

Is the War on Terrorism Justified and Effective?

- Focusing on Augustine's Just War Theory and Critique of its Application

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테러리즘과의 전쟁은 정당하고 효과적인가?: 어거스틴의 정의로운 전쟁 이론과 적용에 대한 비판적 고찰을 중심으로

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어거스틴은 전쟁의 정당성을 다루는 ‘정의로운 전쟁 이론’(just war theory)을 처음으로 구상하고 발전시킨 신학자로 간주된다. 어거스틴은 그의 이론에서 전쟁을 정당하게 만드는 목적, 동기, 그리고 구체적인 조건들을 다룬다. 문제는 어거스틴의 전쟁 이론이 중세 시대의 십자군 전쟁과 같은 전쟁을 합리화하기 위해 활용되었으며, 이제는 테러리즘과의 전쟁과 같은 현대의 전쟁을 정당화하는데 사용된다는 것이다. 이러한 맥락에서 본 논문은 테러리즘과의 전쟁이 실제로 어거스틴의 이론에 근거하여 정당할 수 있는지, 또한 테러리즘에 대한 응답으로서 효과적인지를 탐구한다. 이를 위해 논문은 먼저 어거스틴의 정의로운 전쟁 개념을 다루고, 이에 대한 역사적 해석과 적용을 살펴본 후, 테러리즘과의 전쟁에 대한 정당성과 효과성을 논한다. 이러한 과정을 통해 논문은 대테러전쟁 안에서 정의로운 전쟁의 전제 조건인 ‘전쟁 안에서의 정의’(jus in bello)는 세심하게 현실화될 수 없고, 지속되는 군사력 사용이 테러리즘의 근본원인들을 해결할 수 없다는 점에서 테러리즘과의 전쟁은 그 정당성과 효과성을 말할 수 없다고 주장한다. 그러므로 테러리즘의 원인들을 완화하거나 제거할 수 있고 따라서 테러리즘 상황에 더 긍정적인 효과를 가져다줄 수 있는 국제적 협력과 인도주의적 노력들과 같은 비폭력 활동들이 테러리즘에 대한 기본 원칙들로서 대테러정책에 반영되어야 함을 제안한다.

주제어: 어거스틴, 정의로운 전쟁, 테러리즘, 테러리즘과의 전쟁, 비폭력, 평화주의

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I. Introduction

On September 11, 2001, the United States was attacked by Al-Qaeda terrorists. In response, President George W. Bush declared a 'war on terrorism' to justify military interventions in Iraq and Afghanistan. The war on terrorism, also known as the 'global war on terrorism,' refers to the international military campaign that began after the September 11 attacks. The war created and escalated global military, political, legal, and intellectual conflicts against both terrorist organizations and the regimes allegedly supporting them.¹⁾

Throughout history, wars have been justified by referencing alleged exigencies of defense in the face of aggression and the achievement of some moral or societal good for which military operations are required. In theological terms, Augustine (A.D. 354-430) is considered the first to conceive and develop a justification for warfare, that is, just war theory.²⁾ His theory offers some conditions for the justifiability of war, such as the war's prerequisites and purposes, which are considered pertinent to the legitimacy and morality of the war and its conduct.

However, just war theory has been exploited, regardless of Augustine's actual motivations and intentions, to rationalize wars such as the medieval crusades and the contemporary military response to

1) Eric Schmitt & Thom Shanker, "U.S. Officials Retool Slogan for Terror War," *New York Times*, July 26, 2005, accessed on May 19, 2021, available at: <http://www.nytimes.com/2005/07/26/politics/us-officials-retool-slogan-for-terror-war.html/>.

2) Paul Christopher, *The Ethics of War and Peace: An Introduction to Legal and Moral Issues* (Englewood Cliffs, NJ: Prentice-Hall, 1994), 30.

terrorism. For example, since the September 11 attacks, the US administration has framed its military operations against terrorist groups within the just war framework, particularly the concepts of *jus ad bellum* (justice of war) and *jus in bello* (justice in war), thereby suggesting that the war against terrorism meets the criteria for a just war. In this case, just war theory should be read to support not only the conventional wisdom that war is necessary in the earthly world and physical violence is justified in certain extreme circumstances, but also that military response is an appropriate and effective means of countering terrorism.

However, recent scholarship on pacifism points toward a distinctive and compelling set of reasons for ending the war on terrorism. According to Stanley Hauerwas, Linda Hogan, and Enda McDonagh, contrary to the above understanding, the war on terrorism cannot be justified and effective. First, although there have been counterterrorism operations, particularly military interventions for humanitarian purposes, the interventions take a very high toll on unarmed civilians; second, the incremental process of resolving conflict non-violently by containing aggression, addressing grievances relating to political instability, social injustice and economic distress, and building local political capacity have in fact turned out to be more effective than military interventions that tend to intensify and prolong conflict.³⁾

In this context, by considering Augustine's thought it can be debated what specific conditions legitimate the conduct of war and whether the

3) Stanley Hauerwas, Linda Hogan, and Enda McDonagh, "The Case for Abolition of War in the Twenty-First Century," *Journal of the Society of Christian Ethics*, 25(2005/2), 30-32.

war on terrorism is consistent with the inner logic of just war theory and is thus justified. While the theory has been employed to justify waging war, it is closely associated with Augustine's theological anthropology and view of the state, a fact that leads us to consider the central principles of just war and whether these can be applied to the contemporary counterterrorism wars. Further controversies relate to whether the use of military force is an effective means of countering terrorism in terms of humanitarian, economic, and political benefits. Although the right to self-defense, which is one of the just war conditions, has been generally accepted as the theoretical grounds for the legitimacy of the war on terrorism, given the suspicion about the efficacy of militancy, it is necessary to test and evaluate the effectiveness of military operations against terrorism.

Focusing on the above questions, this paper will first explore Augustine's perspective on the justifiability of war based on his theological anthropology and view of the state. It will then describe the ways in which the just war theory has been interpreted and developed historically and conceptually. On the basis of these investigations, the paper will finally discuss contemporary warfare against terrorism with regard to its justification and effectiveness. Throughout this research, I will argue that it is difficult to consider that the counterterrorism wars can claim justification and effectiveness, as (1) *jus in bello* (justice *in* war), which Augustine regards as essential for a just war, is hardly realized in the process of waging war on terrorism; and (2) the use of military force does not effectively function as a remedial means to address

the root causes of terrorism. Hence, peacemaking and peacekeeping through non-violent actions, such as international cooperation and humanitarian efforts, need to be reflected in the counterterrorism response policies of governments.

II. Augustine's 'just war'

Augustine was not a doctrinaire pacifist due to his theological anthropology and his view of the state. Augustine's view of human nature is that it is fallen and corrupted, which derives from the original sin of Adam.⁴⁾ For Augustine, human sinfulness is the cause of the state of slavery in which humanity finds itself, where an individual can rule over others and nations can rule over individuals.⁵⁾ Hence, political organizations that use force and dominance are not a natural result of the innate characteristics of human beings, but, due to our fallen humanity, such a form of government arises. Thus, for Augustine, the establishment and substance of the state is an earthly instrument of power that controls the disorderly vices of individuals.⁶⁾

With this understanding of the function of the state, Augustine argues

4) Augustine, *The City of God*, 22.22, tr. by Marcus Dods, in *Nicene and Post-Nicene Fathers*, First Series, vol. 2, ed. by Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1887), accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/120122.htm/>.

5) *Ibid.*, 19.15, accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/120119.htm/>.

6) *Ibid.*, 3.14, accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/120103.htm/>; 14.15, accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/120114.htm/>.

that warfare waged by the state with the aim of controlling quarrels, violence, and destructive vices in human societies and achieving peace can be justifiable.⁷⁾ War can be justified if it is conducted on the basis of the preservation and establishment of peace. In this light, for Augustine, it is peace that is essential and central to the possibility of waging a just war. As Augustine puts it:

Peace should be the object of your desire; war should be waged only as a necessity, and waged only that God may by it deliver men from the necessity and preserve them in peace. For peace is not sought in order to the kindling of war, but war is waged in order that peace may be obtained. Therefore, even in waging war, cherish the spirit of a peacemaker, that, by conquering those whom you attack, you may lead them back to the advantages of peace.⁸⁾

Augustine goes on to say that peace and justice have to function together. According to Augustine, “the peace of unjust men is not worthy to be called peace in comparison with the peace of the just.”⁹⁾ Put another way, peace is rooted in and related to justice. In this respect, for Augustine, the validity of waging a just war is based on a mutual bond of peace and justice.

7) Augustine, *Letters*, 189.6, tr. by J. G. Cunningham, in *Nicene and Post-Nicene Fathers*, First Series, vol. 1, ed. by Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1887), accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/1102189.htm/>.

8) *Ibid.*

9) Augustine, *The City of God*, 19.12, accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/120119.htm/>.

Augustine is emphatic that love is the inner motive or intention of all Christian actions.¹⁰⁾ However, Augustine's account is not simply a way of elucidating virtuous Christian actions arising from love; love underlies his just war theory in such a way that the conduct of war must be based on love, that is, on loving one's neighbor. This means that, for Augustine, love, just like peace and justice, is a foundational theme and principle in the justification of war.

At this point, however, it is necessary to consider how we can understand the cruelty of war, including the killing involved, and its (in)compatibility with love. A famous and important analogy for the above question is a father's loving punishment of his son. For Augustine, punishment imposed on the individual or other states in warfare can be analogous to the loving father punishing his son. In correcting wrongdoing, the father acts with some sternness. In punishing the son, however, "there is assuredly no diminution of a father's love"; instead, the father knows that the son can and should be healed by this reluctant inflicting of pain.¹¹⁾

On this principle, Augustine argues that earthly authorities should rest their inner motive and purpose of punishment on fatherly love and goodwill.¹²⁾ In the case of war, Augustine asserts that, even without

10) *Ibid.*, 5,12,13,19,20, accessed on May 23, 2021, available at: <http://www.newadvent.org/fathers/120105.htm/>.

11) Augustine, *Letter*, 138,14, accessed on May 23, 2021, available at: <http://www.newadvent.org/fathers/1102138.htm/>.

12) Augustine, *On the Sermon on the Mount*, 1,1,20,63, tr. by William Frindlay, in *Nicene and Post-Nicene Fathers*, First Series, vol. 6, ed. by Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1888), accessed on May 22, 2021, available at: <http://www.newadvent.org/fathers/16011.htm/>.

a benevolent design, war can be punishment consistent with that imposed by the loving father, thereby protecting the common welfare and effecting peace and justice.¹³⁾ In this regard, as Lisa Sowle Cahill argues, Augustine regards punishment as “kindly harshness” that can encourage reform, and thus, even if death results from warfare, punishment by its nature cannot harm *per se* in any essential way.¹⁴⁾ Therefore, for Augustine, punishments dispensed by the state in a domestic setting are justifiable only insofar as they are implemented on the basis of neighborly love.

In reference to punishment through warfare, Augustine understands that the application of violence derived from love is limited. For Augustine, violence should be conducted by the state and not by individuals, as individual judgment on the use of violence may be rooted in the desire for vengeance rather than love and this leads to social turmoil. Thus, Augustine asserts that punishments and wars have to be implemented by the state and these are justifiable only if they are fundamentally motivated by love.¹⁵⁾

Augustine understands that war can also be justified when it is conducted based on the intention and direction of God. Warfare guided directly by God is found in the biblical books of Numbers (chapter 21) and Joshua (chapter 8). In the biblical context, it is clear that the partic-

13) Augustine, *Letter*, 138.14, accessed on May 23, 2021, available at: <http://www.newadvent.org/fathers/1102138.htm/>.

14) Lisa Sowle Cahill, *Blessed Are the Peacemakers: Pacifism, Just War, and Peace building* (Minneapolis: Fortress Press, 2019), 112.

15) Augustine, *The City of God*, 5.12,13,19,20, accessed on May 23, 2021, available at: <http://www.newadvent.org/fathers/120105.htm/>.

ipants (or combatants) in warfare fight on behalf of God, who deputizes them to achieve his providential ends in the world.¹⁶⁾ In this framework, the author of some wars (such as the biblical examples) therefore arguably becomes God himself. Yet, in modern times, the question of how we can know what kind of war is waged with God's good will is still obscure.

To sum up the above discussion, Augustine offers theological and conceptual themes and principles with regard to the justification of warfare. For Augustine, warfare that can be justified should be waged under the conditions of loving one's neighbors and maintaining and establishing peace. These aims constitute the legitimacy of a given war and the two are considered as the right cause and intention that makes war justifiable.

John Mattox encapsulates Augustine's just war theory with the right cause and intention as follows. A war is just if it aims to defend the safety or peace of the state from external invasion, it aims to justly punish the wicked, or it constitutes obedience to a divine command. To have a right intention is to base actions on love, which is closely connected to peace as the ultimate object of war.¹⁷⁾ In a similar vein, John Langan expounds that Augustine's just war theory involves eight fundamental elements: (1) a punitive concept of war; (2) assessment of the evil of war with regard to the moral evil of attitudes and desires;

16) *Ibid.*, 1,21, accessed on May 23, 2021, available at: <http://www.newadvent.org/fathers/120101.htm/>.

17) John M. Mattox, *Saint Augustine and the Theory of Just War* (London: Continuum Publishers, 2006), 74-76.

(3) a search for authorization for the use of violence; (4) a priority of spiritual good; (5) evangelical focus on inner attitudes towards war; (6) passive attitude to authority and social change; (7) use of biblical texts to legitimate the conduct of war; and (8) the central place of peace in war.¹⁸⁾

Although Augustine explains how warfare can be justified, he simultaneously emphasizes the horrors of war, stressing that it will inevitably impose harm on civilians. In Augustine's thought, warfare should be waged to maintain and restore peace. Yet, it is still a tragedy insofar as both just and unjust people must suffer from warfare.¹⁹⁾ In this sense, for Augustine, the conduct of war has to be the final resort in upholding moral duty. It can also never be ethical, that is, morally good, even if it is justifiable in some cases.

Augustine's just war theory has some deficiencies. For example, it is difficult, as suggested above, to identify whether war is ever waged by God or based on His command. Augustine considered victory in the wars waged by the Roman emperors Constantine I (A.D. 272–337) and Theodosius I (A.D. 347–395) to be justifiable by virtue of the command of God as they had established their positions as Christian emperors.²⁰⁾ Augustine expected rulers who were Christian to rule over

18) John Langan, "The Elements of St. Augustine's Just War Theory," *Journal of Religious Ethics*, 12(1984/1), 19.

19) Augustine, *The City of God*, 1.8-9, accessed on May 25, 2021, available at: <http://www.newadvent.org/fathers/120101.htm/>.

20) *Ibid.*, 3.3, accessed on May 25, 2021, available at: <http://www.newadvent.org/fathers/120103.htm/>; 5.19,25,26, accessed on May 25, 2021, available at: <http://www.newadvent.org/fathers/120105.htm/>.

the state by establishing justice and peace and to put their earthly power at the service of God's majesty to extend his worship far and wide.²¹⁾

In this regard, as Petrus Farneubun argues, Augustine seems to oppose the view of Cicero (B.C. 106-43) that the Roman Empire is not regarded as a republic as it is controlled by tyrant rulers and tainted by corrupt practices, since, for Augustine, Rome in his time was administered by representatives and governed by Christian emperors.²²⁾ Importantly, when Augustine describes the wars waged by the Roman Empire as just wars conducted based on God's command, this displays a Christian view of a justifiable war that could only be acceptable in Augustine's era, a view that could not be accepted by non-Christians today. Furthermore, for some it may be problematic that Augustine considers a motivation deriving from loving one's neighbor as a standard for right and wrong, as violent deeds and wars conducted by the state can be legitimated in the name of love.

III. Interpretation and development of Augustine's just war theory

Historically, Christian attitudes towards warfare have been encapsulated in the tradition of pacifism and the theory of just war. Before Christianity became the state religion of Rome, church fathers mainly proclaimed pacifism, which promotes non-violence and non-resistance;

21) John O'Meara, "Introduction," in *Concerning the City of God, Against The Pagans*, tr. by Hendry Bettenson (London: Penguin Group, 1984), xxvi.

22) Petrus Farneubun, "Intentions and Motive in Augustine's Just War Teaching," *Jurnal Ilmiah Hubungan Internasional*, 10(2014/1), 73.

however, once Christianity formed a close connection with the Roman Empire as the established religion, churches began to support and justify the actions of Christian emperors, particularly regarding the conduct of war.²³⁾

In this context, Augustine developed a theory of just war, previously outlined by Cicero, as a principle for right Christian ethics and political theology.²⁴⁾ Although Augustine proposes the biblical and moral elements that make a war justifiable, his attempts to justify the warfare waged by Christian emperors, as Meic Pearse expounds, signifies a diversion from the Christian tradition of pacifism in which any violent actions are unjustifiable.²⁵⁾

Just war theory was further developed by Thomas Aquinas (A.D. 1225-1275), who established the just war theory by synthesizing Augustine's just war teaching and Aristotelian ethics; Aquinas focused on justice rather than love with regard to the right intention of just war, thereby shaping just war principles into their more recognizable modern form.²⁶⁾ Just war theory was subsequently passed down to reformers such as Martin Luther (A.D. 1483-1546) and John Calvin (A.D. 1509-

23) Oliver O'Donovan, *The Just War Revisited* (Cambridge: Cambridge University Press, 2003), 10-11.

24) Henry Chadwick, *Augustine* (Oxford: Oxford University Press, 1986), 103.

25) Meic Pearse, *The Gods of War: Is Religion the Primary Cause of Violent Conflict?* (Downers Grove, IL: InterVarsity Press, 2007), 122. Here Pearse elucidates that Tertullian (A.D. 150-240) and Origen (A.D. 185-254) maintained Christian pacifist positions, and the tradition has remained among theologians; for example, Menno Simons (A.D. 1496-1561) who was an Anabaptist, and in recent years John Howard Yoder (A.D. 1927-1997) and Stanley Hauerwas (A.D. 1940-).

26) David Fisher, *Morality and War: Can War be Just in the Twenty-First Century?* (Oxford: Oxford University Press, 2011), 65.

1564). Calvin in particular considered the soldier an agent of God's love and posited that God could support a just war waged by earthly political authorities, which opposed the Anabaptist contention that the New Testament does not teach war.²⁷⁾

Although from the Middle Ages through to the Reformation the just war theory was accepted as a primarily Christian theological tradition, this began to change gradually with such early-modern scholars as Francisco de Vitoria (A.D. 1492-1546), Francisco Suárez (A.D. 1548-1617), and Hugo Grotius (A.D. 1583-1645). Hugo Grotius in particular, known as the father of international law, created the distinction between the rules of *jus ad bellum* (justice of war) and *jus in bello* (justice in war). He attempted to present just war principles as grounded in natural law, that is, a universal human nature that is known by reason and regulated by a natural sense of justice.²⁸⁾ As a result, the just war theory was established in the field of law rather than theology and morality. Just war theory was further developed by Reinhold Niebuhr (A.D. 1882-1971) and Paul Ramsey (A.D. 1913-1988), who maintained the Christian realist position that the Kingdom of God cannot be realized on Earth by virtue of the corrupt tendencies of society, a stance based on the pessimistic anthropology of Augustine.²⁹⁾

27) John Calvin, *Commentaries on the Epistle of Paul the Apostle to the Romans*, 13:1-7, tr. by John Owen (Grand Rapids, MI: Eerdmans, 1948), accessed on May 26, 2021, available at: <http://ccel.org/ccel/calvin/calcom38/calcom38.xvii.i.html/>.

28) David D. Corey & J. Daryl Charles, *The Just War Tradition: An Introduction* (Wilmington, DE: ISI Books, 2012), 18.

29) Allan Fitzgerald, *Augustine through the Ages: An Encyclopedia* (Grand Rapids, MI: Eerdmans, 1999), 658.

During the medieval era, the just war theory was misapplied. Augustine's just war theory was drawn upon to justify the war and religious persecution conducted by Christian states and rulers. For instance, during the crusades, the theory was used to justify the use of military force to retake the Holy Land and the forced conversion of Jews and Muslims. Later, Henry III (A.D. 1551-1589) of France exploited Augustine's just war theory to persecute the Huguenots.³⁰⁾

While the actions above were justified in their own time, modern pluralistic societies identify problems with applying this philosophy to the military operations of historically Christian nations, such as the US and the UK. These problems extend to recent wars waged against Muslim states.

IV. The war on terrorism: its justification and effectiveness

Since Augustine's just war theory was mapped out, historically Christian states, including the US and the UK, have attempted to derive legitimacy for their wars from the just war theory. Following the September 11 terror attacks, the US in particular began to draw on the theory of just war to establish justification for military operations. This is evident in the way the US administration understood the September 11 attacks and immediately announced its counterterrorism war in just war terms, in particular based on a right to self-defense. In arguing that

30) Chadwick, *Augustine*, 81-82.

the attacks, as unjustified aggression, were heinous, and that it is difficult to defend against the attacks of terrorists everywhere, the administration defined its military operations against terrorism as preventive actions in the name of ‘self-defense.’³¹⁾

However, justifying the war on terrorism by using just war terms and principles is controversial, as conventional warfare waged on the basis of Augustine’s just war theory and terrorism have different operational frameworks. It is necessary, therefore, to be prudent with regard to the application of just war theory to military engagements with Islamic terrorist organizations or terror-supporting states. It is also important to recognize the fundamental causes and purposes of terrorism in order to deal with the application of just war theory.

According to Edward Long, terrorism consists of violent behavior or the threat of such for the sake of creating ‘fear’ in opponents.³²⁾ In recent decades, terrorism has been perpetrated by radical Islamic organizations with a wide range of religious, societal, political and economic motivations, both in Muslim states and Western countries, without discriminating between Muslim and non-Muslim victims. Carrying out brutal and horrific attacks, such as with the use of a WMD (weapon of mass destruction), suicide bombing and killing civilians at random without any declaration of war or attack can create pervasive fear in a targeted country.³³⁾

31) Neta C. Crawford, “Just War Theory and the U.S. Counterterror War,” *Perspectives on Politics*, 1(2003/1), 12. As we have seen, for Augustine, a war is just if it aims to defend the safety or peace of the state from external invasion.

32) Edward LeRoy Long, *Facing Terrorism: Responding as Christians* (Louisville, KY: Westminster John Knox Press, 2004), 2.

This differs from conventional warfare as attacks against armed soldiers happen within established bounds, unlike attacks against unarmed civilians. According to Michael Walzer, in conventional warfare, particularly warfare conducted within Augustine's just war framework, civilians are shielded from military operations – a principle of *jus in bello* (justice *in* war) – and therefore killing unarmed people precludes justification for war and victory. Thus, just war cannot be conducted against civilians, and given the justification of warfare in Augustine's thought, creating fear or terror alone does not constitute an aim for war and victory.³⁴⁾ In this respect, terrorism appears to be a new trend, historically speaking.

Here it is important to consider the applicability of Augustine's just war theory to counterterrorism efforts. As we have seen, for Augustine, the legitimacy of war resides in a just cause and right intention, in which establishing peace and pursuing neighborly love are characteristics of a just war.³⁵⁾ In light of this, as Nigel Biggar elucidates, Augustine argues for the centrality of establishing peace and the possibility of inflicting benevolent punishment within warfare as follows:

The just warrior loves the unjust aggressor insofar as he withholds himself from vengeance, commits himself to benevolence, and so uses violence to punish him 'with a sort of kind harshness,' doing him the service of

33) Cicero suggested that only combatants should be targets in war and that a declaration of war is necessarily required before waging a war, which was accepted by Augustine. Mattow, *Saint Augustine and the Theory of Just War*, 83-85.

34) Michael Walzer, "Terrorism and Just War," *Philosophia*, 34(2006/1), 3.

35) Nigel Biggar, *In Defence of War* (Oxford: Oxford University Press, 2013). 61.

constraining him from further wrongdoing and encouraging him to repent and embrace peace.³⁶⁾

On this basis, it could be argued that the military operations against terrorist groups and individuals are justifiable if war on terrorism has a just cause and right intention. Waging wars against terrorists and terrorist-supporting organizations could be done in pursuit of a just cause in that, as Augustine mentions, protecting the state and civilians from external threats and punishing perpetrators correspond to just war. Moreover, the correct use of state power and violence – for example, to rescue unarmed civilians from unjust aggression – is considered an expression of neighborly love and establishing peace, which is the right intention needed to justify war on terrorism. In this regard, we could assert that the war on terrorism based on just cause(s) and right intention(s) can be justifiable.

Importantly, in countering terrorism the US administration has consistently utilized just war terms and principles to justify its military operations. As Crawford elucidates, the administration expresses that it follows *jus ad bellum* (justice of war) in arguing that the war on terrorism is the last resort. President Bush demanded that the Taliban regime should hand over Al-Qaeda terrorists before the bombing of Afghanistan on October 8, 2001, and gave the Taliban a second chance to turn over bin Laden and other Al-Qaeda members a few days after the bombing began. When the Taliban refused to do so, war was

36) *Ibid.*

inevitable. The administration also states that it follows *jus in bello* (justice *in* war) in arguing that in counterterrorism wars the US has distinguished combatants from civilians and emphasized its regard for the immunity of civilians.³⁷⁾ This would suggest that the principles that the war on terrorism pursues are consistent with those of the just war theory.

However, although the US administration understands its counterterrorism efforts within the just war framework, particularly *jus ad bellum* and *jus in bello*, this approach has in effect failed to carefully consider the *jus in bello* principle. Augustine's criteria for 'right cause and intention' – derived from the restoration of peace and love of neighbors (regardless of whether they are civilians or terrorists) – leads to *jus in bello* in which captives and non-combatants should be managed with mercy and forbearance.³⁸⁾ However, it cannot be denied that there have been countless non-combatant deaths as a result of the war on terrorism. Further, the counterterrorism methods of prevention and intelligence-gathering, such as incarceration, interrogation, and torture of terrorists or suspected terrorists, raise questions about motivations of love or hatred. Hence, it is questionable how the war on terrorism can be achieved by loving enemies and not pursuit of hatred and vengeance. Such realities call into question the possibility of applying and actualizing the just war theory, particularly the *jus in bello* principle in the contemporary counterterrorism warfare context.

37) Crawford, "Just War Theory and the U.S. Counterterror War," 12.

38) Mattow, *Saint Augustine and the Theory of Just War*, 83.

In fact, it is not surprising that the war on terrorism is rife with acts committed in pursuit of vengeance. Despite the consistent denial of the US administration, there are many well-documented instances of illegal interrogation and torture.³⁹⁾ The imprisonment of suspects without charge or trial and the interrogation and torture of suspects in Guantanamo Bay are instances of war waged for vengeance and through hatred, as these actions lack legality and justification. Illegally interrogating and inflicting physical and psychological torture on suspects is considered immoral in the modern world, yet the US continues to use these practices in the name of justice. The victims of these acts may even be innocent, as terrorists are often indistinguishable from civilians.

Another example of the motivation of vengeance in the war on terrorism is as follows: after the Japanese hostage Kenji Goto was beheaded by an Islamic State militant on February 1, 2015, the Japanese government declared that it would take part in the fight against the Islamic State (IS) to ensure the terrorists paid the price.⁴⁰⁾ It is also important to note the characterization of IS by Western and Japanese governments as the embodiment of evil; in the former UK Prime Minister David

39) Abram Trosky et al., "Integrative Summary for Definitions of War, Torture, and Terrorism," in *International Handbook of War, Torture, and Terrorism*, eds. by Kathleen Malley-Morrison et al. (New York: Springer, 2013), 166.

40) Martin Fackler & Rod Nordland, "Hostage's Apparent Beheading by ISIS Stirs Outrage in Japan," *New York Times*, February 1, 2015, accessed on May 27, 2021, available at: <http://www.nytimes.com/2015/02/02/world/asia/japanese-hostage-beheading.html/>; "Japan outraged at IS 'beheading' of hostage Kenji Goto," BBC, February 1, 2015, accessed on May 27, 2021, available at: <http://www.bbc.com/news/world-middle-east-31075769/>.

Cameron's words, IS is an 'evil death cult' that must be destroyed.⁴¹⁾ This dehumanization and reification of evil on the human level also suggests that actions against IS are conducted more in the name of hatred and vengeance than terror prevention.

Western military operations aiming to counter terrorism have also engaged in killing a number of unarmed and non-combatant civilians. From 2004 to 2020 between 724 and 1,878 unarmed civilians were killed – including 238 to 393 children – by US drone strikes in Afghanistan and Pakistan.⁴²⁾ Despite the intention of eliminating important terrorist sites, the air strikes have resulted in a high civilian death toll. Of course, counterterrorism efforts have attempted to differentiate between combatants and non-combatants and between terrorist facilities and civilian buildings. Yet, since the two are often indistinguishable, the war on terrorism is inherently violent and cruel against unarmed civilians. Crawford points out that limited attacks on terrorists could potentially avoid “the moral problem of killing innocents and the resultant practical problem of sowing resentment,” but it can be extremely difficult to distinguish between combatants and non-combatant civilians in wars against terrorism.⁴³⁾ In this regard, Hauerwas et al. argue that the assumption that there are situations in which the international community

41) “David Cameron: World uniting to fight ‘evil threat’ of IS,” BBC, November 23, 2015, accessed on May 27, 2021, available at: <http://www.bbc.co.uk/news/uk-politics-34897288/>.

42) “Drone Wars: The Full Date,” *The Bureau of Investigative Journalism*, January 1, 2017, accessed on June 2, 2021, available at: <http://www.thebureauinvestigates.com/stories/2017-01-01/drone-wars-the-full-data/>.

43) Crawford, “Just War Theory and the U.S. Counterterror War,” 18.

must be prepared to wage war for humanitarian purposes is problematic by virtue of the fact that these interventions rarely achieve their objectives, generally taking a very high toll on those civilians the interventions are intended to protect.⁴⁴⁾

Therefore, considerable difficulties arise concerning the application of the just war theory to the war on terrorism. Although counterterrorism warfare has attempted to utilize the just war principles in order to legitimize military operations, as we have seen, it has failed to carefully look into and reflect the *jus in bello* principle in countering terrorism. Hence, it may be difficult and even impossible to argue that the ethics of contemporary counterterrorism wars accords with that of just war theory and is thus justifiable.

Next, we turn our attention to the discussion of whether a military response to terrorism is effective, that is, the problem of the efficacy of the war on terrorism. Before addressing this issue, it is important to first explain why the use of armed force is dominant in countering terrorism. A main reason for this is closely related to the right of self-defense. Self-defense typically refers to the use of force to repulse an attack or imminent threat of attack. In theological terms, as elucidated, Augustine explains that defending the safety or peace of the state from the external invasion is justified. In legal terms, self-defense means “a defense against a charge of murder (or lesser offenses such as assault) leading, if successful, to a full acquittal.”⁴⁵⁾

44) Hauerwas et al., “The Case for Abolition of War in the Twenty-First Century,” 29-30.

45) David Rodin, *War and Self-Defense* (Oxford: Oxford University Press, 2003). 26.

With regard to the use of military force against terrorism, the dominant view in international law makes self-defense available and legitimate if: (1) the act of terrorism amounted to an armed attack; there is (2) an imminent further attack; and (3) this act is not only supported and sponsored by another state, but it is virtually an act of that state. In addition to supporting the terrorist movement, the state concerned would need to control and direct the operations of the relevant group.⁴⁶⁾

Hence, the US military operations in Afghanistan in the aftermath of September 11 could be understood as exercising the right of self-defense that international law legitimates. As Marc Weller expounds, although Al-Qaeda, including its leader, Osama bin Laden, was only based in Afghanistan, the country had not complied with Chapter VII resolutions of the United Nations Security Council (UNSC) demanding that it cease its support for terrorism and establish jurisdiction over bin Laden. Indeed, given that Al-Qaeda and the Taliban regime were so closely intertwined, it was possible to think that the one was an instrument of the other.⁴⁷⁾

Although the use of military force against terrorism can be legitimated as exercising the right of self-defense insofar as it complies with the circumstances accepted by international law, a growing body of empirical literature poses a serious question about the effectiveness of militancy in countering terrorism.

46) Marc Weller, "Introduction: International Law and the Problem of War," in *Oxford Handbooks of the Use of Force in International Law*, ed. by Marc Weller (Oxford: Oxford University Press, 2015), 25.

47) *Ibid.*

According to Juliet Elu and Gregory Price, while Africa has been increasingly recognized as a region warranting special counterterrorism attention by virtue of numerous terrorist activities, the high death toll of almost a million lives, including combatants and non-combatant civilians, and the significant destruction of physical property, the counterterrorism policy response of governments struggles to engage with why some individuals and groups in Africa consider terrorist actions as a justified approach to their mission and objectives.⁴⁸⁾ As a result, despite the consistent conduct of military operations, terrorism has not ceased but instead been continuously fueled among young African people seeking dignity and a way out of the misery, as it were, of poverty, injustice, ethnic hatred, diminishing resources, disease, and a myriad of other problems. Affiliations with terrorist organizations reflect a belief that they can offer this.⁴⁹⁾

Similarly, arguing that the US has used its military force without addressing the underlying causes of terrorism, which are social, economic, political, and religious in nature, Muhammad Irshad points out that an effective and remedial means of resolving terrorist problems would be global efforts to eliminate or mitigate at least the causes, such as poverty, obstacles to democracy, social injustice, environmental degradation, and wide disparities of income.⁵⁰⁾

48) Juliet U. Elu & Gregory N. Price, "The Cause and Consequences of Terrorism in Africa," in *The Oxford Handbook of Africa and Economics: Volume 1: Context and Concepts* (Oxford: Oxford University Press, 2015), 724-725.

49) Robert L. Feldman, "The Root Causes of Terrorism: Why Parts of Africa Might Never be at Peace," *Defense & Security Analysis*, 25(2009/4), 355-370.

50) Muhammad Irshad, "Terrorism in Pakistan: Causes & Remedies," *The Dialogue*,

In light of this, the more we understand the incapability of military operations to end terrorism and resolve the underlying causes, the more we acknowledge the capacity of international and humanitarian efforts to address this. Simultaneously, the importance of international cooperation with humanitarian concerns about the poor conditions that breed terrorism leads us to focus this discussion on the capacity of peace-making through non-violent actions.

In this regard, Hauerwas et al.'s argument is notable: that peace-making and peacekeeping within and between countries will be actualized though the vision of abolishing war and identifying and non-violently tackling the more immediate concrete problems. Although military intervention has been regarded as our 'best hope' in humanitarian emergencies despite its lack of effectiveness, it has given rise to a very high civilian death toll, a large number of refugees, and intensified conflict.⁵¹⁾ Put another way, when the counterterrorism policy of governments fails to consider the root causes of terrorism, military intervention is predominantly used, thereby creating more problems in the context of terrorism. This circumstance reveals the fact that military intervention *per se* has not had a positive and effective impact on terrorism.

Of course, this does not reject the idea that humanitarian interventions in situations of political instability are necessary and important. In this case, by carefully examining the underlying causes of terrorism

6(2011/3), 224-240.

51) Hauerwas et al., "The Case for Abolition of War in the Twenty-First Century," 30-32.

and accepting peacemaking through non-violent actions, we can break the cycle of violence that prolongs and intensifies conflict. This effort will also lead our attention to the need for arms control treaties and much stricter control of arms manufacturing and trade. Thus, the use of violence and military force will be gradually replaced by Isaiah's vision that turns swords into ploughshares and the instruments of peace.

Importantly, this kind of vision is what Christian pacifists have hitherto developed from the biblical teaching of peace, particularly the fullness of reconciliation through the incarnation, life, death, and resurrection of Jesus Christ. Such reconciliation achieved in Christ's reconciling person and work is reconciliation that has to be expressed and embodied in the modern world, bringing about peace in the midst of hostile divisions between Jew and Gentile, male and female, captive and free, terrorist and civilian. Therefore, it is necessary that the counterterrorism response policy of governments reflect consideration of effectiveness and strategies of peacemaking that involve non-violent actions. Through this effort, terrorism can perhaps be prevented in some regions where it has not occurred, and ceased or even eliminated in some regions where it is ongoing.

V. Conclusion

In the above, this paper has explored Augustine's just war theory, the historical and conceptual interpretation and development of the theory, and the discussion about the justification and effectiveness of the war on terrorism. In summary, Augustine's just war theory is rooted

in his anthropology and view of the state in which political organizations are necessary to control the vices and concupiscence of sinful individuals and the state waging war is justifiable insofar as loving one's neighbors and creating peace is the cause and intention of war. Throughout history, however, the theory has been developed and often misused to justify cruel wars, such as the medieval crusades and the contemporary counterterrorism wars.

The discussion about the justification and effectiveness of counterterrorism warfare was central to this paper; that is, whether the war on terrorism is justified in accordance with the principles of just war theory and whether it is effective in resolving the root causes of terrorism. Through the discussion, we have seen that counterterrorism efforts have failed to carefully consider just war's principles, particularly *jus in bello* and the underlying causes that breed terrorism, a failure that has led to many violent actions in the name of hatred, high civilian death tolls, and unresolved or even intensified conflict. Hence, it has been argued that counterterrorism warfare and its use of military force cannot claim justification based on the just war theory and effectiveness on account of its incapacity to remedy complicated terrorism problems, and thus peacemaking through non-violent actions, such as international cooperation and humanitarian efforts to eliminate the underlying causes of terrorism, is essential in the counterterrorism response policy of governments.

Of course, throughout history pacifism as a political principle has never been adopted by a large number of people or by major political

governments. However, pacifists, particularly Christian pacifists, have developed pacifist principles, that is, non-violence and non-resistance based on their understanding of such biblical stories as the creation, Abraham, Moses, and particularly the death and resurrection of Jesus Christ. Human history has already witnessed how effectively non-violent actions function in peacemaking and peacekeeping, in such cases as the Glorious Revolution of 1688, March 1st movement in Korea, Mahatma Gandhi's practice of tolerance, Martin Luther King Jr.'s non-violent protest, and the current non-violent resistance in Sudan, Bahrain, Belarus, and other nations.

All of these efforts have proven the effectiveness and capability of non-violent actions to bring peace. In this case, we challenge why, in certain circumstances, particularly contemporary counterterrorism situations, justice and peace are sought only through the use of violent and military force. If we could fully understand and embrace the efficacy of non-violent actions, pacifist principles could have a positive and creative impact on counterterrorism policy.

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• ABSTRACT •

Augustine is considered the first theologian to conceive and develop a distinctly Christian 'just war' theory that legitimizes war. In his theory, Augustine addresses the cause, intention, and specific conditions that make war justifiable. The problem, however, is that Augustine's theory of just war has been employed to justify wars such as the medieval crusades, and it is now used to legitimize modern warfare such as the 'war on terrorism.' In this context, this paper explores whether the war on terrorism can actually be justified based on Augustine's theory and whether it is effective as a response to terrorism. To this end, the study first deals with Augustine's concept of 'just war,' then examining its historical interpretations and applications, and finally discussing the justifications for and effectiveness of the war on terrorism. Through this process, the paper argues that since *jus in bello* (justice *in* war), Augustine's prerequisite for just war, is not carefully actualized in counterterrorism warfare and the continuous use of military force cannot resolve the root causes of terrorism, the war on terrorism cannot be claimed to be justified and nor is it effective. Therefore, it is suggested that non-violent actions such as international cooperation and humanitarian efforts that can mitigate or eliminate the causes of terrorism and thus have a more positive effect on the situation of terrorism should be reflected as key principles in counterterrorism policy.

Key words: Augustine, Just War, Terrorism, War on Terrorism, Non-violence, Pacifism
