THE ELEMENTS OF ST. AUGUSTINE'S
JUST WAR THEORY

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ABSTRACT

St. Augustine's just war theory involves eight principal elements: a) a punitive conception of war, b) assessment of the evil of war in terms of the moral evil of attitudes and desires, c) a search for authorization for the use of violence, d) a dualistic epistemology which gives priority to spiritual goods, e) interpretation of evangelical norms in terms of inner attitudes, f) passive attitude to authority and social change, g) use of Biblical texts to legitimate participation in war, and h) an analogical conception of peace. It does not include non-combatant immunity or conscientious objection. A contemporary assessment of the elements is offered.

Christian thought about justifying reasons for war and limits on the conduct of war can be described either as a presentation of just war theory or as an integral part of just war tradition. A special part of the interest of just war theory is that it is built on a long and rich historical development, just as a special part of the interest of the just war tradition is that it is the history of what is still a very important instrument for dealing with some of the most difficult problems that we confront as human beings and as members of a free political community. Both the tradition and the theory have been identified over time as the Christian approach to the problem of violence, and in a very rough way this is true.

But such a claim should not be taken in any exclusive sense. For there is a long and important tradition of Christian pacifism both as a theological position and as a form of Christian witness in a world full of the sorrows and crimes so often found in war. On the other hand, there have been episodes of violence for which a special religious blessing has been sought or given. There has also been a recurrent interweaving of religious and military values in ways which often exceed without repudiating the rather austere limits of just war theorizing on the use of violence. The Christian tradition, if we conceive it in historical rather than normative terms, includes crusaders and conquistadors, kings and knights, rebels and sheriffs. Even in the case of Roman Catholicism, the church which has had the longest and closest official identification with just war doctrine, it would be a mistake to equate the church's teaching and experience simply with this doctrine or approach.
Recent developments in American Catholicism from the time of Dorothy Day onwards should make this clear. On the other hand, a just war approach to the problem of violence is not confined to Christian believers. The approach has roots in the teachings of Cicero and in the legal and moral theory of natural law and Greek philosophy. It continues to flower in the contemporary work of Michael Walzer. We are then confronted with a wealth of material in just war tradition and theory. This wealth can be a resource for reflection or a cause of embarrassment, for it makes it very difficult to identify any particular formulation as simply the just war theory and it means that any presentation of or appeal to the just war tradition will have to be highly selective. The task of the present paper is to take one of the crucial figures in the development of the just war tradition, to present the elements of his position as constituting the bases of just war theory, and to suggest some possibilities for the use of these elements in current just war debates.

I. RELIGIOUS AUTHORIZATION OF WAR

Around the year 400 Augustine published a polemical work Against Faustus, a proponent of Manicheanism who figures in Book V of the Confessions. A central theme of the work is the continuity and compatibility of the Old and New Testaments, a point which the Manicheans had denied in setting up their fundamental opposition between the defective and inferior deity of the Hebrew Bible who is the creator of matter and evil and the perfectly good Father of Jesus. This polemical concern leads Augustine to defend Moses for the spoliation of the Egyptians and the wars of the Israelites. The general strategy which he adopts has considerable affinity with divine command ethics and with Aquinas's treatment of divinely authorized exceptions to the precepts of natural law. He says (Milhaven, 1968:161):

According to the eternal law, which requires the preservation of natural order, and forbids the transgression of it, some actions have an indifferent character, so that men are blamed for presumption if they do them without being called upon, while they are deservedly praised for them when required. The act, the agent, and the authority for the action are all of great importance in the order of nature.

The translation here is a bit misleading, since we are not dealing with a class of indifferent actions, which a moral agent is free to perform or not without making himself or herself liable to moral criticism or blame, but rather with actions which are prima facie wrong, at least to the extent that there is some burden of justification to be carried by the person who would perform them. In fact, the example that Augustine offers emphasizes this point since it is the sacrifice of Isaac by Abraham, an action that, without
divine authorization, would universally be held to be wrong. As Augustine observes (1887:300), "For Abraham to sacrifice his son of his own accord is shocking madness. His doing so at the command of God proves him faithful and submissive." The example also indicates that the three key elements, "the act, the agent, and the authority for the action," are not adequately distinct. It is the divine authorization that makes the action or attempted or contemplated action praiseworthy rather than indifferent or in need of justification and that makes Abraham "faithful and submissive" (fidelis et devotus). Actually one is a bit surprised to see Augustine hanging so much on the divine authorization in this case. No matter what one's theological views, there must be very few theologians or ecclesiastics today who would point to God's demand for the sacrifice of Isaac as a perspicuous manifestation of the moral character of the deity. The appeal to this case does, however, have a certain ad hominem value, since Augustine affirms that Faustus is not willing to raise moral objections to the sacrifice of Isaac as he did to the despoiling of the Egyptians. With regard to the latter case, Augustine urges (1887:300), "Your feeling of disapproval for the mere human action should be restrained by a regard for the divine sanction (auctoritas)."

When he actually gets to considering the question of war, Augustine points to the divine authorization for the wars of Moses and says of Moses that "in wars carried on by divine command, he showed not ferocity but obedience" (Augustine, 1887:301). The difference here is not a matter of altering the way in which Moses conducts wars, or the limits that he observes in the use of violence, but a difference in motivation and justification. Augustine's views here are connected with his remarkable position on what constitutes the evil of war. He asks:

What is the evil in War? Is it the death of some who will soon die in any case, that others may live in peaceful subjection? This is mere cowardly dislike, not any religious feeling. The real evils in war are love of violence (nocendi cupiditas), revengeful cruelty (uliscendi crudelitas), fierce and implacable enmity, wild resistance, and the lust of power (libido dominandi) and such like. (Augustine, 887:301)

For a modern reader, the language here prefigures the famous description of the state of nature as a state of war given by Thomas Hobbes in the celebrated Chapter 13 of Leviathan. Both Hobbes and Augustine would agree that such a condition is menacing and unattractive to reasonable human beings. Hobbesian egotists who are living in such a situation without moral constraints will see it as a threat to their self-preservation and will, if they are reasonable, agree on articles of peace. This move rests on a clear agreement about the importance of earthly values. Thus Hobbes writes (1947:84): "The passions that incline men to peace, are fear of death; desire of such things as are necessary to commodious living; and a hope by their industry
to obtain them." But what Augustine finds repellant in the state of war is its expression of human selfishness and of the disordered desires of human beings. As Augustine observes (1887:303):

Thus, in all the things which appear shocking and terrible to human feebleness, the real evil is the injustice: the rest is only the result of natural properties or of moral demerit. This injustice is seen in every case where a man loves for their own sake things which are desirable only as means to an end, and seeks for the sake of something else things which ought to be loved for themselves.

A Hobbesian peace which left unchallenged the distorted values of people who fail to "use things only for the end for which God appointed them, and to enjoy God as the end of all" (Augustine, 1887:303) would not count as a just or satisfactory peace for Augustine, even though it might prevent various forms of violent behavior and resulting harm. In fact, the response that Augustine proposes with regard to the evils of war is not to strike a rational agreement but to punish them. He writes (1887:301): "It is generally to punish these things, when force is required to inflict the punishment, that, in obedience to God or some lawful authority, good men undertake wars." The resort to violence that is inherent in war is undertaken, not as a means of self-defense, but as a punitive effort initiated by lawful authority.

Augustine interprets war along lines inspired by the Old Testament as both an element in religious pedagogy and an exercise of divine power and judgment:

When war is undertaken in obedience to God, who would rebuke, or humble, or crush the pride of man, it must be allowed to be a righteous war: for even the wars which arise from human passion cannot harm the eternal well-being of God, nor even hurt His saints; for in the trial of their patience, and the chastening of their spirit, and in bearing fatherly correction, they are rather benefited than injured. (Augustine, 1887:301)

This gives us an approach to the whole problem of war which sees it in primarily spiritual and attitudinal terms rather than as a threat to human interests and survival or as the doing of actions which are evil. It is this approach which lies behind Augustine's astonishing remark (1887:303) about Moses that "there would have been less harm in making war of his own accord, than in not doing it when God commanded him." Augustine's insistence on the power and the mystery of God's providence leads to a kind of agnosticism about the value of what human beings do and suffer in the course of war:

As the judgments of God and the movements of man's will contain the hidden reason why the same prosperous circumstances which some make a right use of are the ruin of others, and the same afflictions under which some give way are profitable to others, and since the whole mortal life of man upon earth is
a trial, who can tell whether it may be good or bad in any particular case—in time of peace, to reign or to serve, or to be at ease or to die—or in time of war, to command or to fight, or to conquer or to be killed. (Augustine, 1887:303)

This level of agnosticism about human values and of abandonment to divine providence takes the whole task of making moral decisions about war out of the hands of individual moral agents in two ways. First, because it questions our ability to judge what is really for our good, it leaves us fundamentally passive in the face of the workings of divine providence. Second, it turns the question of determining the justice of war and the right use of violence into a search for an appropriate authorization. Thus Augustine concludes (1887:301):

A great deal depends on the causes for which men undertake wars, and on the authority they have for doing so: for the natural order which seeks the peace of mankind ordains that the monarch should have the power of undertaking war if he thinks it advisable, and that the soldiers should perform their military duties in behalf of the peace and safety of the community.

Authorization to take part in hostilities, even when this comes from “an ungodly king” or involves an “unrighteous command” leaves the soldier innocent “because his position makes obedience a duty” (Augustine, 1887:301).

It is sometimes observed that Augustine spiritualized the command to turn the other cheek and not to resist aggression (Mt. 5.39). In one sense, this is clearly true. As Augustine says quite openly in the present work (1887:301): “What is here required is not a bodily action, but an inward disposition.” But we would be mistaken if we took this spiritualization as a mere evacuation of the demanding content of the Gospel or as a veil behind which Christians would be free to assert themselves or to pursue their own selfish desires. Rather, it is part of Augustine’s effort to seek our happiness in another life and another kingdom. The Old Testament does not primarily provide us with a collection of examples authorizing violence on religious grounds, although it does do that. Rather, it serves as a stage in a progressive revelation of what is truly good. Augustine writes (1887:302):

The patriarchs and prophets, then, have a kingdom in this world, to show that these kingdoms, too, are given and taken away by God: the apostles and martyrs had no kingdom here, to show the superior desirableness of the kingdom of heaven.

Not merely is the kingdom of God ultimately what we are to aspire to in our desires and attitudes; but the authority of God is our ultimate guarantee of the righteousness of what we do. So Augustine can affirm (1887:301) that the man must “be blameless who carries on war on the authority of God, of whom every one who serves him knows that He can never require what is wrong.”
II. THE ELEMENTS OF AUGUSTINE'S POSITION

As we reflect on the complex ideas presented in this important work of Augustine, we can discern some principal themes: *a*) a conception of war as punitive rather than defensive, *b*) an assessment of the evil of war in terms of the moral evil of certain attitudes and desires rather than in terms of damage to premodal interests and values or in terms of actions wrong in themselves or by reason of their consequences, *c*) a search for appropriate authorization, either divine or human, for the use of violence, *d*) a divided epistemological stance which includes certainty with regard to the superiority of spiritual goods and uncertainty about the ultimate desirability of other events and experiences and their connection with the higher spiritual goods, *e*) a willingness to interpret evangelical norms in terms of inner attitudes rather than overt actions, *f*) an assumption of general social passivity and quiescence in the decisions and moral judgments of authority. To these, two other important elements have to be added, one of which is already present in the test we are analyzing from the *Contra Faustum*. This is *g*) the appeal to specific New Testament texts to legitimate military service and participation in war. Thus Augustine here and elsewhere refers to Luke 3:14, the words of John the Baptist to the soldiers, and cites the favorable reference to the centurion in Matthew 8. The final element to be brought in is *h*) Augustine's notion of peace, which does not figure in the text we have been examining.

We can see most of these elements at work in two important letters of Augustine to Roman officials in Africa. These are Letter 138, written in 412 to the tribune Marcellinus, and Letter 189 to Boniface, the governor of Africa, in 418. Marcellinus had reported a pagan arguing that Christian "preaching and doctrine were not adaptable to the customs of the state," and instancing the precepts about not returning evil for evil and about turning the other cheek (Augustine, 1953:41). Augustine characterizes these precepts (1953:4) as "not worked out by human arguments but written by divine authority." He interprets them not in merely negative and passive terms but along the lines of Paul's admonition in Romans 12:21 to overcome evil with good. The patient bearing of evil without retaliation may produce a change of heart in the evildoer. Augustine comments (1953:43–44):

Evil is overcome by good in the evil man, and the man is set free, not from an exterior foreign evil, but from an interior, personal one, by which he is more grievously and ruinously laid waste than he would be by the inhumanity of any enemy from without. Therefore, he overcomes evil by good who suffers the loss of temporal goods with patience, in order to show how far these goods are to be despised for the sake of faith and justice.

Here we can see Augustine's consistent affirmation of the primacy of spiritual goods (element *d* above). The patient relinquishing of temporal goods
has a pedagogical value, and it helps to liberate the other persons from concern about such goods, which a struggle to protect one’s possession of such goods would not do. Augustine, however, does not absolutize the value of non-resistance. Its value is instrumental, and Augustine (1953:44) treats it as a tactic when he observes that “the right time for this to be done is when it seems likely to benefit the one for whose sake it is done, in order to bring about correction and a return to agreement.”

Augustine’s primary concern is with a conversion of mind and heart, and his preference is for achieving this by the example of patience. But as the term “correction” may indicate, there is also reliance on punitive methods. Augustine puts it thus (1953:4): “We often have to act with a sort of kindly harshness, when we are trying to make unwilling souls yield, because we have to consider their welfare rather than their inclination.” The complex epistemological stance mentioned as element d above includes both the affirmation of the priority of spiritual goods and a strong paternalistic tendency, in which one is willing to take action overriding others’ conception of what constitutes their good. Thus Augustine writes (1953:4):

> He whose freedom to do wrong is taken away suffers a useful form of restraint, since nothing is more unfortunate than the good fortune of sinners, who grow bold by not being punished—a penalty in itself—and whose evil will is strengthened by the enemy within.

Part of the attraction of the punitive model of war for Augustine is that it contributes to the restoration of a moral order in which the various goods are properly estimated and in which human passions are restrained. Thus it is a sign of God’s mercy that “wars should be waged by the good, in order to curb licentious passions by destroying those vices which should have been rooted out and suppressed by the rightful government” (Augustine, 1953:4). It is, I would argue, crucial to our understanding of Augustine’s approach to the just war that he is really interested in the preservation of a moral order which is fundamentally a right internal order of dispositions and desires and in which the question of whether action is violent or not is not fundamental. The restoration of that order constitutes a sufficient justification for resort to violence. In this sense, the problem that confronts Augustine in justifying the use of violence is closer in its fundamental epistemological and ethical character to the New Testament than it is to arguments for pacifism and against coercion on the basis of a liberal permissiveness and agnosticism or to arguments for justified violence on the basis of protecting the freedom and the interests of the individual or the community, arguments which work with the categories of modern political theory and moral philosophy and which address a pluralistic audience which has been subject to strong sceptical and relativistic influences.

The preservation of order and the avoidance of disordered interior states
also figure as important themes in Letter 189 to Boniface in 418. After an eloquent invocation of charity and a depiction of our progress to the promised kingdom, Augustine (1955:26) tells Boniface: “Do not imagine that no one can please God while he is engaged in military service.” Augustine is willing to draw a parallel between the preservation of order through prayer and through warfare: “Thus some fight for you against invisible enemies by prayer, while you strive for them against visible barbarians by fighting” (Augustine, 1955:29). Augustine reminds Boniface that war is waged for the sake of peace and that he is to wage war as a peacemaker. Violence is appropriate in dealing with rebels who reject peace. War is “the result of necessity,” and therefore “let it be necessity, not choice, that kills your warring enemy” (Augustine, 1955:26). Here we can see a recurring tendency in Augustine’s language about the justified use of violence to make this less than a full object of responsible choice. This cuts two ways: on the one hand, it reminds us that violence is justified in the Christian tradition as a lesser evil in a situation of restricted choice among unattractive options; on the other hand it suggests an alienated attitude to violent action which may ultimately lead to a denial of one’s responsibility and freedom. We should, I suggest, connect this with Augustine’s search for authorization for violence so that the action is not fully the result of one’s own freedom. The presence of some of these problems about violence in Augustine’s thought from a very early period can be attested if we look back at an early anti-Manichean dialogue of Augustine, De libero arbitrio, of 388. Here Augustine considers the problem of self-defense, but not so much in terms of a conflict of rights as in terms of the internal dispositions one brings to actions in one’s own interest. Evodius, Augustine’s friend and interlocutor in the dialogue, asks: “How am I to judge that these men are free of passion who take up the sword in defense of things that can be lost against their will?” (Augustine, 1967:81). But he then offers the reassuring observation that a law which is enacted for the protection of people and which authorizes violence “cannot be charged with passion” (Augustine, 1967:81). Augustine then concludes that “one can, therefore, without passion, obey a law enacted for the protection of its citizens when it commands that an enemy force be met by the same kind of force” (Augustine, 1967:82). He draws a similar conclusion for public servants in general, who serve under an established order. But though the law leaves private persons free to use violence in self-defense, Evodius argues that, since the law does not compel them, they are wrong to use force to protect things “which can be lost against their will and which, on this account ought not to be loved at all” (Augustine, 1967:82).

Actions to protect such things may be permitted by human laws, but are to be punished by divine providence. Augustine here anticipates a point made later by Aquinas (1966:31) to the effect that not all evils are appropriately forbidden by human laws. The fact that a good can be taken from us involuntarily shows that it is an inferior good, for the defense of which violence is
not justifiable. This rests in part on a standard Stoic contrast between what is within our control and what is not and is a key move in what Sir Isaiah Berlin (1969: 135) has referred to as “the retreat to the inner citadel.” The goods within our control are the virtues and attributes of the soul (e.g., chastity), which are among the spiritual goods which are more valuable in Augustine’s system generally. A consequence of this move is a radical depreciation of the right of self-defense, which Augustine expresses thus (1967: 82):

Whatever the slain attacker was going to snatch from us is something not entirely within our power and, consequently, I fail to see how we can call it our own. Accordingly, I certainly am not blaming the law which permits such assailants to be slain, yet I can find no way to defend those who kill them.

This denial of legitimate self-defense for the protection of goods which can be lost is the underlying reason for Augustine’s adoption of a punitive model of war (element a above) in preference to a defensive model. Augustine here is in the sharpest possible opposition to Hobbes’s conception of the right of nature which he defines as:

the liberty each man hath, to use his own power, as he will himself, for the preservation of his own nature; that is to say, of his own life; and consequently of doing anything, which in his own judgment and reason, he shall conceive to be the aptest means thereunto. (Hobbes, 1947: 84)

This conception of a natural right of self-defense which is to be given the widest scope in the state of war and which is inherent in the individual is probably not held in all its amoral starkness by many today either among political theorists or among ordinary citizens. But I hazard the guess that most contemporary people, if forced to a choice between Hobbes and Augustine on this point, would side with Hobbes.

III. PEACE

The texts we have been looking at come from different phases of Augustine’s life, from soon after his conversion to well into his episcopal career, and they represent different forms in his literary output: letters, polemical treatise, dialogue. But I would argue that they form a set of ideas which show a reasonable constancy and coherence in Augustine’s view of war and which manifest interesting connections with larger themes in his theology and his moral theory. Some of these connections and some idea of the place of peace in relation to war can be seen if we look briefly at some passages from Book XIX of Augustine’s most ambitious work, The City of God.

When he contemplates the unity of the Roman empire, Augustine laments the wars that were necessary to produce this unity, the wars that arose from the complexity and divisions of the empire, and the wars necessary to protect
this unity against external empires. Even if these wars are just, they are for Augustine a cause for lamenting:

For it is the wrongdoing of the opposing party which compels the wise man to wage just wars; and this wrongdoing, even though it gave rise to no war, would still be matter of grief to man because it is man's wrongdoing. Let every one, then, who thinks with pain on all these great evils, so horrible, so ruthless, acknowledge that this is misery and if any one either endures or thinks of them without mental pain, this is a more miserable plight still, for he thinks himself happy because he has lost human feeling. (Augustine, 1950:683)

Here we again encounter Augustine's tendency to focus on inner attitudes rather than on external harms as well as his predominantly negative attitudes to war. War is an evil, but its fundamental status is instrumental. Augustine argues a bit later (1950:687):

It is therefore with the desire for peace that wars are waged even by those who take pleasure in exercising their warlike nature in command and battle. And hence it is obvious that peace is the end sought for by war. For every man seeks peace by waging war, but no man seeks war by making peace.

The priority of peace to war in the order of final causes or goals is a point that had already been seen by Aristotle (1925:1177b9–12). But Augustine sees more explicitly the ways in which the type of peace is correlated with the society that pursues it, e.g., a society of robbers, a family, a monarchy, just or unjust. Peace is a natural goal, even if corrupted nature seeks an unjust peace (Augustine, 1950:687–690).

But this claim has a double edge to it, for while it maintains that peace is universally desired it partly undercuts the claim that all forms of peace are good. Thus Augustine observes (1950:695): "The families which do not live by faith seek their peace in the earthly advantages of this life." These advantages are not closed or forbidden to people of faith, for Augustine argues (1950:695):

Thus the things necessary for this mortal life are used by both kinds of men and families alike, but each has its own peculiar and widely different aim in using them. The earthly city, which does not live by faith seeks an earthly peace, and the end it proposes, in the well ordered concord of civic obedience and rule, is the combination of men's wills to attain the things which are helpful to this life. The heavenly city, or rather the part of it which sojourns on earth and lives by faith makes use of this peace only because it must, until this mortal condition which necessitates it shall pass away.

The peace which we enjoy under the conditions of this life is, in Augustine's terms (1950:707–08) "rather the solace of our misery than the positive enjoyment of felicity." Augustine then points to the final misery of those separated from God and not belonging to the city of God as a state of war. In the present order of things, both the justice or righteousness of which we are capable
and the peace we can attain are flawed and imperfect. But in the final peace, where we shall be freed from both sin and death, Augustine says (1950:708), "it will not be necessary that reason should rule vices which no longer exist but God shall rule the man, and the soul shall rule the body, with a sweetness and facility suitable to the felicity of a life which is done with bondage." It is this peace which Augustine regards as the supreme good, but it is a peace which takes us beyond the circumstances of justice, the limited resources and limited benevolence of our present earthly condition (Rawls, 1971:126–130). The peace of the earthly city is appropriate to the circumstances of justice and to the need of a sinful and divided humanity to maintain a "common agreement" about the "necessaries of life" (Augustine, 1950:696).

The common element in all the various forms of peace that Augustine recognizes in nature, in the body, the soul, the individual, the society, and the great cities, is the "tranquillity of order," that order which "allots things, equal and unequal, each to its own place" and which in the heavenly city is "the perfectly ordered and harmonious enjoyment of God, and of one another in God" (Augustine, 1950:690). We may feel tempted to visualize this ultimate vision of peace on the lines, say, of Van Eyck's *Adoration of the Lamb*. But we should remember that it includes a very important punitive element. The damned share in the final peace, since they are bound with each and separated from the blessed by "the law of order" and since their continued existence requires some minimal harmony with the natural order of things. Augustine explains this (1950:690): "There cannot be war without some kind of peace, because war supposes the existence of some nature to wage it, and these natures cannot exist without peace of one kind or another." This position has the attraction of making peace more fundamental than war, but of broadening the concept so that it includes war. What is of more immediate interest for us is that it shows the compatibility of a punitive conception of war with his overall conception of peace.

This gives us the last essential element in Augustine's thinking about war that we mentioned earlier, namely, his conception of peace. This conception is marked by a fundamental distinction between the ultimate peace of the heavenly city, which has an absolute value but is not directly attainable, and the partial, temporary, and imperfect peace available to sinful humanity. These two forms of peace are analogically related, which is to say that they are alike in some ways and different in others. For anyone who, like Augustine, accepts the absolute value of heavenly peace, a great deal will depend on whether one stresses the similarities between the two forms of peace or the differences, for instance whether one sees earthly peace as preparation for, prefigurement of, and participation in heavenly peace or whether one sees it as marred by egoism and disfigured by structures of oppression. Augustine himself, one may safely say, puts more stress on the similarity between earthly peace and heavenly peace and sees earthly peace as making an important instrumental contribution to the well-being and progress of those called to heavenly peace.
A great deal also depends on the gradations of similarity to the ultimate peace one is prepared to recognize among the various forms of earthly peace that may be available as alternatives. The morally significant differentiating factor in various forms of earthly peace is justice, since the order which Augustine sees as the fundamental element in peace is an order of justice which assigns to each thing or person its due. A question that naturally occurs to us as heirs and critics of the revolutionary impulse in modern societies is the extent to which it is possible to fashion a new order of society, a new city, that will be appreciably more just and hence closer to the order of heavenly peace. Augustine himself was certainly aware of significant differences among political regimes, but he tended to present these in terms of personal moral differences and to accept even negative situations with equanimity. Thus in Book IV of The City of God, after extolling the benefits of the rule of good men who worship God rightly, he says (1950:112): “But the dominion of bad men is hurtful chiefly to themselves who rule, for they destroy their own souls by greater license in wickedness, while those who are put under them in service are not hurt except by their own iniquity. For to the just all the evils imposed on them by unjust rulers are not the punishment of crime, but the test of virtue.” It would be hard to imagine a line of thought which, while affirming the existence and the extent of injustices in society, does more to cut the nerve of revolutionary change. Augustine’s pastoral concern is not to urge Christians to join in fashioning a more just order here with a correspondingly better peace, except insofar as the republic to which they belong rightly worships the true God and so possesses true virtues. (Augustine, 1950:706). Rather, he wants to keep Christians moving on to the peace of the heavenly city and to prevent them from placing their felicity in this life. But the peace of the heavenly city is attained not by a series of social experiments and approximations, but by the eschatological events of death, resurrection, and judgment. The possibility of different forms of order and of peace which might differ in moral quality and which might then provide justification for wars of revolutionary change and for violent movements aiming at a more just society is not one that Augustine himself wishes to explore. To do so, he would need to adopt a much broader conception of the range and moral significance of political choices open to Christians and citizens than would have seemed practicable to one contemplating the pressures of barbarian invasion and the attractions of religious vocation.

IV. CONSCIENTIOUS OBJECTION
AND NONCOMBATANT IMMUNITY

As the search for human and especially for divine authorization makes clear, Augustine does not envisage the citizen as confronted with the neces-
sity of judging the justice of actual or possible social systems, or of judging the justice of particular wars undertaken by the rulers. The Christian, as, for instance, the martyr, can be confronted with a demand to do what is clearly evil, a demand which he or she must not obey; but this confrontation still leaves the Christian passive in the face of authority. Herbert Deane has put the matter thus in his valuable study of The Political and Social Ideas of St. Augustine (1963: 149):

Even when we refuse to obey the orders of the temporal ruler because they clearly conflict with God's commands (e.g., his prohibition against the worship of idols), we have no right to resist the state's commands or to rebel against the constituted authority. Our only recourse is to follow the example of the holy martyrs, that is, to refuse to obey the ruler's sacrilegious commands and to accept quietly, without resistance, even joyously, whatever punishment he may impose upon us for our failure to obey. Even death is to be accepted without any effort to resist or subvert the political authority.

Augustine preaches a doctrine of passive obedience, which exceeds the requirements of Hobbes for obedience to the sovereign, since it rules out the right of self-defense. In the context of contemporary controversy, it is interesting that Augustine himself in the Contra Faustum (1887: 22.74) applies the famous text about the tribute money (Mt 22.21) to providing support for the military. When we look at Augustine's views on the just war in the context of his social and political thought as a whole, we find that the anthropological, political, and moral bases necessary to sustain a doctrine of civil disobedience and of selective conscientious objection are either absent or inadequate.

Another element that we expect to find in just war theory that is not prominent in Augustine is the doctrine of noncombatant immunity. In fact, Richard Hartigan has argued (1968: 203) that "Augustine presented no clear-cut argument for the protection of the innocent, especially for the civilian innocent or noncombatant, in time of war." Hartigan believes that this is not merely a gap but is an absence that indicates an "inherent inconsistency" in Augustine's position. He points this out in the context of what I term the punitive model of war (1968: 202):

If there are innocents, as it is obvious there are, how can war be justly waged against them, since in the case of soldiers, who are merely doing their duty, and of noncombatants, who are not actively engaged in prosecuting the unjust war, there has certainly been no volitional commitment to an injustice which alone would qualify them as guilty and as such proper objects of retribution.

Hartigan offers two possible rationales for Augustine's neglect of noncombatant immunity. One of these, that for Augustine it is better to suffer death, a mere physical evil, than to be guilty of moral evil or vice is certainly right in its claim about Augustine's hierarchy of values. But while this may show
that it is better for the victims to suffer death than to do morally evil things, it does not show why the executioners can be justified in depriving the victims even of the lesser good of life. The other explanation is that Augustine's belief in the "extremely intimate relationship between individual and social morality means that an unjust nation will not be characterized by the presence of a just citizenry" (Hartigan, 1968: 202). This claim unfortunately flies in the face of Augustine's general account of the coexistence and overlapping of the city of God and the earthly city during the present order of things. It has some interest in that it suggests a quite different way of dealing with enemy populations, which may in some cases have many guilty noncombatants who share in the benefits of and offer approval to a morally evil regime (e.g., judges or party officials in Nazi Germany). The killing of guilty noncombatants rather than interiorly innocent combatants fits with a conception of war that is punitive rather than defensive in nature.

I would like to offer two alternative explanations for Augustine's neglect of noncombatant immunity. The first comes from his argument with Faustus over the wars of Moses. If one accepts Augustine's belief in the divine authorization for the initiation and conduct of the wars of Moses and Joshua, it is very difficult to build in a notion of noncombatant immunity as an essential element in the carrying on of a just war. (See Deuteronomy 20.16; Joshua 6.17.) If the justice of God does not require sparing the lives of noncombatants, why should Augustine be more stringent? Second, it is possible to see Augustine's concern to minimize the evils of war (which he clearly and emphatically denounces and laments) as finding expression in an ethics of virtues rather than in an ethics of rules or principles (of which noncombatant immunity would be one). Augustine's repeated warnings against being motivated by revenge and his desire that war not be based on human passion point the way to a limitation of the horrors of war by focusing on the virtues and attitudes of warriors. This does not eliminate the need for a rule of noncombatant immunity, but it is reasonable to think that care to develop a regard for certain moral virtues and values among soldiers would contribute in an important and perhaps decisive way to the preservation of many of the values which the rules of *jus in bello* are designed to protect. Even in an ethics of principles, care for the cultivation of military virtue can be seen to be particularly important when we consider the numerous ways in which combat situations challenge the personal qualities of warriors. Still the gap remains, and we should not be surprised to find that one of the important ways forward from Augustine's form of just war theory is to develop principles about classes of people against whom violence should not be employed.

Reference to the elements of Augustine's position may be helpful in giving a very brief indication of Aquinas's position. Aquinas's main treatment of war is found in Question 40 of the *Secunda Secundae* in the *Summa Theologicae*, where it is one of a number of vices opposed to charity. In the first
article, Aquinas lays down three conditions for a war to be just. They are the authority of the sovereign; a just cause which involves \textit{culpa} or fault in the opposing side; and a right intention in those waging war, namely to promote good and avoid evil. In this first article, Augustine is quoted no less than eight times. Of the elements of Augustine's theory \textit{a, b, c, e, f, g, and h} are all present in some measure. The second article, which deals with the question of clerical participation in warfare, argues that fighting is incompatible with contemplation of divine things and "with the duties of a bishop or a cleric" but that in a complex society fighting is an appropriate and necessary function which ranks below contemplation but above business (Aquinas, 1972: 87). Aquinas goes on to observe (1972: 89) that fighting in a just war is not a sin and that "physical wars should be considered by Christian people as directed towards a divine spiritual good as their end." In this second article, Aquinas is moving to make closer connections between the activities of our social world and the attainment of divine and spiritual goods and is also developing a more differentiated and active concept of order in society than we have seen in Augustine. Aquinas, in accordance with his general systematic position, modifies elements \textit{d} and \textit{h} in Augustine's position. This can also be seen in the fourth article of this question, on whether wars may be fought on feast days. Here Aquinas speaks of our need to preserve the safety of the state \textit{(salus reipublicae)}, which is of more worth than the bodily well-being of the individual person, since by it "many more people are saved from slaughter and numberless temporal and spiritual evils are prevented" (Aquinas, 1972: 93).

\textit{V. CONTEMPORARY REFLECTIONS}

What general conclusions of contemporary interest can we draw from this overview of the major elements of Augustine's just war theory? To what extent is the theory available for our use and enlightening for our choices? To some extent, of course, this will depend on our general assessment of Augustine's theology. Here I can do no more than offer some suggestions hearing on the eight basic elements that I have listed.

\textit{A.} The punitive conception of war as the restoration of moral order rather than the defense of vital national interest seems too broad and difficult to apply, both because there are so many instances of moral disorder in the world and because the forms of interior evil with which Augustine is preoccupied cannot be satisfactorily detected or effectively corrected by the ordinary measures of military policy. These difficulties are much stronger when one accepts element \textit{b}, the account of the evil of war primarily in terms of interior attitudes. The punitive conception of war can be proposed without the general Augustinian framework, and also without denying the defensive conception. In fact, there have been, in a number of public justifications of the
British position in the Falklands dispute, strong signs of a punitive conception. After all, what is being defended in this case is peripheral to the survival of the national community that is making war. The focus is rather on protecting and vindicating certain rules of international order and the rights they affirm. It is also interesting to recall that the encyclical of John XXIII, *Pacem in terris*, challenges the punitive conception of war, at least nuclear war (1963: 30): “Therefore, in this age of ours, which prides itself on its atomic power, it is irrational to think that war is a proper way to obtain justice for violated rights.”

B. Augustine’s insistence on seeing the evil of war primarily in terms of certain attitudes and desires rather than in terms of damage to premodern interests and values is an expression of the concern of his ethical thought with intention and virtue, but it is not a persuasive emphasis today. The special concern aroused by modern weapons of mass destruction is over the vast increase in the amount of harm that they can do to human societies, their members, and their environment. There is also a particular concern over the impersonal character of warfare carried on by advanced technological means the use of which may be compatible with detached and even indifferent attitudes on the part of the warrior-technicians who actually direct and use the weapons. Theirs may well be an evil frame of mind (perhaps of a banal sort), but it is clearly different from the lust for revenge and the craving for power that so troubled Augustine.

Item c should be considered with f, since they both involve a denial of the active role of the responsible citizen in shaping defense policy and in making decisions about the use of force. Some modern pacifists might see in this denial evidence to support the claim that Christians should avoid the use of violence. Without rejecting this line of reflection altogether (since I think an aversion to violence is a humane and Christian attitude), I would point out that Augustine’s position attempts to export responsibility for the violence onto the accounts of higher powers (human or divine) and that he does this in a way that does not conform to an awareness of “man come of age” and that is at odds with the conceptions of human agency and moral responsibility that are found in contemporary western cultures and in various liberation movements. This is one issue where one could line up Jefferson, Kant, Freud, and Marx along with Bonhoeffer, the Niebuls, Vatican II, and Gutierrez in united opposition to Augustine. The turn to authority and the expectation of individual passivity can be used both for and against violence, for and against a particular order of things. But one of their main uses in military contexts is to create an overwhelming presumption against selective conscientious objection, a possibility which has to be kept open by any form of just war theory that is to be credible and applicable in an open society.

D. The divided epistemological stance which both affirms the clear superiority of spiritual goods and professes a certain agnosticism about whether
certain worldly goods are really worthwhile or worth fighting for has figured prominently in traditional appeals to accept the providential ordering of things even when they go badly for us in worldly terms. “We have not a lasting city.” “All things work together unto good for those who love God.” Taken by itself, this line of reflection can form part of a pacifist acceptance of earthly evils, or it can serve (as in Augustine’s position) to discredit the use of violence to defend one’s interests and earthly values (including one’s life). This is a familiar and important part of the Christian’s dealing with the world in a spirit of trust and is an important aspect of conversion from the pursuit of worldly goods to the spiritual values of charity and union with God. But it encounters two major difficulties in contemporary discussion. The first is political and in one sense peripheral from a Christian point of view. It is that national decisions in a country such as ours cannot for a number of reasons, both practical and theoretical, be based on Christian conversion or on appeals to transcendent religious values. The second difficulty has to do with the sharp dualism between spiritual and earthly in being, in knowing, and in valuing which this approach expresses. This approach is widely regarded as wrongheaded in a number of different areas of life (the meaning of sexuality, the effects of poverty and material deprivation, personality development, and cognitive theory, to name a few). In a more explicitly theological response, one can argue that this spiritual line of reflection causes us to misunderstand our nature as incarnate beings that have to realize spiritual values in a material environment of which we ourselves are part and that Augustine’s dualism is unfaithful to the Biblical anthropology and relies on Greek categories of soul and body. The turn away from dualism is sufficiently pervasive in our culture and in our theology that dualistic appeals to spiritual values are likely to encounter resistance from intellectual criticism as well as from weakness of will.

E. Augustine’s interpretation of evangelical norms in terms of interior attitudes rather than overt actions has the attraction of avoiding a constricting literalism but threatens to sever the connection between virtuous attitude and right action. While no important virtuous disposition can be identified with a single type of action or even with a list of types of actions, virtues and interior dispositions, if really possessed and effective, must make some difference in the conduct of one’s life and in one’s public behavior. Giving up this connection is both a misunderstanding of our psychology and an invitation to self-deception. Part of Augustine’s difficulty here is that he is reluctant to say that turning the other cheek may in some cases be a wrong or inappropriate action, even when this would be the clearer and simpler statement of his view. Another part of the problem is the ambivalence that is inherent in any Christian acceptance of justified violence. Even when a Christian judges in good conscience that recourse to violence is necessary and justifiable, the presence of conflicting attitudes for and against the violence
is appropriate. Such conflicts can be quite painful, and we have a variety of ways of handling or evading them. But to act on one attitude (whether it leads toward or away from violence) does not destroy the contrary attitude. This is a valuable point in Augustine’s contrast between attitude and action. Just how close a concord there can be between the norms of the Sermon on the Mount and the actions of Christians remains problematic, even when we agree that there should be conformity between evangelical norms and our inner attitudes as well as between our inner attitudes and our outer actions. It is characteristic of many contemporary Christian pacifists to desire that this conformity be both close and transparent; this desire is manifest in their concern for the symbolic and witness value of what they do and in the content of their appeals to their fellow Christians.

Item / has already been considered in connection with c. It is a point that divides Augustine’s position from activist and participatory forms of political theology currently dominant in the Third World and broadly influential in the First World.

G. Augustine’s use of New Testament texts to legitimate military service shows a certain literalist ingenuity and a tendency to rely on inferences from particular texts (such as Jesus’ praise of the centurion) rather than to argue the issues in terms of a Biblical perspective which, in the strategy of modern scholarship, is historically recoverable in part, demonstrably beyond recovery in part, and inconclusively but suggestively normative for us. The biblical issue on which Augustine may have the most to offer us is the defense of the Hebrew Bible against Manichean discrediting. A crucial point with regard to war (and a number of other social institutions and practices) is the question of the weight to be given to normative positions assumed or defended in the Old Testament.

H. Augustine’s analogical conception of peace as order, which we have already considered earlier, presents both possibilities for justifying the use of force as a means of maintaining order and preventing chaos (recognized by Augustine) and as an instrument for bringing about new forms of order (generally not recognized or approved by Augustine, except when he touches on the topic of religious coercion).

This contemporary overview of the elements that constitute Augustine’s position on the just war may well appear sketchy and inconclusive. This partly reflects the limitations of this paper, but it is also a consequence of the ambivalence and complexity of Augustine’s own position. There are a number of different ways of combining and developing these different elements. Thus, to put the matter very roughly and schematically, the various elements could be put together in support of a just war position or a holy war position or a pacifist position. For instance, emphasizing a, c, and d could well produce a very ambitious conception of war as divinely ordained punishment for violations of moral order. Similarly, b, d, and f could be combined to produce a passive and other-worldly form of pacifism.
The contemporary point of focusing on the discrete elements in Augustine's theory is not to resolve the dispute between pacifism and just war theory or to suggest new conclusions, but rather to make more explicit the range of considerations (theological, anthropological, and ethical) that Augustine and other theological and philosophical theorists of just war bring to these issues, to make more clear to ourselves some of the reasons why we find their positions satisfactory or unsatisfactory, and to suggest to ourselves that there may be less than perfect harmony among the various elements of our own position. For instance, we may be arguing for pacifism on the basis of an assessment of the evil of war which is much less spiritual than Augustine's, and of a reading of human nature which is less dualistic and more optimistic than his, and of a conception of society which is more individualistic and more participatory than his. Such a set of views will give us a different set of problems and opportunities in the argument. But our sense of these problems and opportunities and of the complex ways in which a variety of human religions and intellectual concerns come together to shape the positions that we adopt on the momentous questions of peace and war can only be deepened and enriched by the study of the history of Christian thought and practice in the making of war and the making of peace.

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