A Critique of Jean Bethke Elshtain's Just War Against Terror and an Advocacy of a Constructive Alternative

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This jointly authored article critically evaluates the claim of Jean Bethke Elshtain that the war on terror meets the criteria of just war theory, presents evidence that elements of just peacemaking theory offers an effective alternative, and offers wisdom from World Council of Churches' consultations on violence and terrorism about the role faith communities can play in peacebuilding.

Jean Bethke Elshtain is a passionate advocate for just war theory as theological and philosophical justification for the U.S. war against terror. She consistently supported the Bush administration's declaration of war on terrorism and the Iraq War, and so we see a critique of her ethically articulate approach as a helpful way to think ethically toward a more constructive policy. Our focus is not only on Elshtain but on what we contend is the crucial need for correction in present U.S. policy. We will draw from just peacemaking theory and from World Council of Churches' studies and statements as we search for a more effective and ethical response to terrorism and for healing our highly polarized world and nation.

Although just war theory was developed in relation to states, it is a crucial ethical

framework for responding to terrorist networks, which are nongovernmental and transnational. We agree with Douglas Meeks that, "if the responses to terrorism are not measured by the rules of just war, these responses will inevitably mimic terrorism, which is, of course, the desired result of terrorist acts."[1]

We also agree with Elshtain in condemning terrorism in all its forms. As the Ninth Assembly of the World Council of Churches stated, "Assembled as representatives from churches in all corners of the world, we state unequivocally that terror, as indiscriminate acts of violence against unarmed civilians for political or religious aims, can never be justified legally, theologically or ethically." Delegates warned, however, that "the answer to terrorism … cannot be to respond in kind, for this can lead to more violence and more terror."[2] Furthermore, we affirm that much of what Elshtain has written is articulate, insightful, and helpful. Nevertheless, our appraisal of Elshtain's particular interpretation and use of just war theory in her book *Just War Against Terror: The Burden of American Power in a Violent World* diverts attention from crucial dimensions of an adequate response to terrorism.[3]

Realism about the Ambition of Imperialism

Elshtain draws on Reinhold Niebuhr's insistence that Christians not lose "the language of justice" to claim that "when acts of terror destroy lives … there are specific persons we do, rightly, punish. It is this task of punishment, essential to any workable vision of political justice," she charges, "that many contemporary Christians shun."[4] And she dismisses those such as Jim Wallis and Duane Friesen who proposed that the terrorist attacks be treated as a criminal rather than a military matter.

Our reading of Niebuhr leads to some important cautions. In Christianity and Power Politics, he warns that "the injustice and tyranny against which we contend in the foe is partially the consequence of our own injustice … and that the ambition of a tyrannical imperialism is different only in degree and not in kind from the imperial impulse which characterizes all of human life." Niebuhr points out that "political controversies are always conflicts between sinners and not between righteous men and sinners." Most crucial is his claim that "the spirit of contrition is an important ingredient in the sense of justice. If it is powerful enough it may be able to constrain the impulse of vengeance sufficiently to allow

a decent justice to emerge."[5]

We agree with Elshtain that punishment for those who commit acts of terror is a legitimate concern. However, we advocate a criminal justice approach that treats acts of terror as criminal acts. Such an approach is less likely to rouse the level of anger within the terrorists' nation that fuels the recruitment of more terrorists. Obviously national and international criminal justice systems should investigate, pursue, prosecute, and punish those who plan, commit, or materially support terrorist acts. (This approach has worked reasonably well in different European countries in the past few years.) In our judgment, a just peace approach would not rule out military action against terrorists who are in the process of committing terrorist acts (i.e., if an act were committed in self-defense or defense of innocents during the attack itself, in the same way that police can use lethal force in those situations), or in point-specific action to capture terrorists, in which case "punishment" may be immediate, and fatal.

We believe that Elshtain is not sufficiently reflective on how easily punishment can be distorted by a desire for vengeance. As Richard Snyder argues, some forms of Protestantism teach a limited notion of grace, which divides humanity into the redeemed, and the damned who are "other" and not worthy of respect or mercy. That understanding of grace often leads to a preference for retributive justice.[6] In place of retributive justice (harsh punishment with no concern for rehabilitation of the offender or the wounds of the victim), Snyder advocates restorative justice, which seeks to put things right for the victim, the offender, and the community. Elshtain is not hopeful that restorative justice can be practiced in international relations because of the "fog of politics."[7] In our view, however, Elshtain deploys her concept of "fog" to obscure empirical reality and avoid ethical analysis. Lisa Cahill cautions, "The Christian analyst must always be mindful of the selectiveness with which 'just causes' are adopted, of the ease with which just war rhetoric can become an ideological tool of national self-interest, and the likelihood that the actual violence to ensue will exceed the bounds of moral justification."[8] In our judgment, Elshtain writes as if oblivious to this likelihood. In a Christian Century article in 2001, she contends that an implication of the just war rule "that noncombatants must not be the intended targets of violence … is that a deliberate action of terror against non-combatants is an injury that demands a response, demands punishment. The response should not be to inflict grievous harm on noncombatants, but to prevent further harm from taking place."[9] Elshtain fails to

make a "distinction between the terrorists in international networks and the societies in which they are operating," which Meeks contends is necessary "for there to be a judgment of just means."[10] Nor does she refer to theorists who charge that the lack of accountability of air power is a serious challenge to noncombatant immunity.[11]

In May of 2003 when asked about the war in Iraq , she said "Everyone knows that civilians will come in harm's way during a conflict." However, she was heartened that "over 90% of the aerial weapons in the U.S. arsenal deployed in the Iraq theatre are precision-guided weapons." She also thought that the war met the just war principle of proportionality. She noted that after an initial two-week period of widespread bombing of strategic sites, bombing de-escalated to levels primarily "in support of ground troops."[12] Given what we have learned of the devastation caused by the two-week period of "shock and awe," and the perhaps 100,000 subsequent deaths, primarily of women and children, we hoped to find a statement from Elshtain questioning U.S. conduct of the war. In a March 2006 interview, she reasoned that proportionality has not been violated, since there were likely as many victims of the Baathist regime as of the U.S.-led war.[13] We think that her position is a questionable interpretation of the proportionality criterion of just war theory, which states that the harm done must not be greater than the harm that is prevented or punished. The extensive Baathist killing of Iraqis had already taken place ten years previously, after the Gulf War, and therefore could not be retroactively prevented by the Iraq War. However, in the May 2003 interview, Elshtain states that war should be approached in the spirit of Dietrich Bonhoeffer's support for the attempt to assassinate Hitler. "The reason he did so was 'concrete neighbor love' in the face of 'harsh necessity.' He didn't justify it—so it wouldn't become normative. He said, 'I stand before God a guilty person.'"[14] The question remains, though, is the "war on terror" a "harsh necessity" or a matter of "national self-interest"?[15]

Elshtain's analysis of American power in the post World War II period is extraordinarily sanguine. She supports Michael Ignatieff and others who call for a form of imperialism involved in nation-building to deter terrorism. Although Elshtain expresses in Just War some reservations about Ignatieff's use of the word "imperialism," she does not analyze imperialist tendencies in U.S. foreign policy.[16] In an earlier book, Elshtain drew on Niebuhr to criticize "certain sorts of liberals" whose "strong progressivist teleology" immunizes them against "the ironies of American history."[17] Although Elshtain is

supposedly not any sort of liberal, she too seems to be inoculated against the ironies of American history. Ronald Stone, a noted interpreter of Niebuhr, points out that "on history most readers of Niebuhr find him perceptive in seeing the shifting dynamics of America from a continental growing republic to an imperial power."[18] And not, we add, the kind of imperial power Ignatieff advocates.

Elshtain argues that the principle of "equal regard" must sometimes be backed up "by coercive force." "True international justice," she contends, "is defined as the equal claim of all persons, whatever their political location or condition, to having coercive force deployed on their behalf if they are victims of one of the many horrors attendant upon radical political instability." She believes that there is "no state except the United States with the power and (we hope) the will to play this role."[19] She has little confidence in international cooperation, which she calls utopian.[20] She regularly writes with a reductionist, "either/or" voice: either national responsibility or international cooperation.

The Driving Force of Economic Interests

In Just War Against Terror Elshtain contends that "we are not obliged to defend everything we have done, or are doing as a country" to "defend who we are and what we, at our best, represent." She argues that "international civic peace vitally depends on America 's ability to stay true to its own principles, for without American power and resolve, the international civic stability necessary to forestall the spread of terrorism can be neither attained nor sustained."[21] In our judgment, it is precisely much of what America has done, and is doing, that calls into question America 's "ability to stay true to its own principles." Post-World War II policy has been significantly shaped by narrow economic interests. The policy planning staff of the U.S. State Department advised in 1948 that "we have 50% of the world's wealth, but only 6.3% of its population. In this situation, our real job in the coming period … is to maintain this position of disparity. To do so, we have to dispense with all sentimentality. … We should cease thinking about human rights, the raising of living standards, and democratization."[22] The U.S. role in coups in Iran , Guatemala , the Congo , Indonesia , among others, was as much—if not more—about protecting the interests of U.S. capital as it was about fighting communism.[23]

Interestingly, Elshtain is a critic of consumerism and, at times, capitalism. She writes that

"enthusiasts of this version of a new world order [i.e., globalizing economic forces] are prepared to rationalize any and all dislocations and distresses to societies if these societies appear to be moving toward free market capitalism." She points to the U.S. Federal Reserve, the World Bank, and the International Monetary Fund as key regulators and players "who too often see the emergence of free markets as both a necessary and sufficient means toward democracy." She identifies this as another utopian project, "a non-Marxist form of economic determinism," from which politics either disappears or is treated as "epiphenomenal." She rightly asks, "Will the movement of capital and deregulated 'free labor' really help to bring about both a just and a peaceful world?"[24] But she does not relate this project to U.S. foreign policy.

The United States shaped the World Bank and International Monetary Fund in 1944 in ways that would protect U.S. interests, refusing to consider proposals John Maynard Keynes brought to the table to promote peace and prosperity. United States administrations continue to use the World Bank, the International Monetary Fund, and the World Trade Organization as "instruments of domination."[25] President Bush declared in the "National Security Strategy of the United States of America, 2002," which articulated the basis for the war on terror, that "the United States will use 'this moment of opportunity' to bring democracy, development, free markets, and free trade to every corner of the globe."[26] Ninan Koshy, retired World Council of Churches Staff for International Affairs, asserts that a close reading of this document "reveals an audacious agenda for world economic dominance."[27]

An Out-of-Date Jesus

In our judgment, Elshtain's rhetoric in defense of the war on terror as a just war has "become an ideological tool of national self-interest" and lacks mindfulness of "the likelihood that the actual violence to ensue will exceed the bounds of moral justification," as Cahill cautions. Part of the reason for this, we contend, is her thin description of Jesus. Elshtain cites Jesus' statement that "my kingdom is not of this world" (Jn. 18:36) and his charge to "render unto Caesar that which is Caesar's" (Matt. 22:21)[28] as biblical support for her position that rejects a nonviolent response to the 9/11 attacks. She suggests "in many ways, Jesus preached an ethic for the end time." Thus Christians struggle "with how they are to live in the here and now."[29] She draws on H. Richard Niebuhr's Christ and Culture to make this argument.[30] H. Richard Niebuhr's description of Jesus becomes thinner

throughout Christ and Culture, but later in his life he returned to a Christocentric ethic. In his article for The Journal of the Society of Christian Ethics, Glen Stassen suggests, "To learn from Niebuhr's history and teach a transformative faith not accommodated to ideologies of injustice, ethics needs to recover a thicker Jesus."[31]

Elshtain does not engage any of the rich New Testament scholarship that has emerged since Niebuhr wrote in the 1950s. More recent study shows Jesus identifying with the prophetic tradition, and offers strong grounds for a very different interpretation of these statements. Larry Rasmussen points out that "much New Testament scholarship presents a Jesus deeply immersed in struggles between various contending factions and forces" and thus involved in power politics and choices. It also presents a Jesus thoroughly Jewish, intent on fashioning a community reflective of the nature of the God in whom he trusted. Jesus' piety was social; all aspects of life, including political and economic ones, were related to God in a community that sought to give faith concrete social form."[32] This scholarship undermines Elshtain's interpretation of Jesus' statement that his kingdom is not of this world and her conclusion that the ethic he preached is only for the end time.

Elshtain does use Jesus' teaching of love of neighbor as a basis for just war, particularly to protect the innocent from harm, yet she does not refer to the parable of the Good Samaritan, which Jesus told in response to the question, "Who is my neighbor?" (Luke 10:29). The parable shows that the one who acted as neighbor is the "despised other"—the enemy— whom Jesus also commands us to love. Elshtain claims that "we have particular moral responsibilities to those nearest and dearest to us—parents to children, friends to other friends, but also citizens to fellow citizens. Vague talk about our responsibility for the entire human race is meaningless."[33] Such a claim, in our judgment, comes close to making Jesus' teaching meaningless.

Elshtain argues, "We are obliged to stop those who use civilians against other civilians by turning a great symbol of human freedom of movement—the commercial airplane—into a deadly bomb. We will put our combatants in harm's way to punish those who put our noncombatants in harm's way and who have no compunction about mass murder."[34] However, we already saw that she accepts the notion of "civilians coming in harm's way" as a reality of war. She writes movingly of her grandchildren asking what would happen if Grandma's plane were hijacked. But she never acknowledges the many children in the

world who draw pictures of their family and friends dying from bombs dropped from the sky. In a 1992 article about the Gulf War, she wrote, "Just war as politics embraces a standpoint: the standpoint of the child and the child's needs; it requires that one evaluate periods of 'peace' as well as times of 'war' with reference to minimal requirements of both justice and mercy."[35] We ask, whose child? Hers? Ours? Theirs? If we claim all, we may well be accused of being utopian. But we will reply "all children."

Christian realist and Niebuhrian scholar Ronald Stone sees a place for eschatological vision grounded in the biblical prophetic tradition, the tradition that includes Jesus. "Policies may be eschatologically inspired [Isa. 52–53, Mt. 25] while ethically informed. Law, council, disarmament, and the disestablishment of war are both prophetic and relevant policy goals." He believes that just peacemaking theory "can supplement Christian or prophetic realism well."[36] Lisa Cahill also thinks that just peacemaking theory's practical approach to avoiding war and "Richard Falk's quest for humane global governance can be brought together as efforts to change the framework of discourse about globalization, justice, world order, and governance."[37] Both Cahill and Stone warn, though, that such practices will put us into conflict with the government of the United States and other interests. Our challenge is to develop a theory and practice of just peacemaking—tempered by realism—motivated by a thick prophetic vision of justice and love.

Just peacemaking theory is a response to the call of U.S. Catholic bishops, the Presbyterian General Assembly, the United Methodist Church, and the United Church of Christ for a positive theological ethic of peacemaking practices, not only an ethic that debates whether war or wars are justifiable. It has developed ten practices of just peacemaking that on the one hand are theologically and biblically grounded, and on the other hand have demonstrated their realistic effectiveness in preventing numerous wars. These practices are: 1) support nonviolent direct action; 2) take independent initiatives to reduce threat; 3) use cooperative conflict resolution; 4) acknowledge responsibility for conflict and injustice and seek repentance and forgiveness; 5) advance democracy, human rights, and religious liberty; 6) foster just and sustainable economic development; 7) work with emerging cooperative forces in the international system; 8) strengthen the United Nations and international efforts for cooperation and human rights; 9) reduce offensive weapons and weapons trade; and 10) encourage grassroots peacemaking groups and voluntary associations. The book setting forth the new paradigm has in a short time reached its third edition: Just Peacemaking: The

New Paradigm for the Ethics of Peace and War, and Muslim and Jewish scholars have decided to develop their parallel just peacemaking ethics.[38] Our argument is that U.S. policy needs a constructive alternative to Elshtain's advocacy of making war—an alternative that deals with causes of terrorism. We base our alternative on just peacemaking practices 5-10, and we draw upon ecumenical wisdom from the World Council of Churches to undergird our call for an alternative approach to counterterrorism.

Real Security through International Cooperation

Let us face reality. Our situation is more dire than many realize. Relying on justification of war against Muslims has done nothing to ameliorate the causes that motivate that recruiting. The consensus of sixteen U.S. intelligence agencies warns that the war on Iraq has greatly increased anger among Muslims, has dramatically increased recruits to terrorism, and is training fighters in skills useful for future acts of terrorism in other countries. Add the torture of Muslims and the occupation of Palestine, and that warning becomes yet stronger.

The official report of the United States Department of State on international terrorism shows the astounding increase in terrorist incidents since the Iraq War and the torture of prisoners:

* 208 terrorist attacks caused 625 deaths in 2003
* 3,168 attacks caused 1,907 deaths in 2004
* 11,111 attacks caused 14,602 deaths in 2005.
* 14,500 attacks caused 20,745 deaths in 2006.
* Approximately 14,500 attacks caused 22,605 deaths in 2007.[39]

Secretary of Defense Robert Gates, a Republican from Texas and Bush's appointee, has said, "an unacknowledged and unpleasant reality is that a more militant approach toward terrorism would, in virtually all cases, require us to act violently and alone. … Retributive violence, no matter how massive, almost inevitably begets more violence against us in response."[40]

Maryann Cusimono Love writes: "Terrorists seek to overcome their minority status by provoking an overreaction by democratic states. This is typically how democratic states lose ground to terrorist organizations."[41] Examples include the Bush administration's

misdirected overreaction to an al Qaeda attack by making war on Iraq and Israel 's overreaction to Palestinian and Lebanese provocations by attacking both Gaza and Lebanon in 2006, killing over 1,000 people and causing extensive devastation. Israel 's action was a response to the capture of one Israeli soldier in Gaza and two in Lebanon . Muslims in the Middle East see the hand of the United States in Israel 's attacks, and certainly in the devastation in Iraq .

Healing requires something more than war. It requires remedying causes of terrorism. Healing requires major corrective action, but being anti-Bush, or hoping a new president will solve things, or even withdrawing from Iraq will not get us the corrective action we need. The question is whether President Obama will make the necessary corrections.

Writing on terrorism with only just war theory as a guide, as Elshtain does,[42] and without just peacemaking theory, is like peering out one eye while keeping the other eye slammed shut. Not one sentence in Elshtain's book on terrorism deals with causes of terrorist recruitment that she says we can do something about, unless we consider making more wars against Muslims a viable solution to terrorist recruitment. Not one sentence affirms preventive actions that work and that the United States should be taking now.

As a nation we need both eyes wide open. We need a paradigm to guide us in public debate about both questions, not just one question. As Gandhi quipped, "An eye for an eye ends up leaving the whole world blind." Better, said Jesus, is not to set ourselves in a vicious cycle of revenge and retaliation, but instead to take transforming initiatives of peacemaking. The world is so aggravated, the potential terrorist recruits are so angry, and our nation is so polarized, that we deeply need healing and hope. We deeply need an ethic that guides our public debates to practices that bring healing and hope.

We Need International Cooperation to Check U.S. Unilateralism

American wisdom, built into the Constitution by the founders, says that concentrating power in the hands of a few produces abuses of power and injustice by the powerful. Founders therefore built into the Constitution a separation of powers, and checks and balances against the concentration of power.

Externally, U.S. military and economic powers are huge and concentrated. If the United States is to apply the same wisdom—the same controls in its relationships in the world—that it applies at home, it needs greater international cooperation to check its impulse for unilateralism. When the United States fails to listen to other nations and fails to support international treaties that restrain unilateral actions, other nations see the United States as an arrogant bully, a dominator, and this increases the anger that leads to responses of terrorism.

Reinhold Niebuhr's writings are replete with this theme: You show me concentrated power in the hands of a few and the lack of organized checks and balances, and I will show you injustice. Niebuhr clearly affirmed the need for checks and balances to limit U.S. hubris and imperialism. He affirmed the responsibility to strengthen the United Nations, not by utopian expectations but by daily, step-by-step actions.[43]

Jean Bethke Elshtain acknowledges this wisdom. She writes, "Given the temptations attendant upon the exercise of power, authority may overstep its rightful bounds, itself become lawless, and thereby lose its legitimacy."[44] We have seen this overreach of rightful bounds and loss of legitimacy in recent years to an extent previously unknown in our lifetime. Hence we now see what one self-professed neoconservative called the "alarming spike" in international anger against the United States ,[45] and therefore an alarming increase in international terrorism. A Gallup poll from June 9-11, 2006, asked Americans if six different values were better off, the same, or worse off because of the Iraq War. By far the worst result came on "the image of the US around the world." Sixty percent believed the international image of the United States was worse off, and only 11 percent thought it was better off.

The Bush administration denigrated the United Nations, bypassing it in making war on Iraq . It denigrated the truth reported by UN inspectors in Iraq who said they could find no weapons of mass destruction, and it removed prisoners from the protection of international law. Just peacemaking points to transnational and transhistorical, empirical evidence by political scientists that unilateralism correlates with an increase in war. The unilateralist Bush administration declared three wars in one term (permanent war on terrorism, Afghanistan , Iraq); and threatened Iran and North Korea with military action.

George W. Bush withdrew from five international treaties designed to prevent the spread of weapons of mass destruction: the Comprehensive Test Ban Treaty, the Nuclear Fissile

Materials Cutoff Treaty, the Antiballistic Missile Treaty, the Landmines Treaty, inspections for the Biological Weapons Treaty; and also from the International Criminal Court and the Kyoto Accords. The United States ' refusal to participate in these agreements has undermined international efforts to prevent weapons of mass destruction from proliferating into the hands of terrorists. And it has further turned other nations against the United States . Healing requires a return to respect for and ratification of international treaties.

This is the century of globalization. In our globalizing world, national responsibility and international cooperation are intertwined; they are not either/or options. Terrorist groups exist in something like eighty nations; the only way to combat them effectively is by international cooperation. "We cannot effectively build an international coalition against terrorism while thumbing our nose at the international community … [and] undercutting international law and institutions."[46]

The policy of "go-it-alone unilateral domination" enervates the international cooperation needed to prevent terrorism, exacerbates the anger that recruits terrorists, and erodes the restraints against the spread of weapons of mass destruction. These losses deeply undermine our real security. The United States can contribute to world peace and security much more effectively by working in tandem with international networks and treaties for human rights and freedom from weapons of mass destruction.

Leaving options for imposing penalties in the hands of single nations without international checks conjures up a nightmare of national warfare and vendettas. Articles 2, 51, and 52 of the United Nations Charter allow for wars of self-defense without needing permission from the United Nations; but a war of intervention requires approval by the United Nations Security Council, or at least a regional organization such as NATO (as in Kosovo). The Iraq War was neither a war of self-defense nor a pre-emptive war; it was interventionist and adventurist. We now see that international restraint was wisdom, and unilateralist adventurism was folly.

And it was the Bush administration's policy, led by Vice President Dick Cheney, that the prisoners held at Guantanamo, in Afghanistan , in Abu Ghraib and other prisons in Iraq , and those "rendered" to other nations that would torture for us, were not and are not protected by the checks and balances of the Geneva Convention and international law. While the U.S. military now says they will not torture, the Military Commissions Act of

2006 passed by Congress at the urging of the Bush administration allows the CIA to use cruel and inhumane procedures or to arrange for other nations to do the torturing for them. The act also blocks the courts from making judgments about the illegality of the torture the CIA carries out. Moral and ethical opposition to torture is not sufficient. The United States and its citizens need to push for restoration of international checks and balances as provided in the Geneva Convention and for a presidential declaration or an amended law that extends the prohibition of violations of the Geneva Convention by the U.S. military in the Military Commissions Act so it applies also to the CIA. Without the protection of international law embedded in U.S. law, prisoners of war are defenseless.

This is not surprising because, for around two years, the administration's position was based on advice set out in secret legal memorandums from the Justice Department, restricting the definition of torture and arguing that the President could authorize torture for reasons such as military necessity. These policies, adopted at the highest levels of government, have undermined United States ' compliance with the international prohibition on torture and ill-treatment. Moreover, torture and ill-treatment have been facilitated by the policy of detaining thousands incommunicado for prolonged periods, or virtually incommunicado, some in secret detention facilities, without access to the outside world.[47] Drew Christiansen writes: "In her quarrel with internationalism, Elshtain … parts company with modern Catholic social teaching and especially with Pope John Paul II. … Catholic social teaching affirms the duty of political authority to uphold and defend human rights everywhere. What it does not do is affirm the right of a superpower to determine the world agenda."[48]

Without just peacemaking's emphasis on international cooperation, the United States loses the needed checks and balances and becomes a pernicious world influence against respecting human rights. And the United States gains enormously increased Muslim anger. Just peacemaking's two practices of working with cooperative forces in the international system and acting in ways that strengthen the United Nations and international organizations point the way to healing and hope. When the United States acts in cooperation with other nations, it can be far more effective than when it arouses international opposition by relying on its own military power alone. Of course, the historic wisdom of checks and balances against concentrated power applies also to the United Nations; the major powers have the right of veto in the Security Council, and the organization as a whole depends on

funding and compliance by the nations. It is very much "checked" and "balanced."

Since World War II, dramatically increasing networks of international communication, trade, and treaties have been stitching nations together into an international society in which nations are brought into continuous interaction. Not all of it is just; some involves economic domination. There is a powerful need for economic checks and balances against economic imperialism. But empirical evidence shows that the more nations are involved in these webs of interaction, such as international organizations like the United Nations and regional organizations, the less likely they are to make war.

A Major Root Cause: Denying the Human Right to Sustainable Economic Development

Elshtain writes: "The notion that 'poverty breeds terrorism' is false." She concludes that working to do economic justice and decrease poverty is irrelevant to preventing terrorism. She supports this by citing a study by economists Alan Krueger and Jitka Malecková,[49] but she only quotes its conclusion without analyzing its data. By contrast, just peacemaking practices empirical realism, that is, critical analysis of data to see which practices work in reality to decrease or prevent war. Ted Gurr's book, Why Men Rebel,[50] winner of the American Political Science Association's award for best book of the year, is a mainstay of just peacemaking. Based on extensive transnational and transhistorical data, Why Men Rebel demonstrates that the most powerful explanation for violence is deprivation relative to expectations. His and just peacemaking's thesis is not about absolute poverty; it is about deprivation relative to expectations. When people expect the economy and human rights protections to continue at present levels, but instead they drop significantly below expectations, violence is likely to break out.

With this just peacemaking insight, we now examine the data in Krueger and Malecková, on which Elshtain bases her assertion. Their data show that "when Palestinian college enrollment doubled in the early 1980s, coinciding with a sharp increase in the unemployment rate for college graduates," and "the real daily wage of college graduates fell by around 30%," frustrated and angry Palestinians turned to the popular intifada of 1998. Krueger and Malecková assert that "the Israeli occupation of the territories and lack of an effective capital market or banking system … prevented the labor markets in the West Bank

and Gaza Strip from equilibrating," so unemployment got dramatically worse. Soon after, the terrorism of the violent intifada of 2000 and following broke out.

With the Israeli border closures, unemployment increased to 80 percent in parts of the occupied territories of Palestine, and absolute poverty rose disastrously. Seventy percent of the population was living on less than two dollars per person per day. Levels of acute malnutrition reached 25 percent, hitting women and children the hardest. The suicide bombers were disproportionately college graduates. Krueger and Malecková's data show similar disproportion of above-average education and less rewarding economies among Jewish, Hezbollah, and Palestinian terrorists.

In a debate between Elshtain and Stassen at a recent American Academy of Religion (AAR) meeting in Washington, DC, Elshtain responded to criticism that she misconstrued the results of the Krueger and Malecková study with a Rortyan "we each choose our own data." But Stassen showed that the data Elshtain had chosen—the Krueger and Malecková data on which Elshtain had based her own case—proved the relative deprivation thesis of just peacemaking.

In his article on just peacemaking and humanitarian intervention, Mil Thompson goes on to suggest that the church ought to be a major advocate for the poor and oppressed. He writes:

> The Catholic magisterium has articulated [the justice provisions of just peacemaking] as a "preferential option for the poor," that is, a decisive choice to stand with and for the poor and marginalized, to alleviate their suffering, and to better their condition. The option for the poor involves both direct service and public policy advocacy. The hungry should be fed, the homeless should be sheltered, and the structures and systems that keep people poor should be changed. The church should advance human rights, foster just and sustainable economic development, and promote political, social, and economic participation.[51]

In a subsection of Just War titled "The Crisis Within Islam," Elshtain says, "It is no exaggeration to say that the future of humanity turns importantly on the answers" to the question whether moderates or terrorists speak for Islam.[52] Logically, this suggests we must deal with those injustices that persuade people and communities to support terrorism, and that we must act in such a way as to give moderates reason to persuade people not to

become terrorist recruits. Although one sentence in Elshtain's book admits that working with Arab societies to improve education and combat poverty is worthwhile, she then immediately says, "The first and most immediate task is interdiction. … The only way to stop this escalation is interdiction. … Then, 'once peace is restored,' we can deal with underlying issues."[53]

But interdiction, first while postponing jobs, has resulted in a 58-fold increase in civilian deaths in the seventeen months after the beginning of the Iraq War—approximately 100,000 deaths in that period—and a dramatically increased rate of deaths in the period after that.[54] Similarly, Israel 's attacks on Gaza and the West Bank in the last decade have resulted in ten times as many deaths of Palestinians as of Israelis. The Olmert government in Israel prided itself on its just-means targeting of Hamas militants rather than Palestinian civilians, but the resulting civilian deaths have been far out of just proportion. Their attacks on Lebanon were hugely destructive and seen as wrong almost universally. A Christian friend of Glen Stassen's in Lebanon says it is now almost impossible to be a moderate Muslim who does not support Hezbollah. The overreliance on offensive weapons on the part of the United States and its ally Israel is recruiting people to terrorism. And the Muslim world sees the United States and Israel , not Muslims, as the source of terrorism and initiator of wars.

By contrast, one U.S. military commander in one province of Iraq focused efforts on creating jobs for Iraqis. The job program worked to decrease violence dramatically. The United States is spending $2 billion a week on the war in Iraq . Shifting half that cost from military occupation to job-creation could decrease the violence enormously and would shift Iraqis' perception of the United States as a dominating occupier to an empowering employer. But that's not realistic. The U.S. government under George W. Bush spent more than a trillion dollars on the war in Iraq, but the U.S. government is not yet persuaded to adopt a new Marshall Plan to reduce poverty in Iraq or Palestine or globally. How can the United States develop political support for pursuing at least some of the more effective actions that just peacemaking has shown work far better to decrease the threat from terrorism? These measures won't cost even half a trillion dollars; they will cost only a few billion.

The sixteen cases of suicide terrorism campaigns in the decade 1993-2003, from Palestine to Sri Lanka to Saudi Arabia to Lebanon to Northern Ireland , have all been directed against [55]

what terrorists have perceived as a foreign power occupying their homeland.   Military occupation of Iraq has had the same result; it has been effective in increasing terrorism. On the other hand, just peacemaking practices, where they have been implemented, have shown themselves to be effective in decreasing terrorism. That's empirical realism. That points the way to healing and hope.

Wisdom from the World Council of Churches

The World Council of Churches has been advocating just peacemaking for many years. The Second Assembly of the World Council of Churches (WCC) in Evanston, Illinois, in 1954 (the only WCC Assembly that has been held in the United States, adopted the following statement. God's love for human beings "lays upon the Christian conscience a special measure of responsibility for the care of those who are victims of world disorder."[56] The Ninth Assembly of the WCC, meeting in Porto Alegre, Brazil , February 2006, adopted a statement intended to address two of the most serious causes of the present world disorder: terrorism, and the "war on terror." It says in part:

Churches and all other faith communities are called to respond to the reality of living in a world terrorized by fear. At such a time it is appropriate to point to the rich resources in religion which can guide us to peace and reconciliation. These resources should be utilized when religious communities and religious leaders come together to speak out against all acts of terror and any attempt to legitimize it. They should also take action against any attempt at meeting terror with military means and disrespect for human rights and the rule of law. Religious communities and leaders should be in the forefront of the struggle for a society which is ruled by law and respect for human dignity.[57]

In addition to the assembly's "Statement on Terrorism, Counter-Terrorism and Human Rights," our analysis draws upon the report of a consultation on the same topic, held in Geneva, Switzerland, in November 2005 for the World Council of Churches staff, which laid the groundwork for the assembly statement at Porto Alegre.[58] Two points are relevant here. First, the World Council of Churches has been strongly committed to human rights, international cooperation, the rule of law, and building just peace since its first Assembly in 1948.[59] Second, the immediate context for WCC work on this subject is the Decade to Overcome Violence initiative, which was launched in 2001. One of its core goals calls upon

churches to "religinquish any theological justification for violence and to affirm a new spirituality of reconciliation and active non-violence."[60] In keeping with this goal, participants at the Geneva Consultation in 2005 affirmed that "The role of the churches is to seek peace and pursue it. At the mid-point of the decade, there is need to further intensify active non-violence and peace building. The time has come to move from debates over 'just war' to a substantive articulation of 'just peace.'"[61]

A Decisive "No" to Both Terrorism and the "War on Terror"

Methodologically, as indicated by these statements, the ecumenical approach represented by the WCC may be unique in that it treats the violence of terrorism and the violence unleashed in the war on terror together as polarities that, in their very opposition to one another, are inescapably linked and indeed function mimetically, so that each pole, in reacting to the other, becomes locked in a spiral of violence that feeds upon itself. Thus, the assembly statement and the "Report of the Consultation on Terrorism, Human Rights and Counter-Terrorism" intentionally treat both terror and the war on terror as a twin problematic that the churches and international community are called upon to address. For example, in his opening address at the consultation in Geneva, Dr. Sam Kobia, General Secretary of the WCC, asserted:

> Terrorism and the war on terrorism have introduced a new dimension to the unfettered use of force and violence both in ventilating grievances and resolving tensions and conflicts. … This trend has not only been destructive of human life and dignity but has also jeopardized the rule of law at the national and international levels. It is a major setback to the human rights regime that has taken more than five decades of hard work to develop to its present form.[62]

Why is the World Council of Churches so definitive in its rejection of the war on terror paradigm and what is offered in its place? Four points deserve elaboration here. First, the so-called "War on Terror" is not a legitimate war; furthermore, it erodes the rule of law and respect for human rights, and the term itself is a dangerous fallacy used for political purposes. The framework document emerging from the Geneva consultation in 2005 argued

that the war on terror is not a war in any meaningful sense of the word, does not comply with any of the international conventions on war, and is in fact an attempt to redefine war.[63]

Konrad Raiser, former General Secretary of the WCC, noted in his speech at the Geneva consultation that "[a]cts of international terrorism cannot be subsumed under the rules of 'war' or 'military confrontation.'" In invoking the concept of war to fight terrorism, the United States has made a category mistake. Raiser notes that the UN Security Council has ruled that acts of terrorism should be regarded as a crime under international law. Further, the notion of pre-emptive war, developed by the George W. Bush administration as necessary to the pursuit of a global war on terror, is in clear violation both of international law and the just war tradition. Dr. Kobia cites the UN "High-Level Panel Report on Threats, Challenges and Change," which asserts that the "war on terrorism has in some cases corroded the very values that terrorists target: human rights and the rule of law."[64] One need look no further than the Bush administration's persistent efforts to create a law-free zone for detainees, to circumvent the requirements of the Geneva Conventions and national and international laws on torture, and to strip detainees of the right of habeas corpus, to realize the extent to which this administration's pursuit of the war on terror has undermined the rule of law both at home and internationally.[65]

Finally, with regard to the political purposes behind the declaration of the war on terror, the WCC sees in it a motivation to legitimate a military defense that can protect the interests of the major powers in the global economy. This fits what we have already pointed out: the National Security Strategy of 2002, speaking about the aftermath of 911, asserted that "the United States will use this moment of opportunity to … bring the hope of democracy, development, free markets and free trade to every corner of the world."[66]

Second, the "War on Terror" falsely universalizes terrorism, ignoring the context and root causes of terrorist acts. The report from the Geneva consultation concluded:

> It is essential to contextualize acts of terror and to shift away from universalizing and/or apocalyptic language. While fully recognizing that there are international networks of terror we must avoid language that profiles or stereotypes groups. Therefore, we want to avoid speaking of "global terrorism" or "Islamic terrorism" and to not speak of "terrorism as if it was a single unified

concept under which all terrorist acts and motivations can be grouped together. We propose that we address "acts of terror" in context.[67]

The reasoning behind this statement was at least partially supplied by Dr. Ninan Koshy, who spoke at the consultation about the dangers of obfuscating the differences between terrorist groups by ignoring their local context and distinct motivations. Key to the WCC approach is Koshy's understanding that "terrorism is a form of political action. It cannot be taken out of specific historical context or treated as a generic phenomenon. It is a strategy rooted in political discontent used in the service of many different beliefs and doctrines that … legitimize and sustain violence." Koshy concludes, "Many nations abdicate their responsibility to understand and deal politically with the discontent and frustrations that lead to terrorist activities in their borders, attributing them all to 'global terrorism.' The importance of identifying and managing the special characteristics and roots of national and local conflicts which may create terrorist activities cannot be discounted."[68]

Part of the context for understanding terrorist acts, according to the World Council of Churches, is the instability and insecurity created in many regions of the world by the debilitating forces of economic globalization. As Konrad Raiser asserted, "The unrestrained and unaccountable exercise of power by transnational economic and financial agents has created situations of extreme vulnerability for peoples and societies and has undercut the rule of law, particularly where governments were either unable or unwilling to provide protection for the human security of their citizens or have become themselves agents of oppression. … It is being argued by many that terrorism reflects and arises from such situations of heightened insecurity and … asymmetry of power."[69]

Third, the war on terror betrays totalitarian tendencies that must be resisted. Noting that terrorists often base their actions in absolutist moral or political claims that are used to legitimize violence, the WCC consultation in Geneva warned that "certain counter-terrorism approaches and practices now exhibit similar totalitarian traits." Once again, we see in this argument the linkage that the WCC makes between terrorism and the war on terror as a joint challenge for the human community. Raiser asserts:

> The weakness of the rule of law in the international context often is being compensated by invoking moral or even religious value arguments either to defend or justify acts of terrorism or to condemn terrorism and its agents as

"evil" or "demonic" and thus to justify strategies of counter terrorism which step outside the normative framework of international law (italics added).[70]

In her paper at the Geneva consultation, Janet Parker addressed the problematic totalitarian tendencies of the Bush administration's approach to terrorism by arguing that it reflects a particular political usage, a perversion or distortion of "divine command morality," which is the idea that God reveals or commands certain moral acts, or that justification for certain moral acts is based on an individual's claim that God commanded him or her to act in such a way. The fundamental question is whether or not there is any independent standard for morality apart from the decrees of God. Divine command morality says there is not. Responsible uses of a divine command ethic, however, recognize the need to test our perceptions of God's inscrutable will by what Jesus calls testing the "fruits" of a particular ethic, or by the test of discussion and consensus-seeking among persons who have contending perceptions (e.g., Apostle Paul in 1 Cor. 14:29-33), or by reason, tradition, and experience. The perversion or distortion of this ethical approach, Parker notes, is its claim to possess knowledge of the meaning of God's inscrutable will through revelation without submitting to these tests. It also calls for the unquestioning obedience of the Christian to God's will as human authority claims to know that will.[71]

In her book, The Window of Vulnerability: A Political Spirituality, Dorothee Soelle warned against what she called a theology from above. "People are made subject to 'revelation'—they are to 'hear,' 'trust,' and 'obey.'"[72] Soelle rightly pointed out that within the context of Nazism, the radical "nein" of neo-orthodoxy to human culture and reason served a good purpose, but as with any school of ethics, divine command morality has a vulnerability that can be exploited unscrupulously. In this case, the vulnerability comes when it calls for a relationship of unquestioning obedience between the ruler and the ruled. This is appropriate when one is confessing the Lordship of Christ over all political powers, but what if a political leader believed himself to be in such reliable communication with God that he began to confuse his own decrees for those of God? What if the emphasis upon the sovereignty and prerogatives of the deity and the requirement for unquestioning obedience from the people were transposed to a human government? What if human political leaders began to imagine that they themselves were the measure of what is good and right and, as such, above the law? This was the very danger we faced with the Bush administration. In the Bush administration's war on terror, divine command morality became divine command

politics. When asked whether or not he consulted with his father before making the decision to go to war in Iraq , President Bush famously said, There is a higher father I appeal to."[73] Apparently, the United States went to war based on a revelation George Bush had from God.

Perhaps a statement by Konrad Raiser at the consultation best sums up the danger of what we have called Bush's divine command politics: "The direct translation of a moral judgment into political action without the critical mediation of law can lead to consequences which violate basic moral norms and thus become self-defeating.[74]

Fourth, the militarization of counter-terrorism through a "war on terror" approach is counter-productive and ultimately ineffective. As the WCC Assembly statement asserts, "A military response to terror may become indiscriminately destructive and cause fear in affected populations."[75] The current quagmire in Iraq is evidence that this is an accurate statement of the effects of the so-called "war on terror" on that nation. The irony is, of course, that terrorists intend to create fear and chaos, so when the United States or another state power responds with military force that inflicts massive collateral damage on civilian populations, they are helping terrorists achieve their goals, one of which is to undermine the legitimacy of state power.

Finally, as Michael Howard wrote in Foreign Affairs as early as 2002: "To declare that one is at war is immediately to create a war psychosis that may be totally counterproductive for the objective being sought. It raises an immediate expectation and demand for spectacular military action against some easily identifiable adversary, preferably a hostile state—action leading to decisive results."[76]

An Ecumenical Approach to Counter-Terrorism

The counter-terrorism approach favored by the WCC is characterized by respect for human rights, international law, multilateral cooperation, and the struggle for economic and social justice. In addition to offering a coherent political ethic, this approach provides an ethic for churches that are charged with a prophetic mission within the larger society, an ecclesiological ethic that calls upon the churches to assert their independence from every earthly power as a people whose loyalty is first and foremost to God and the whole human family.[77] Churches are called upon to hold governments and non-state actors alike

accountable for their use of power, and to play a role in building cultures of peace with justice and in nurturing a spirituality of nonviolence and reconciliation. While recognizing the value of using just war criteria to "discipline and govern" legitimate uses of force by states, the WCC, as stated earlier, announces that now is the time to move beyond debates over just war to a more substantive commitment to just peacemaking.[78] Four distinct emphases may be discerned within the emerging ecumenical approach to counter terrorism. They entail some key practices of just peacemaking.

1. Counter Terrorism should be de-militarized; a "war on terror" approach should be replaced by a law enforcement approach that involves international cooperation, maintains respect for the rule of law, and enforces human rights standards.

As the WCC assembly statement affirmed in 2006, "Acts of terror are criminal acts, and should be addressed by the use of the instruments of the rule of law. … The international community should cooperate in addressing terrorism, especially by strengthening the International Criminal Court to respond to acts of terror. Terror can only be overcome by the international community that upholds respect for the dignity of human beings and the rule of law."[79] The WCC delineates role-specific duties for states and churches in countering terrorism. In their response to terrorism, including any uses of force needed to restrain terrorists through policing and law enforcement measures, states must "prevent the erosion of the human rights regime and the rule of international law."[80] Churches must "take a lead role in upholding and defending human rights as central to our belief in the God-given sanctity and dignity of human beings." In this context, the WCC makes special mention of the need to uphold certain non-derogable rights, including the absolute prohibition on torture.[81]

2. Address the root causes of terrorism, including the underlying crisis of legitimacy of a globalized and militarized world order. As noted above, the WCC interprets terrorism as a particularly violent and lawless form of political action that arises out of specific causes and contexts. While many of these causes and contexts are local or regional, all of them are situated within the present world context of economic globalization that is backed up by massive military power. Kobia notes that, "Under the market economy in the global South, while some measures of economic progress have been achieved, the harsh reality of poverty and inequality have worsened as ruling elites are unified and strengthened in their

collaborative relationship with foreign capital." Konrad Raiser observes that international terrorism "uses the very same means that have facilitated the advance of globalization and … focuses deliberately on those places and structures which symbolize the 'globalized' culture," such as the World Trade Center, airports and tourism resorts. International terrorism, according to Raiser, therefore "aims at exposing the vulnerability of the global system and challenging its legitimacy with its appeal to the values of liberty and justice for all." The response to terrorism, therefore, must in part rectify the underlying inequities arising out of the current form of globalization, and to work toward building a "viable and legitimate political and legal order of peace with justice" at both the international and national levels.[82]

3. Enlist faith communities, including interfaith initiatives, to play an active role in the prevention of conflict and in building cultures for peace. The WCC affirms the role of all faith communities in actively supporting efforts to defuse violent conflict situations, including the resort to violence by terrorists and military responses to terrorism by state powers. Faith communities are urged to resist pressure from both government and non-governmental actors to provide ethical legitimacy for violence, and instead call for alternative responses to terrorism that are holistic, nonviolent, and interfaith in their approach. Churches and other faith communities can serve as an early warning system to help prevent outbreaks of conflict.[83] "The world is facing a shrinking of the space for dialogue and non-violent solutions to grievances and inequalities. … [C]hurches must renounce the prohibition on dialogue and hold open spaces for hearing the voice of the voiceless and amplifying these voices."[84] This is the tenth practice of just peacemaking: encouraging grassroots peacemaking groups and voluntary associations, with special emphasis on the role of churches. In all these ways, churches and other faith communities can help build a culture of peace nourished by a spirituality of nonviolence and reconciliation.

4. Churches can aid counter-terrorism efforts by promoting the recognition of the condition of mutual vulnerability, the need for common human security, and the search for reconciliation between enemies. In recent years, the WCC and other bodies within the ecumenical community have been engaged in ground-breaking work on the question of the relationship between vulnerability and security. A Church of Norway study document released in 2001 observed that vulnerability is a fundamental aspect of being human:

> Vulnerability … represents a unique capacity for susceptibility and compassion that enables people to recognize and fulfill their ethical responsibility to their fellow human beings, their community and their surroundings. This aspect of vulnerability is not something to be protected against. On the contrary, it is a necessary prerequisite for human security that does not simply defend me and mine, or us and ours, based on an implicit assumption that might is right. Recognition of vulnerability as something fundamentally human leads to the recognition of the security of others, of strangers, as my—our—joint responsibility.[85]

The Geneva consultation report, building upon this emergent recognition of the relationship between vulnerability and security in ecumenical circles, noted that the acknowledgement of mutual vulnerability can serve as an impulse towards communication, mutual understanding, and efforts to build common security.[86] Rather than security narrowly conceived as national security or military security, the consultation called for "a holistic understanding of security" that "would focus upon people's security in fulfillment of God's promise that all should live in peace and be unafraid."[87]

The movement away from demonizing our enemies and seeking to annihilate them must go a step further to embrace a commitment to understand, communicate with, and yes, to love our enemy, even when we must take steps to restrain them from doing us harm. Our security depends on others' sense of security. Such a radical commitment can only be sustained by people who know that their ultimate loyalty transcends any humanly constructed identities and divisions and stands in all times and places with God on the side of life and human dignity. As Kobia explained, "The churches' understanding of grace, love and redemption therefore undergirds the possibility of church witness to peace with justice."[88]

1. 1. M. Douglas Meeks, "What Can We Hope for Now," in *Strike Terror No More: Theology, Ethics and the New War*, edited by Jon Berquist (St. Louis: Chalice Press, 2002), 259.

2. 2. World Council of Churches, "Statement on Terrorism, Counter-terrorism and Human Rights," adopted by delegates to the 9th Assembly of the World Council of Churches in Porto Alegre, Brazil, 14-23 February 2006, paragraphs 1 and 4, available at http://www.wcc-assembly.info/en/theme-issues/assembly-documents/1-statements-documents-adopted/int.

3. 3. Jean Bethke Elshtain, *Just War Against Terror: The Burden of American Power in a Violent World* (New York: Basic Books, 2003).

4. 4. Elshtain, *Just War*, 108.

5. 5. Larry Rasmussen, ed., *Reinhold Niebuhr: Theologian of Public Life* (Minneapolis: Fortress, 1988), 248. Augustine is also relevant here. In answering the objection "that a good ruler will wage wars only if they are just," he suggests that "surely, if he will only remember that he is a man, he will begin by bewailing the necessity he is under of waging even just wars." *City of God*, translated by Gerald Walsh et al. (New York: Image Books, 1958), 447.

6. 6. Richard T. Snyder, *The Protestant Ethic and the Spirit of Punishment* (Grand Rapids: Eerdmans, 2000).

7. 7. Elshtain, *Just War*, 130.

8. 8. Lisa Sowle Cahill, "The Danger of Violence and the Call to Peace," in *Strike Terror No More: Theology, Ethics and the New War*, edited by Jon Berquist (St. Louis: Chalice Press, 2002), 230.

9. 9. Elshtain, "Seeking Justice," *Christian Century* 119, no. 4 (2001): 26-27.

10. 10. Meeks, *Strike Terror No More*, 259.

11. 11. Drew Christiansen, S.J., "Afterword: A Roman Catholic Response," in *When War is Unjust: Being Honest in Just-War Thinking*, 2nd ed., by John Howard Yoder (Eugene, Oregon: WIPF and Stock, 2001), 116-7.

12. 12. Wendy Murray Zoba, "Civic Housekeeping," *The Christian Century* 120, no. 10 (May 17, 2003): 34, quoting Elshtain.

13. 13. Kim Lawton, "Interview: Jean Bethke Elshtain," *Religion and Ethics Newsweekly*, 24 March 2006, http://www.pbs.org/wnet/religionandethics/week930/interview.html.

14. 14. Zoba, *Christian Century* 119, no. 4 (2001): 34, quoting Elshtain.

15. 15. Elshtain, *Just War*, 178. Elshtain speaks about "American enlightened self-interest" coming together with the universal language of human rights and civil society. We are speaking, as Cahill likely is, of narrow self-interest. In this statement

about Bonhoeffer, Elshtain comes close to contradicting her claim that the war on terror is a just war.

16. 16. Elshtain, *Just War*, 177-178.

17. 17. Jean Bethke Elshtain, *Who Are We: Critical Reflections and Hopeful Possibilities* (Grand Rapids: Eerdmans, 2000), xv.

18. 18. Ronald Stone, "Realist Criticism of Just Peacemaking Theory," *Journal of the Society of Christian Ethics* 23, no. 1 (2003): 261.

19. 19. Elshtain, *Just War*, 167-8. In contrast to Elshtain's confidence, Noah Feldman, who served as Senior Constitutional Advisor to the Iraqi Coalition Provisional Authority, declares that "To nation build successfully and ethically, we need to abandon the paternalistic idea that we know how to produce a functioning, successful democracy better than do others." Feldman also reviews what international law requires of occupiers: "Article 43 of the Annex to The Hague Convention of 1907 requires the occupying power to 'take all the measures in his power to restore *l'ordre et la vie publics*, while respecting, unless absolutely prevented, the laws in force in the country'" (Noah Feldman, *What We Owe Iraq: War and the Ethics of Nation Building* [Princeton: Princeton University Press, 2004], 70, 55, 61). Since Elshtain has so little regard for international law, she does not refer to this or other conventions when lamenting the lack of attention to postwar occupation in just war theory. (See Lawton interview, March 24, 2006.)

20. 20. Elshtain, *Just War*, 165-166.

21. 21. Elshtain, *Just War*.

22. 22. Policy Planning Staff, United States Department of State, "Review of Current Trends: US Foreign Policy," Foreign Relations of the United States 1, no. 2 (1948), 524.

23. 23. Elshtain, *Just War*, 6-7. Elshtain insists on "factuality" over against Richard Rorty, who she claims sees our descriptions "as arbitrary acts of self-justification." She asserts that "There is no substitute for the facts. If we get our descriptions of events wrong, our analyses and our ethics will be wrong too" (*Just War*, 9). We agree: just peacemaking theory is based on empirical realism—critical analysis of data about what is effective in preventing war. However, Rorty is right that our descriptions are often "arbitrary acts of self-justification." For a lucid account of a century of American interventions, see *Overthrow: America's Century of Regime Change from*

Hawaii to Iraq, by Stephen Kinzer (New York: Times Books, 2006).

24. 24. Elshtain, *Just War*, 162.

25. 25. For a fuller presentation of this argument, see Pamela Brubaker, "Reforming Global Economic Institutions," in *Justice in a Global Economy: Strategies for Home, Community, and World*, edited by Pamela Brubaker, Rebecca Todd Peters, and Laura Stivers (Louisville: Westminster John Knox, 2006).

26. 26. The White House, "The National Security Strategy of the United States of America, September 2002," http://www.whitehouse.gov/nsc/nss.pdf.

27. 27. Ninan Koshy, "Global Governance and the Empire," unpublished paper delivered at the World Council of Churches headquarters in Geneva, Switzerland, September 2006, p. 4.

28. 28. Elshtain, *Just War*, 30.

29. 29. Elshtain, *Just War*, 99-100.

30. 30. Elshtain, *Just War,* 100-101.

31. 31. Glen Stassen, "It Is Time to Take Jesus Back," *Journal of the Society of Christian Ethics* 23, no. 1 (2003): 133.

32. 32. Rasmussen, *Reinhold Niebuhr*, 7. Rasmussen points out that Niebuhr draws on Ernst Troeltsch to interpret Jesus as concerned primarily with personal piety, without a developed social ethic.

33. 33. Elshtain, *Just War*, 108.

34. 34. Elshtain, *Just War*, 235.

35. 35. Jean Bethke Elshtain, "Just War and American Politics," *The Christian Century* 109, no. 2 (January 15, 1992): 41-44, quoting p. 43.

36. 36. Stone, *Journal of the Society of Christian Ethics* 23, no. 1: 264, 266.

37. 37. Lisa Sowle Cahill, "Just Peacemaking: Theory, Practice and Prospects," *Journal of the Society of Christian Ethics* 23, no. 1 (2003): 208-9.

38. 38. http://www.usip.org/pubs/specialreports/sr214.html.

39. 39. *Los Angeles Times*, 29 April 2006, A.7, and updated from news reports subsequently.

40. 40. Greg Miller and Julian Barnes, "Gates' Views Not Easy to Discern," *Los Angeles Times*, 10 November 2006, A20, quoting Gates's piece in *The New York Times* in 1988.

41. 41. Maryann Cusimono Love, "Effective Ways to Fight Terrorism" in *Just War,*

Lasting Peace: What Christians Can Teach Us, edited by John Kleiderer et al. (Maryknoll: Orbis, 2006), 67.

42. 42. Elshtain, *Just War*.

43. 43. Reinhold Niebuhr, "The United Nations and the Free World," in *The World Crisis and American Responsibility*, edited by H. Richard Niebuhr (New York: Association Press, 1958), 80-84.

44. 44. Elshtain, *Just War*, 49.

45. 45. Joshua Muravchik, "Can the Neocons Get Their Groove Back?" *The Washington Post*, Sunday, November 19, 2006, B3.

46. 46. Love, *Just War, Lasting Peace*, 67.

47. 47. National Religious Campaign against Torture, www.nrcat.org.

48. 48. Drew Christiansen, "An Empire in the Name of Peace," *America* 189, no. 7 (15 September 2003).

49. 49. Alan B. Krueger and Jitka Malecková, "Does Poverty Cause Terrorism?" *The New Republic*, 24 June 2002, 99, 27-33.

50. 50. Ted Gurr, *Why Men Rebel* (Princeton: Princeton University Press, 1970).

51. 51. J. Milburn Thompson, "Humanitarian Intervention, Just Peacemaking, and the United Nations," in *Concilium: The Return of the Just War*, edited by MarÌa Pilar Aquino and Dietmar Mieth (London: SCM Press, 2002), 83-93.

52. 52. Elshtain, *Just War*, 44-45.

53. 53. Elshtain, *Just War*, 143-154.

54. 54. The Lancet study of deaths in Iraq, carried out by faculty of Johns Hopkins School of Medicine, Columbia University School of Nursing, and Al-Mustansiria University College of Medicine, did not rely on news accounts, as U.S. government data do, since most deaths do not make it into the news; instead it surveyed homes, asking which close relatives had died. See *The Economist*, 4 November 2004, www.economist.com/science/displayStory.cfm?story_id=3352814.

55. 55. Robert Pape, "The Strategic Logic of Suicide Terrorism," *The American Political Science Review* 97, no. 3 (August 2003): 344, 348-9, 357.

56. 56. Commission of the Churches on International Affairs of the World Council of Churches, "Report of the Consultation on Terrorism, Human Rights and Counter Terrorism, Geneva, Switzerland, November 23-24, 2005" (World Council of Churches, 2005), 18.

57. 57. World Council of Churches, "Statement on Terrorism, Counter-terrorism and Human Rights," adopted by delegates to the 9th Assembly of the World Council of Churches in Porto Alegre, Brazil, 14-23 February 2006, www.wcc-assembly.info/en/theme-issues/assembly-documents/1-statements-documents-adopted/international-affairs/report-from-the-public-issues-committee/terrorism.html.

58. 58. Janet Parker was fortunate to be invited to present a paper at the consultation in Geneva and to be present at the 9th Assembly when the "Statement on Terrorism" was adopted, so she writes as both participant and analyst.

59. 59. "Report of the Consultation on Terrorism," 13, 18.

60. 60. "Statement on Terrorism," paragraph 5.

61. 61. "Report of the Consultation on Terrorism," 15.

62. 62. "Report of the Consultation on Terrorism," 18.

63. 63. "Report of the Consultation on Terrorism," 12.

64. 64. "Report of the Consultation on Terrorism," 20.

65. 65. So many references could be cited here, but we will cite only two. Of particular interest is a brief filed in November 2006 by Salim Ahmed Hamdan's attorneys in a U.S. District Court case seeking Hamdan's release after the Supreme Court "Hamdan decision" last June, which held that the military commissions set up by the Bush Administration violated the Uniform Code of Military Justice and the Geneva Conventions. See "Petitioner's Opposition to Motion to Dismiss for Lack of Subject Matter Jurisdiction, Hamdan v. Rumsfeld," No. 1:04CV1519(JR) (D.D.C. Nov. 17, 2006), www.scotusblog.com/movabletype/archives/Hamdan-11-17-06-brief.pdf. See also *Guantanamo and the Abuse of Presidential Power*, by Joseph Margulies (New York: Simon and Schuster, 2006): 11-14.

66. 66. "The National Security Strategy of the United States of America," September 2002, p. 2.

67. 67. "Report of the Consultation on Terrorism," 12.

68. 68. "Report of the Consultation on Terrorism," 34-36.

69. 69. "Report of the Consultation on Terrorism," 27.

70. 70. "Report of the Consultation on Terrorism," 25.

71. 71. Glenn C. Graber, "Divine Command Morality," in *The Westminster Dictionary of Christian Ethics*, edited by James F. Childress and John Macquarrie (Philadelphia: The Westminster Press, 1986), 159-160.

72. 72. Dorothee Soelle, *The Window of Vulnerability: A Political Spirituality* (Minneapolis: Fortress Press, 1990), 107.

73. 73. Sidney Blumenthal, "George Bush Sr. Asked Retired General to Replace Rumsfeld," *Salon*, June 8, 2006, www.salon.com/opinion/blumenthal/2006/06/08/haditha/.

74. 74. "Report of the Consultation on Terrorism," 25.

75. 75. "Statement on Terrorism," paragraph 6.

76. 76. Michael Howard, "What is in a Name? How to Fight Terrorism," in *Foreign Affairs*, January/February 2002, cited by Ninan Koshy in the "Report of the Consultation on Terrorism," 37.

77. 77. "Report of the Consultation on Terrorism," 15. For an analysis of ecumenical ethics as ecclesiologically grounded, see World Council of Churches, Ecclesiology and Ethics: Ecumenical Ethical Engagement, Moral Formation and the Nature of the Church (Geneva: WCC, 1997): ix, x.

78. 78. "Report on the Consultation on Terrorism," 13, 15.

79. 79. "Statement on Terrorism," paragraph 6.

80. 80. To those who would question whether any use of force is permitted under this ecumenical approach, Konrad Raiser offers criteria that are generally in line with WCC attempts to synthesize the just war tradition with a strengthened commitment to just peacemaking: "Agents on all sides should be urged to adopt an attitude of self-restraint and in particular to refrain from an offensive, deliberately aggressive use of force or violence. Protection of citizens and resistance against oppression (or occupation) imply a defensive use of force in the interest of maintaining or restoring an order of peace with justice in a given territory. This might serve as a general criterion for the ethical assessment of terrorism and counter terrorism" ("Report on the Consultation on Terrorism," 31).

81. 81. "Report on the Consultation on Terrorism," 13. "Non-derogable" is a term used in international law to refer to rights that can never be suspended, even in times of war or in any form of state emergency.

82. 82. "Report on the Consultation on Terrorism," 27, 30.

83. 83. "Report on the Consultation on Terrorism," 15.

84. 84. "Report on the Consultation on Terrorism," 13-14.

85. 85. Commission on International Affairs in Church of Norway Council on Ecumenical

and International Relations, "Vulnerability and Security: Current Challenges in Security Policy from an Ethical and Theological Perspective," 2002, 11, www.ploughshares.ca/libraries/Reduce/Vulnerability&Security.pdf.

86. 86. "Report on the Consultation on Terrorism," 29-30.

87. 87. "Report on the Consultation on Terrorism," 16.

88. 88. "Report on the Consultation on Terrorism," 19.