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Citizenship, Epistemology, and the Just War Theory

IN THIS PAPER, I WILL ARGUE that ordinary citizens of democracies should be strongly committed to pacifism in practice. The argument is based on the principles of the just war tradition and a political analysis of the division of labor in society. The idea that pacifist conclusions can be drawn from just war thinking has come under fire lately from just war theorists who reject the idea that the very principles of the just war tradition could lead to pacifism. The just war tradition is committed to the idea of producing justice through a moral use of appropriately limited violent means. I have no doubt that occasionally some violence is necessary in the real world. The problem I focus on here is whether ordinary citizens are able to judge whether military force is justifiable. I argue that most of us are not in a position to make this judgment. From this I conclude that we should err on the side of peace.

This conclusion may sound like the naïve view of a cloistered college professor, who does not understand the complexities of military power. Such an *ad hominem* objection to the idea of “just war pacifism” has been made recently by Keith Pavlischek—a Gulf War vet-

eran and a colonel in the Marine Reserves. Pavlischek argues that the just war tradition focuses on providing a normative ground for statecraft, providing guidance for military leaders, and offering guidance for individuals as they decide whether to support the use of force. He concludes that judgment about the justice of war “rests with those who have the competence to render such judgments. Put bluntly, the judgment resides with those who know what they are talking about. In almost every instance, that does not include bishops, theologians, and professors.”¹ Pavlischek is undoubtedly right about the fact that it is ultimately up to our military and civilian leaders to decide whether a given war is just because they have access to the necessary information and expertise to make the judgment. However, this still leaves the rest of us with the problem of deciding whether to support the judgments made by our leaders. Pavlischek recognizes this: “For most Americans . . . the just war tradition illuminates the responsibilities of citizens in a self-governing democracy under God.”² However, he does not recognize the complexity of this claim. The division of labor in society includes a division of responsibility for judgment. Moreover, democratic institutions allow—indeed, demand—debate and disagreement among and between the parts of society. The responsibility of a citizen in a self-governing democracy is not simply to acquiesce in light of the expertise of our leaders. Rather, our duty is to question and demand proof, especially in light of actions that have momentous moral implications, such as the question of whether to support the use of military force.

The pacifistic interpretation of just war theory has been the subject of an ongoing dispute among thinkers—both Catholic and secular—who question whether modern warfare can be just.³ The pacifist conclusion is that according to the principles of just war theory, modern warfare is immoral because the means employed inevitably involve indiscriminate killing of innocents. Although this view began to develop as a reaction to the mechanized killing of

World War I, it has gained adherents in the last few decades amid concern for nuclear war, the means of which include deliberate targeting of population centers. While the debate about nuclear war is not entirely irrelevant today, recent uses of military force by the United States—in Kuwait, Kosovo, Afghanistan, and Iraq—occur in a different context. These conflicts used conventional means in the name of humanitarian intervention as a response to aggression or as part of preventive or preemptive war. Despite the use of conventional means in these conflicts, they have been criticized both in terms of the justness of their various causes and in terms of proportionality and discrimination of their means.⁴ Though I agree with those who hold that an understanding of the means of modern war gives us a strong reason to reject war, this is not a final argument against war. It is possible to imagine some tragic scenarios in which killing innocents may be justifiable based on some version of consequentialism and perhaps even according to some versions of deontological ethics.

My approach here focuses, however, not only on means but also on an analysis of the politics of war and the question of the rational response for citizens who want to know how to evaluate a given war. I conclude that even if we admit a war could be justified in principle, citizens usually do not (and often cannot) know whether the war is justified. Practical pacifism follows from recognition of human fallibility and alienation within political institutions. This thesis has strong affinities with a position defended recently by Paul Griffiths.⁵ This view, which grows out of a Catholic approach to just war theory and the question of means, puts a strong burden of proof on those who would argue for war. Griffiths writes with regard to the sources of information on which ordinary citizens would base their judgments about justice in war:

Our principal sources are three: the U.S. government itself, in the person of those appointed to speak for it; the U.S. media; and foreign governments and media. But we have no good rea-

son to think that any of these sources is sufficiently reliable to provide what we need, and we therefore also have no good reason to think that we have access to the evidence and argument we would need if we were to judge the burden of proof to be met.⁶

Pacifists are skeptical not only about the justification of killing in light of modern means of war, but also about the transparency of modern political life.⁷ In general, even in a liberal democracy such as in the United States, most citizens are precluded from knowing whether many actions of state are justified. This is especially true with regard to war because information about war is kept secret or is obscured by propaganda. Even if we accept the idea that violence sometimes can be justified in theory, a practical version of pacifism will result if we admit that we simply do not have enough information to judge whether any given war is justified.

Pacifism and Just War Theory

Just war theory admits that sometimes violence is necessary, even though it shares with pacifism a *prima facie* reluctance to use force.⁸ I assume that some version of just war theory is morally defensible. That is, I allow that occasionally it may be justifiable to use violence to resist injustice. However, the question of justification opens all sorts of questions that demand practical analysis in any given circumstance. This is true for both *ad bellum* and *in bello* principles. I will focus here on one criterion from each set, show their interrelation, and pose a skeptical problem.

The primary *ad bellum* criterion is the question of just cause. The most obvious example of a just cause is the idea of self-defense. When one nation is attacked by another, the victim nation has the right to defend itself against the aggressor. Indeed, it is the duty of the government to defend its people against aggression. If leaders did not act to defend their nation, we would say they were not doing their duty. Another example of a just cause discussed lately is con-

nected to the question of humanitarian intervention. Humanitarian intervention is justified when, in Michael Walzer's words, it is a response to acts that "shock the moral conscience of mankind."⁹ To know the cause is just in the case of proposed humanitarian intervention, one would have to know there were egregious violations of human rights, genocide, or other acts that shock the collective human conscience. With modern media and an open society, one would think that it would be easy for any concerned citizen to know when there is a just cause for war in either of these two cases. The September 11, 2001, attacks were clear examples of aggression, and the ethnic cleansing in Yugoslavia obviously demanded humanitarian intervention. The evidence that would help decide whether there is a just cause in either case is fairly obvious and can be provided by the mainstream media. The question of just cause becomes less obvious when we consider the justification of preventive war, as in the recent attack on Iraq.

There are often no obvious answers to the question of a proper response to those cases in which there is an obvious just cause. Just cause alone is not enough to precipitate a war. Prudential concerns matter with regard to the question of how best to respond to an act of aggression or the need for humanitarian intervention. We need to know whether the proposed military action will be successful, whether it will cause more suffering than it seeks to prevent, whether there is the prospect of a stable peace. We might be concerned with the question of who has the proper authority to authorize military action. And we might be concerned about the purity of the motives of those who propose to intervene.

The practical question raised here is whether a concerned citizen could have enough certainty with regard to these sorts of queries to make a good judgment. I doubt the average citizen can know about the prudential question of success and the question of proportionality. And it is certain that we cannot know about the purity of our leaders' motives. These issues do not focus exclusively on the ques-

tion of whether the cause is just. Indeed, they are taken up by other *ad bellum* criteria and point beyond *ad bellum* principles toward principles of *in bello* means.

With regard to the issue of the purity of motives and intentions, the connection between means and ends comes to the fore. Michael Walzer argues, on consequentialist grounds, that mixed motives do not matter in considering humanitarian intervention so long as the evil is eradicated. He argues that political motivations are always mixed.¹⁰ This analysis ignores the *ad bellum* issue of “right intention.” At least it shows us it is difficult to live up to the standards of the just war theory in practice. Walzer implies that we should support those with less than pure intentions if we value the ends that they seek to pursue. The problem is that this can push us toward a slippery slope of accommodation with evildoers who happen to share our ends. This has been a problem for intelligence gathering and law enforcement agents who must cooperate with and even reward criminals and evildoers in order to attain their ends. The practical problem at the center of my argument arises here as well: can we ever be sure of the purity of the motives and intentions of those who would lead us to war? Obviously, we have no way of knowing the true intentions of our military and civilian leaders. For this reason, we should actively engage them by asking them to justify themselves and state their intentions.

Let us turn then to the question of means as discussed under the *in bello* criterion of discrimination. The principle of discrimination has been held to be perhaps the most important principle for *in bello* consideration: we have an absolute duty to refrain from deliberately killing innocents. Paul Ramsey describes this as a question of the relation between means and ends:

Acts of war which directly intend and directly effect the death of non-combatants are to be classed morally with murder, and are never excusable. If the excuse is that victory requires this, then we would be saying that the end justifies an intrinsically

wrong means or that men may be murdered in order to do good.¹¹

The point is that in a just war, a good faith effort must be made to avoid employing unjust means such as the deliberate killing of innocent noncombatants. Unintentional killing of noncombatants is covered by the doctrine of double effect.¹²

To justify a war in light of this principle, one would need some idea of the intended strategies of a given war and of the circumstances under which these strategies will be implemented. Some have argued that the practical strategies of modern warfare—including aerial bombardment and other forms of mechanized killing—lead to an almost sure violation of the principle of discrimination. George Weigel has argued against just war pacifism by noting that its *prima facie* presumption against violence ignores the fact that the just war tradition is about justice, not peace. Moreover, Weigel claims that the general approach of just war pacifism focuses too much on the contingencies of *in bello* concerns, while ignoring the “moral clarity” that is possible with regard to the *ad bellum* question of just cause.¹³ Weigel’s insistence that the just war theory is more interested in the question of ends (identifying the just cause) than in the question of means is worrying. Those “contingencies” are innocent persons whose lives will be destroyed. More generally, unless we recognize the interdependence of means and ends we can easily end up slipping toward the immoral doctrine that the end justifies the means.

I am sympathetic to the argument of just war pacifism. But my own emphasis lies elsewhere. I am skeptical about the ability of ordinary citizens to evaluate claims made about the intention of the military to constrain its operations in light of the principle of discrimination. Ordinary citizens are excluded (for good strategic reasons) from having access both to battle plans and to a concrete analysis of the “facts on the ground” that could inform a decision

about whether this principle were respected. Furthermore, we can imagine the difficulties for military and civilian leaders who must make judgments about discrimination and the other aspects of the just war theory. As James Turner Johnson describes,

Even with the best attempts to measure an enemy threat and one's own ability to avert or withstand it, and even with the most conscientious use of such attempts in judgments about the good and evils associated with a particular war, these judgments ultimately hinge upon perceptions about the enemy and one's own nation. Such judgments are inevitably of the character of art: in this case, the art of statecraft.¹⁴

Although Johnson intends to support the idea that practical judgment is required of our military and civilian leaders, he opens the question of whether we can trust the moral judgment of our leaders; he points out that the type of judgments that must be made in war are complex and demanding.

I am not claiming that we always ought to distrust the judgment of our leaders. Nonetheless, in evaluating our leaders, we must acknowledge the complexity of the judgments required, the pressure to ensure victory, and the temptations of power. None of this alone gives us reason to question their integrity. However, the history of warfare shows us the amount of force used often exceeds the means that could be justified, especially when military objectives (such as absolute victory) overshadow moral concerns. One could discuss the use of atomic bombs in Japan or the firebombing of Dresden to make this point.¹⁵ Thus, unless we blindly trust our leaders, healthy skepticism about the use of military force is rational. We should resist the drive to war until our leaders have demonstrated their good intentions and their ability to make the moral judgments required by the just war theory.

In general, while it is possible for ordinary citizens to judge that there are good causes for war, we do not have access to the kind of

information we would need in order to know whether the means of war—even a war proposed for a just cause—were justifiable. This problem of knowledge holds even if we were willing to suspend temporarily the principles of justice in war under something like the “supreme emergency exemption” discussed by Walzer and Rawls.¹⁶ The problem is that most ordinary citizens do not have access to the kind of geopolitical and strategic knowledge needed in order to know whether a supreme emergency loomed. Moreover, with regard to preemptive or preventive wars that seek to defeat potential threats identified by military intelligence, the epistemological problem is perhaps even worse.¹⁷ Even if we admit that preemption could be justified on consequentialist grounds, the epistemological dilemma remains. Ordinary citizens do not have access to the kind of military intelligence needed to judge that a preemptive war would be justified.

Knowledge and the Burden of Proof

It should be clear that I am demanding a fair amount of certainty with regard to the question of the justification of war. I am concerned that there are important uncertainties when we consider utilizing violence. In light of these uncertainties, I maintain we must resist the move toward war. Violence and killing are such evils that we should establish a high burden of proof for those who would justify them. This is especially so for citizens in a democracy, whose passive acquiescence implies tacit consent. Especially in a democracy, wars are fought in the name of all citizens. If war is *prima facie* wrong, then all citizens have a duty to demand justification. Until such justification is forthcoming, we should resist the drive to war. In a liberal democracy, it is not a citizen’s immediate duty to support a war. Rather, it is the government’s duty to convince the citizens they should support the war by offering proof about the justice of the cause and the intention to utilize just means.

The idea of the burden of proof perhaps requires some explanation. In most ordinary cases, the less plausible and more risky proposition must be proved. I assume the use of violence is an implausible means toward humane ends. And I assume that the use of violence is risky. Violence is implausible as a means because there is something right about the pacifist assumption that “violence begets violence.” Moreover, violence is risky both for those who propose to use it and for those innocents who will inevitably be its victims. This does not mean that violence can never be a means; I only claim that the burden of proof rests on the one who proposes violence. Of course, one might argue the goal of the just war theory is not peace, but rather to ensure justice. Such an objector might argue that in the real world, violence is often a means to justice, as can be seen in our use of police force and criminal punishment. I would respond by saying that in pursuit of domestic justice we have established a fairly high burden of proof precisely in order to prevent harm from being done to the innocent. The same high burden of proof should hold for war.

The burden of proof in the domestic case is deliberately skewed to protect the innocent. This is the idea behind the assumption that a defendant is innocent until proven guilty. We purposely restrain the power of the state by establishing such a burden of proof because we value individual liberty, the protection of the innocent, and the restraint of state power. A similarly high standard of proof should be required in the case of war; this high standard should be established because we value peace and democratic means of persuasion. One problem for this analogy can be seen in the fact that in the domestic case the public has representatives—the jury—who are empowered to arrive at the judgment of guilt. The problem is that in the case of war, there is no citizen forum. Indeed, if my discussion of the division of labor is correct, citizens in states that employ military force deliberately are precluded from making the judgment.

Of course, our representatives in the legislative and executive branches of government are supposed to be making these decisions for us. However, I wonder about the justice of this delegation of authority. Because the use of military force requires that masses of citizens encounter extraordinary risks—in a way that a criminal prosecution does not—the exclusion of citizens from the process of decision-making is problematic. Kant was right when he argued that citizens explicitly must be asked to consent to war. And he was probably right when he thought that this would lead to a diminution of war because citizens usually are reluctant to endure the risks of war. The real problem to be confronted here is the question of knowledge. Citizens—some of whom are asked to risk their lives and all of whom are asked to risk their tax dollars during war—are precluded from knowledge about war, despite the fact that there are representative bodies that make decisions for them. Quite simply, the government cannot divulge all of the information it has about the cause of war or the war plan. Because we lack knowledge of the justification of war, and because we are asked to endure the risks and costs of war, we should question and resist until a strong case has been made.

Some of the questions we might have about any given war are prudential: Can we be sure that our effort will be successful? Such a prudential concern is not directly a moral concern. It can become one, however, if we link it to questions such as can we be sure that the war will be successful given the limitation on means that is imposed by the just war theory, that it will not escalate beyond these limits, and so on? I am sympathetic to skeptical responses to this question, especially in light of the brutal history of the twentieth century and of our more efficient means of mass killing.¹⁸ Wars have a tendency toward escalation beyond the limits imposed by the just war theory. The practical pacifist wants, most basically, to know whether a war in pursuit even of a just cause will kill innocent people and create suffering. The question of means is an essential part

of the moral evaluation of whether we ought to pursue justice or whether we ought, rather, to employ nonviolent means or possibly even learn to forgive our enemies, as the Pope has recently argued.¹⁹

The question of justice comes in when we use war as a means to preventing greater suffering. But pacifists have long argued that there are other means that can work to prevent suffering. Sometimes the prevention of suffering itself can be evil if it employs means that are evil.

Just war defenders such as Johnson and Weigel seem to indicate that military planners cannot account for all contingencies and absolutely ensure justice in bello. I accept this and admit that there are risks and unknowns in war. But if we are concerned with morality, these risks and uncertainties should be taken seriously by all of us. The problem of knowledge is especially acute for citizens who are removed from the calculations of the military strategist. Most of our pundits and fellow citizens claim to know more than they do when they offer us definitive answers about proposed wars. We must continually criticize this bit of hubris: very few of us are in a position to be able to definitively answer the skeptical challenge.

This is not to say that there is no truth to the matter. It is either true or false that any given war is a just one. The problem is that ordinary citizens and, indeed, most, if not all mortals, cannot know the truth in advance. This is especially true in light of the unpredictability of war and the so-called fog of war. Those of us in the midst of history simply do not have access to all of the facts. If this is true, then we should be skeptical of those who propose any given war. A practical form of pacifism results from this point of view. We should raise skeptical objections to those who would justify war and demand that a clear and compelling case be made both with regard to just cause and with regard to assurances that just means will be used. Until such a case has been made, we should err on the side of peace.

Patriotism, Protest, and Civil Disobedience

One might object that the standard of proof demanded here is too high, and that, in practice, this would lead to the inability of a government ever to justify war. I accept this objection and readily admit that my position leads to a form of pacifism. However, I leave open the possibility that citizens could be persuaded that any given war is justified. Moreover, I claim that it is the duty of a democratic government to persuade its citizens by providing as much evidence and argument as possible while still maintaining levels of secrecy that are necessary for security. The problem is that, because some secrecy is necessary, citizens can never be absolutely sure that the government's claims are justified.

One might further object that patriotism requires obedience to and support of the government: "Whether a war is just or not is not for the private man to judge: he must obey his government."²⁰ This may work for hierarchical governments that demand blind obedience. But liberal government requires trust based on reasons, consent, and open information.²¹ One might object that the position I advocate breaks down the trust that is necessary for the adequate functioning of government. I admit that my position hinges on a certain amount of distrust of those in power. This distrust is rational, however, in light of a long history that shows a tendency toward manipulation and abuse of power by those in power. In liberal states—which, since Locke, have been understood as fiduciary institutions—citizens have a right and a duty to raise skeptical objections to ensure their trust is not abused. This is especially true with regard to actions as momentous as war. The "patriot" objection might hold if war were, in fact, merely the action of an entity called the nation or state, which was not reducible to the will of its citizens. However, wars are fought by citizen-soldiers, and they are supported by tax dollars generated by the labor of citizens. This is the decisive point: citizens do not abdicate the moral demand that they evaluate and judge actions done in their names.

It is moral duty to question and judge actions of state. And it is also a moral duty through civil disobedience and other forms of nonviolent resistance, to resist those actions of state that are judged to be immoral. However, in light of my skeptical analysis, the question of civil disobedience becomes quite vexing. This is an open question. I have not claimed that all wars are immoral. I have merely claimed that we usually do not know whether a given war is justified. Civil disobedience certainly is called for in wars that are clearly immoral. In a situation of agnosticism, however, perhaps the best we can do is question and protest, while supporting our leaders who, we hope, are also concerned with the morality of their actions. Civil disobedience and active resistance should be employed only when we have good reason to believe that an unjust war is being fought. Here we might reverse the question of the burden of proof. In this case, because civil disobedience is risky, we might impose a high burden of proof on those who would claim that we should actively resist the war effort.

There is an important ambiguity in political analysis that must be admitted by practical pacifism. There are many levels within the division of labor in society. Two should be emphasized here: the level of military and civilian leadership and the level of the ordinary citizen. The question of justification, in light of the just war criteria, is ultimately a question that must be answered directly by those military and civilian leaders who are in the know. They must consult their own moral consciences to answer the question of whether any given war is justified. For ordinary citizens, however, the question is whether they trust their leaders to make sound moral judgments. One of the practical results of my argument is that citizens must actively engage their leaders in order to demand information and justification. This is necessary so that citizens can reach conclusions, however tentative and incomplete, about wars that are fought in their name. A further reason to actively question political and military leadership is to remind our leaders of their political

and moral obligations: in actively questioning them, we force them to provide justifications and thus confront their own moral consciences.

Conclusion

Most practical pacifists will initially resist the drive to war. As such, they are allied closely with absolute pacifists, at least at first. However, the practical pacifist is open to argument and evidence, while the absolute pacifist will never accept that any given war is justified. A concrete case can help explain the difference between practical pacifism and absolute pacifism. If a nation were actually under physical attack by an enemy, I think it would be obvious that the burden of proof was met. That is, if the Canadian army invaded the United States across the northern border, it would be obvious that we would be entitled to resist their attack. An absolute pacifist who is committed to nonviolence at any cost would not be moved to support military response even in this case, but a practical pacifist can admit that obvious aggression may be resisted. The problem is that in today's geopolitical climate, Americans are not confronted with such obvious cases. Instead, we are focused on preventative or preemptive wars, wars of humanitarian intervention, wars aimed at regime change, and the vague idea of war on terrorism. With these cases, arguments become muddy and citizens are left wondering what to do.

The problem of the justification of humanitarian intervention is a case in point. Michael Walzer is perhaps the clearest defender of the idea of humanitarian intervention. However, he also recognizes that this idea requires the implementation of a heavy burden of proof because there is a strong presumption toward peace and toward respect for sovereignty.²² The types of cases that confront us today are complex. The recent wars in Kosovo, Afghanistan, and Iraq involve complicated arguments about the need for preemption and

the prudence of humanitarian intervention. By their very nature, these cases require careful judgment and detailed knowledge about causes and consequences. In cases such as these, citizens would do well to adopt a strong tendency toward pacifism, while demanding that our leaders provide us with a clear and compelling case for the necessity and morality of military action.

The relation between the practical pacifist and the state is like Socrates' relation to Athens: a relation of questioning aimed at justice. Like Socrates, practical pacifists admit that their knowledge is far from perfect. They believe their duty is to serve society by questioning and clarifying evidence and arguments. Nonetheless, unless we are to actively embrace a certain form of anarchy, we must have some trust in our leaders, and we must hope they are concerned with the morality of the actions to which they are committing us. Because of strategic necessities, our leaders cannot provide us with full access to all of the evidence that would support their claims about the prudence of their proposed response to a supposed just cause, nor can they provide us with access to battle plans that would help to support the claim that war will be conducted in a just manner.

Thus we must recognize a tension that is crucial in a democracy. The people must demand evidence and justification from their leaders, while leaders must act based on knowledge they cannot share with the people. Such a complex system requires us both to trust our leaders' moral judgment and to constantly demand proof of their good judgment. It is the obligation of a practical pacifist who is a citizen of a democracy to continue to resist, question, and demand proof. Such questioning should be understood as a sign of respect to those of our compatriots who will make the ultimate sacrifice in service to their country, as a concerned reminder to those who would lead us into war, and as a symbol of solidarity and compassion for the innocents at home and abroad whose lives will be disrupted by war.

Notes

1. Keith Pavlischek, "Just and Unjust War in the Terrorist Age" *Intercollegiate Review* (Spring 2002): 31.
2. Ibid.
3. See, for example, Stanley Hauerwas, *Should War Be Eliminated?* (Milwaukee, Wis.: Marquette University Press, 1984). In the background of this discussion is the U.S. Catholic Bishops' pastoral letter of 1983, "The Challenge of Peace: God's Promise and Our Response." See also Richard Wasserstrom, "On the Morality of War," *Stanford Law Review* 21: 1627–56, reprinted in James Rachels, ed., *Moral Problems* (New York: Harper and Row, 1971); Martin Benjamin, "Pacifism for Pragmatists" *Ethics* 83, no. 3 (1973): 196–213; Robert L. Holmes, *On War and Morality* (Princeton: Princeton University Press, 1989). For a recent reply to just war pacifism, see George Weigel, "The Just War Tradition and the World after September 11," *Logos: A Journal of Catholic Thought and Culture* 5, no. 3 (Summer 2002). Also see sources in note 8.
4. For a critical discussion of the means employed in the first Gulf War and Kosovo see, for example, Jean Bethke Elshtain, "Just War and Humanitarian Intervention," *Ideas* (from the National Humanities Center) 8, no. 2 (2001): 2–21.
5. Paul J. Griffiths, "Just War: An Exchange" (with a reply by George Weigel), *First Things* 122 (April 2002): 31–36.
6. Griffiths, "Just War: An Exchange," 32.
7. Cheyney C. Ryan has argued that pacifism is essentially a "skeptical" position in "Self-Defense, Pacifism, and the Possibility of Killing," *Ethics* 93, no. 3 (1983): 508–24.
8. The connections between pacifism and just war theory have been described in Richard B. Miller, *Interpretations of Conflict* (Chicago: University of Chicago Press, 1991). See also Duane L. Cady, *From Warism to Pacifism* (Philadelphia: Temple University Press, 1989). George Weigel and James Turner Johnson reject this view, as discussed in Weigel, "The Just War Tradition and the World after September 11." For a recent discussion by Turner, see "Just War Tradition and the New War on Terrorism," Pew Forum on Religion and Public Life Discussion (with Jean Bethke Elshtain and Stanley Hauerwas), www.pewforum.org. The discussion of the present section also relies on the following sources for discussions of just war and pacifism: Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, 1977); John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999); Paul Ramsey, *The Just War* (New York: Charles Scribner and Sons, 1968); Jenny Teichman, *Pacifism and the Just War* (Oxford: Basil Blackwell, 1986); and Jonathan Glover, *Causing Death and Saving Lives* (New York: Penguin, 1977), chap. 19.
9. Walzer, *Just and Unjust Wars*, 107. For an update see Walzer, "The Argument about Humanitarian Intervention," *Dissent* (Winter 2002). For further discussion, see the debate between Duane Cady and Robert Phillips in *Humanitarian Intervention* (Lanham, Md.: Rowman and Littlefield, 1996).

10. Walzer, "The Argument about Humanitarian Intervention."
11. Paul Ramsey, *The Just War* (New York: Charles Scribner and Sons, 1968), 154. For discussion, see James Turner Johnson, *Just War Tradition and the Restraint of War* (Princeton: Princeton University Press, 1981), 196–228.
12. See, for example, G. E. M. Anscombe, "War and Murder," in Rachels, *Moral Problems*. For a recent discussion, see Alison McIntyre, "Doing Away with Double Effect," *Ethics* 111 (2001): 219–55. Johnson distinguishes between double effect in terms of discrimination and in terms of proportionality in *Just War Tradition and the Restraint of War*, 221–22. I have focused here only on the issue of discrimination.
13. Weigel, "The Just War Tradition and the World after September 11," 13–44. For his emphasis on ad bellum questions and moral clarity, see p. 24.
14. Johnson, *Just War Tradition and the Restraint of War*, 206.
15. See Jonathan Glover's discussion of these events and of the tendency toward "military drift" in *Humanity: A Moral History of the Twentieth Century* (New Haven: Yale University Press, 2000).
16. Walzer, *Just and Unjust Wars*, chap. 16; and John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999), §14.
17. For a discussion of preemptive war, see Walzer, *Just and Unjust Wars*, chap. 5. Walzer says that preemption is justified at the point of "sufficient threat." But he admits that this phrase is "necessarily vague" (p. 81). This vagueness points us to the epistemological problem.
18. See, for example, Glover, *Humanity*.
19. See Pope John Paul II's Address for the World Day of Peace (January 1, 2002), "No Peace without Justice, No Justice without Forgiveness."
20. This objection is stated by Anscombe, "War and Murder," 282. Anscombe agrees with this to an extent, although she is worried about those who would hide immorality behind reasons of state. For a concrete analysis, see also John Somerville, "Patriotism and War," *Ethics* 91, no. 4 (1981): 568–78.
21. For a recent discussion of the importance of social trust and its relation to democracy and social equality, see Eric Uslaner, *The Moral Foundations of Trust* (Cambridge: Cambridge University Press, 2002).
22. Walzer says, "The burden of proof falls on any political leader who tries to shape the domestic arrangements or alter the conditions of life in a foreign country. And when the attempt is made with armed force, the burden is especially heavy—not only because of the coercions and ravages that military intervention inevitably brings, but also because, it is thought that the citizens of a sovereign state have a right insofar as they are to be coerced and ravaged at all, to suffer only at one another's hands." *Just and Unjust Wars*, 86.