view of the righting of atrocious wrongs with a range of 'secular' alternatives. We will argue that it has ethical advantages over some of these; and that it might have metaphysical advantages over others.

Nigel Biggar holds the Chair of Theology and Ethics and is Head of the School of Religions and Theology at Trinity College Dublin. He was Chaplain and Fellow of Oriel

College, Oxford from 1990-99, and then Professor of Theology at the University of Leeds from 1999-2004. He holds a B.A. in Modern History from the University of Oxford, a master's degree in Christian Studies from Regent College, Vancouver, and then a further master's in Religious Studies and a doctorate in Christian Theology from the University of Chicago. He is President of the Society for the Study of Christian Ethics (UK); serves on the boards of the Society for Christian Ethics (USA & Canada) and the Societas Ethica (Europe); and is a member of the Committee on Ethical Issues of the Royal College of Physicians (London). His research interests include: the formative bearing of theological concepts (e.g., God, the afterlife) on moral life; the contribution of religion to the health of liberal societies; the development of a concept of 'public reason' that permits the engagement of metaphysically contradictory positions; and the ethics of national identity and loyalty, of 'empire', of suicide and euthanasia, of 'just' war and military intervention, and of the righting of wrongs. He has published a number of books and articles, including *The Hastening that Waits: Karl Barth's Ethics* (1993, 1995), *Good Life: Reflections on What We Value Today* (1997), *Burying the Past: Making Peace and Doing Justice after Civil Conflict* (2001, 2003), and *Aiming to Kill: The Ethics of Suicide and Euthanasia* (2004). Of special relevance to the Copenhagen conference are two chapters: "Making Peace and Doing Justice: Must We Choose?" in *Burying the Past*; and "Forgiveness in the Twentieth Century: a Review of the Literature, 1901-2001", in *Forgiveness and Truth*, ed. Alistair McFadyen and Marcel Sarot (Edinburgh: T. & T. Clark, 2001).