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Selective Memory: Augustine and Contemporary Just War Discourse

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Abstract

Recent moral justifications of military intervention in Kosovo, Afghanistan and Iraq have drawn upon just war concepts set out by Augustine of Hippo in the early fifth century. Augustine, writing as the political hegemony of the Roman Empire was ebbing away, provides a valuable touchstone for anyone engaged in analysing the complex interplay of power, war, morality and religious faith. Like most of the problems Augustine addressed in his writings, his attitude to just war was rooted in a potent mix of imperial politics, concern for individual souls and establishing and defending church orthodoxy. Though his personal *telos* was to be found in the Heavenly City, Augustine did not try to avoid the difficulties of dealing with the contradictions involved in the Christian's encounter with the decidedly ungodly Earthly City. Though he never ruled out the need for political power to be wielded through the medium of martial force, Augustine would only accede to such action with great reluctance. This article investigates aspects of the use and misuse of Augustine and his ideas in both the political and academic arenas in the justification of recent military interventions. Analysis of statements made by the British Prime Minister Tony Blair and the book *Just War Against Terror* by American political theorist Jean Bethke Elshtain will show how Augustinian concepts have been used selectively to serve broader political agendas. Blair and Elshtain have been chosen for this study because they were both, in their respective fields, influential figures who advocated the 2003 invasion of Iraq; they are both declared Christians; Elshtain has explicitly associated herself with Blair's approach; and they both rejected any notion of religious crusade in the aforementioned interventions. By considering *casus belli* which included self-defence, opposing evil and liberating the oppressed, this article will demonstrate that the selective use of Augustine would eventually weaken the very case it was meant to strengthen. In the process, commonalities and discontinuities between Augustine's ideas in their original context and their application in the present will be highlighted. The article concludes that, in the process of using Augustinian concepts to justify recent military action, his renowned reticence regarding the use of force was undermined.

Keywords: Augustine, Blair, Elshtain, Iraq War, just war, military intervention.

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On 18 March 2003 Prime Minister Tony Blair stood before the British parliament and set out his case for military action against the Iraqi regime of Saddam Hussein. Blair's legal case was based on the threat that he believed was posed by unaccounted-for weapons of mass destruction and a lack of co-operation with United Nations weapon inspection teams: a threat which in his view provided the primary *casus belli*. This threat was extended to include the risks posed to the West if weapons of mass destruction (WMD) of the kind Blair believed to be possessed by Iraq were made available to terrorist groups such as Al Qaeda. The legal case was supplemented by desire to promote democracy and a number of long-established moral arguments, none of which formed part of international law as enshrined in the Charter of the United Nations:[1]

> Saddam had used [WMD] against Iran, against his own people, causing thousands of deaths . . . let the future government of Iraq be given the chance to begin the process of uniting the nation's disparate groups, on a democratic basis, respecting human rights . . . The brutality of the repression – the death and torture camps, the barbaric prisons for political opponents, the routine beatings for anyone or their families suspected of disloyalty are well documented . . . To suffer the humility of failing courage in face of pitiless terror. That is how the Iraqi people live. Leave Saddam in place and that is how they will continue to live.[2]

Having argued his case Blair concluded by beseeching his listeners to 'do the right thing', which in his view was to support military action against Saddam Hussein and Iraq.[3] At the same time, American political theorist and just war advocate Jean Bethke Elshtain published *Just War Against Terror* as a moral analysis of the US-led action against Afghanistan, which was itself a response to the 9/11 Al Qaeda attacks on the US. Extending her analysis to include the case for military action against Iraq she was clear in her belief that 'the Iraq War was, and is, justifiable'.[4] While the legal case presented by Blair is still the subject of ongoing debate and dispute in the UK, the *moral* arguments made by him and by Elshtain are largely overlooked. Blair and Elshtain are both declared Christians whose military intervention discourse

[1] Charter of the United Nations, located http://www.un.org/en/documents/charter (accessed April 2012).

[2] A. Blair, 'Prime Minister's Statement Opening the Iraq debate', 18 March 2003. Unless specified otherwise all subsequent quotes from Blair's speech transcripts are located at http://webarchive.nationalarchives.gov.uk/20061004085342/http://number10.gov.uk/output/Page5.asp (accessed April 2012).

[3] Idem.

[4] J. B. Elshtain, *Just War Against Terror* (New York: Basic Books, 2004), p. 192.

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relies both explicitly and implicitly on concepts set out by Augustine of Hippo in writings which form part, perhaps even the basis, of the Western just war tradition.[5] The remainder of the article will first examine Blair's use of Augustinian concepts before going on, in the second section, to consider Elshtain's moral reliance on this iconic just war theorist. The final section will explore how Blair and Elshtain were only able to construct their cases through the selective use of historical ideas, abstracted from their original ontological underpinnings.

Augustine and the ethical subject

Commonly regarded as the father or founder of Western just war theory,[6] Augustine was not primarily concerned with expounding a theory or founding a tradition of thought. However, even to speak of a Western *theory* of just war, as John Mattox does,[7] implies a continuity of thought which is not borne out by closer inspection. Western just war can be more accurately described as a sequence of situated discourses, each characterised by unique ontological foundations and epistemological assumptions: constructed through selective reliance on legitimised knowledge within political, cultural and religious power dynamics. Like most of the problems Augustine addressed in his writings, his concern for war was rooted in a potent mix of imperial politics, concern for individual souls and establishing and defending church orthodoxy. The Roman Empire of the early fifth century was under attack from increasingly bold and determined enemies. With Christianity by that time the official religion of the empire, an influential pacifistic school of thought within the church – as well as the legacy of the Roman Army's actions against Christians in previous centuries – made it difficult for the army to recruit, train and deploy sufficient numbers of quality soldiers. Consequently, Augustine addressed the vexed question of whether or not Christians could take up arms in the Roman Army. He concluded, perhaps not surprisingly given the bloody tendencies of many of the Roman emperors, that Christians

[5] A number of historic just war traditions can be found in different cultures and locations around the world; this article focuses specifically on a distinct Western just war tradition.

[6] This and similar claims are made or repeated in a number of texts, a sample of which include: Paul Christopher, *The Ethics of War and Peace* (Englewood Cliffs, NJ: Prentice-Hall, 1994), p. 30; Gregory M. Reichberg, Henrik Syse and Endre Begby (eds), *The Ethics of War* (Oxford: Blackwell Publishing, 2006), p. 71; Paul Ramsey, 'The Just War According to St. Augustine', in Jean B. Elshtain (ed.), *Just War Theory* (New York: New York University Press, 1992), p. 8.

[7] J. M. Mattox, *Saint Augustine and the Theory of Just War* (London and New York: Continuum, 2006), p. 1.

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could serve in the army as long as it was for just reasons such as obeying the commands of God, the righting of wrongs or in pursuit of a better state of peace. In addition, soldiers were required to obey the legitimate orders of their superiors.[8]

Augustine's concern for Christian leaders who embarked upon war and Christian soldiers who waged war was rooted in his wider concern that all Christians should pursue an ultimate *telos* located in the City of God: where eternity would be spent with God. For Augustine, every individual has sufficient freedom and autonomy to work on herself or himself, in imitating the behaviour of Christ. Augustine pursued an ideal subjectivity exemplified by the perfection of Christ but, in his *Confessions*, he acknowledged that 'it was I, and it was my impiety that had divided me against myself'.[9] In order to overcome this divided self – part good, part evil – evil actions had to be confessed (to God), 'that thou mightest heal my soul'.[10] The act of confession became part of a process of self-policing and self-subjectivation which would ultimately – in conjunction with divine grace – lead to Christ-likeness. As Thomas Lynch summarises: 'Christ is both the end and the means.'[11]

Turning to Augustine's writings on war we find a tendency towards hierarchy which can similarly be found elsewhere in his work: a hierarchy headed by a transcendent God whose direct command – captured in the Old and New Testaments – and teleological order shaped all of human existence in general and the life of the Christian in particular. Augustine's ethical subject of war emerged within that clearly identifiable, divine order:

> when a soldier kills a man in obedience to the legitimate authority under which he served, he is not chargeable with murder by the laws of his country; in fact he is chargeable with insubordination and mutiny if he refuses. But if he did it of his own accord, on his own authority, he would be liable to a charge of homicide. Thus he is punished if he did it without orders for the same reason that he will be punished if he refuses when ordered . . . If that is the case when a general gives the order, how much more when the command comes from the Creator![12]

[8] Augustine, *Against Faustus the Manichean* 22.74, in Reichberg *et al.*, *Ethics of War*, pp. 81, 82.
[9] Augustine, *Confessions and Enchiridion* (397), trans. A. C. Outler (Grand Rapids, MI: Christian Classics Ethereal Library, 2000), p. 70.
[10] Ibid.
[11] T. Lynch, 'Confessions of the Self: Foucault and Augustine', *Telos*, 146 (Spring 2009), p. 134.
[12] Augustine, *City of God*, trans. Henry Bettenson (London: Penguin Classics, 2003), 1.26, p. 37.

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The hierarchy of authority created by Augustine through which war would be waged takes the following form, moving from lowest to highest: soldier, general, legitimate (political) authority, the Creator.[13] In his understanding of the sovereignty of God Augustine drew upon not only biblical sources but also Platonic philosophical notions of God as distant and Other, via Neoplatonic disciples such as Plotinus. Augustine acknowledged this influence when he wrote, 'There are none who come nearer to us than the Platonists',[14] before insisting that Roman theologies 'must yield to the doctrine of the Platonists; for the Platonists assert that the true God is the author of the universe, the source of the light of truth, and the bestower of happiness'.[15] John Mattox observes: 'Augustine did not merely Christianize the theory of just war; he Platonized it as well.'[16] Augustine's creator and author of the universe ordered the social structures and hierarchies within which individuals would exist and care for their souls: 'the peace of the whole universe is the tranquillity of order – and order is the arrangement of things equal and unequal in a pattern which assigns to each its proper position'.[17]

As a consequence of his concern for the human soul – part of the divinely created order – Augustine did not systematically codify the conditions under which war might be waged, instead his just war writings were prompted by questions of individual ethical subjectivity as part of his wider pastoral and doctrinal engagements. Most notably, in contrast to the approaches of almost all of the just war writers who would follow him in the West, Augustine placed the ethical subjectivity of the individual ontologically prior to the justice of war:

> But the wise man, they say, will wage just wars . . . for if they were not just, he would not have to engage in them, and consequently there would be no wars for a wise man. For it is the injustice of the opposing side that lays on the wise man the duty of waging wars.[18]

Gregory Reichberg interprets these words to mean 'War distracts pious human beings from the path of virtue',[19] an observation which is only partially true. While Augustine grants a measure of wisdom to the individual

[13] A more detailed version of this argument can be found in my PhD thesis: 'A Genealogy of the Ethical Subject in the Just War Tradition', King's College London, Aug. 2010.
[14] Augustine, *City of God* 8.5, p. 304.
[15] Ibid.
[16] Mattox, *St Augustine and Theory of Just War* (London and New York: Continuum, 2006), p. 92.
[17] Augustine, *City of God* 19.13, p. 870.
[18] Ibid.,19.7, pp. 861–2.
[19] Reichberg *et al.*, *Ethics of War*, p. 73.

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who can discern justice from injustice in the context of war, his truly wise man is the one who, through faith, seeks citizenship in the City of God. Consequently, for Augustine, it is the faith and character of the individual deciding upon war that dictates whether or not the war is just: the wise man of faith would fight no other kind. Distinctively, he does not claim that it is the pursuit of a just war that will *make* an individual wise or ethical; the just war emerges from the character of the wise man because he would engage in none other but a just war.

Blair and the ethical subject of war

The ontological priority of the ethical subject in relation to the just war was captured in Blair's Iraq War discourse. One of the key themes that ran through Blair's speeches in the year before the eventual invasion of Iraq on 19 March 2003 was the liberation of the oppressed. One of the ways in which he sought public and political support for the military action was on the basis of his own previous ethical conduct, most notably as a liberator. He said of the military intervention he instigated in Sierra Leone in 2000: 'I'll always remember driving through the villages near Freetown in Sierra Leone seeing the people rejoicing – many of them amputees through the brutality from which they had been liberated – and their joy at being free to debate, argue and vote as they wished.'[20] Whilst with regard to Afghanistan he similarly stated: 'The Afghan people feel liberated not oppressed and have at least a chance of a better future.'[21] So confident was Blair about his own moral status that he repeatedly used this self-referential approach throughout 2002 and into 2003. In his autobiography he confidently recounts how he 'never even thought about'[22] trying to gain a United Nations mandate for the Sierra Leone intervention. In 2010 he still seems surprised that the British public, his own Labour Party and Parliament itself were reluctant to go to war with Iraq on the basis of his personal track record and the moral arguments he presented. He had stated at the time:

> It is also important to realise that when we are acting, whether it is in Kosovo or Afghanistan, or Sierra Leone, or here in Iraq, the first beneficiaries of the action are the people that we are liberating, usually from brutal and dictatorial rule.[23]

[20] Blair, 7 April 2002, Speech at the George Bush Senior Presidential Library.
[21] Ibid.
[22] A. Blair, A Journey (London: Hutchinson, 2010), p. 433.
[23] Blair, Interview with British Forces Broadcasting Service, 23 March 2003.

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When we juxtapose Blair's words here, in particular where he constitutes Saddam Hussein as the brutal and oppressive Other to his own ethical subjectivity, with Augustine's justification for war the similarities are striking:

> The desire for harming, the cruelty of revenge, the restless and implacable mind, the savageness of revolting, the lust for dominating, and similar things – these are what are justly blamed in wars. Often, so that such things might also be justly punished, certain wars that must be waged against the violence of those resisting are commanded by God or some other legitimate ruler and are undertaken by the good.[24]

For Augustine, rulers who are cruel, savage, dominating and violent are to be opposed by 'the good' in just wars. The unjust ruler deserves to be punished, using force, for corrupting God's moral order and for disobeying the commands of God set out in scripture which guides individuals – even rulers – in how they should live their lives. In Augustinian terms the good, legitimate ruler – as Blair presented himself – does not undertake war against the unjust simply based on earthly morality or justice; 'the good' ruler acts at the command of God to preserve teleological morality. It is at this point that Blair's Iraq war discourse departs notably, in public at least, from the ontological basis of the Augustinian position with which, particularly with regard to opposing the unjust ruler, his attitudes and actions are so consonant. Blair went to great lengths to distance himself from any accusation that his military actions were religiously motivated.[25] Subsequent comments undermined Blair's carefully constructed public position and reveal an internal inconsistency in his approach. In a 2006 television interview he stated that God would judge his decision to go to war with Iraq.[26] At the heart of Blair's willingness to incorporate Augustinian principles in his just war discourse is a morally and politically driven desire to pursue military intervention in a situation where legal authority would prove difficult to achieve.

Augustine wrote within a political framework defined by empire and protected, with decreasing effectiveness, by the Roman Army. The Emperor's word was law – life and death even – and the Catholic Church was establishing a religious hegemony in Europe which would last for a millennium. In

[24] Augustine, *Against Faustus the Manichean* 22.74, in *Augustine: Political Writings*, ed. E. L. Fortin and D. Kries, trans. M.W. Tkacz and D. Kries (Indianapolis: Hackett, 1994), pp. 221–2.

[25] The most high-profile incident occurred when Blair's Press Secretary Alastair Campbell, intervened during a press interview to famously declare: 'We don't do God'. http://www.telegraph.co.uk/news/uknews/1429109/Campbell-interrupted-Blair-as-he-spoke-of-his-faith-We-dont-do-God.html.

[26] A. Blair, 'God Will Judge Me, PM Tells Parkinson', 4 March 2006, http://www.guardian.co.uk/politics/2006/mar/04/labour.uk2 (accessed April 2012).

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contrast, Blair was operating in an international polity comprising almost 200 sovereign states, a handful of which are major political and military powers, whose interactions are at least theoretically constrained by the Charter of the United Nations to which each is a signatory. On the matter of invading another country, the Charter is quite clear: 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.'[27] The only way that Blair could legally justify military action against Iraq and Saddam would be by showing that he was acting in self-defence or that there was an imminent humanitarian disaster to which the UN Security Council could respond.[28] Towards the end of 2002 and into 2003 the Attorney General's legal assessment was as follows:

> The self-defence [argument] didn't work, the humanitarian crisis [argument] didn't work. Put in those terms, there wasn't a basis for military action. If there was going to be a basis for military action, it had to be as a result of the new United Nations Security Council Resolution.[29]

Blair was caught in a dilemma. He was personally convinced that Saddam Hussein had to be removed from power but the British Attorney General was telling him that there was no legal basis for such action. A follow-up resolution to UN Security Council Resolution 1441[30] looked increasingly impossible to attain with the French, Russian and Chinese governments opposed to any imminent invasion and keen to give UN weapons inspectors more time to complete their tasks. The Augustinian, and other, *moral* arguments for war consequently held greater appeal for Blair as it became increasingly clear that a solid legal case for war could not be demonstrated.

Central to Blair's desire to augment a weak legal case with a convincing moral basis for war was a need to be selective about the aspects of Augustine's just war discourse that he would, perhaps could, use. Conspicuous by its

[27] Charter of the United Nations, article 2, para. 4: http://www.un.org/aboutun/charter (accessed Dec. 2008).

[28] These are the criteria set out by the Attorney General Lord Goldsmith in his evidence to the Iraq Inquiry on 27 Jan. 2010: http://www.iraqinquiry.org.uk/media/45317/20100127goldsmith-final.pdf (accessed Aug. 2010).

[29] Ibid.

[30] UN Security Council Resolution 1441 was passed on 8 Nov. 2002 and warned Iraq that it would face 'serious consequences' if it did not co-operate with the UN weapons inspections teams and demonstrate that it had no weapons of mass destruction capability. See http://www.un.org/Depts/unmovic/documents/1441.pdf (accessed April 2012).

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absence from Blair's arguments is the theological impetus for Augustine's desire for the oppressor to be challenged: divine command to protect the weak, maintaining divine order in the process. Blair was happy to publicly interpellate 'earthbound' moral concepts from Augustine's just war but chose to omit both the divine imperative which motivated Augustine and the divine order which Augustine sought to reinforce. The inclusion of these latter two points would have proved problematic in the prevailing British political culture and would have further inflamed a tense international situation. On the matter of his religious and Christian motivations Blair has been, at best, inconsistent in his public declarations. In a television interview in 2009 he said:

> When it comes to a decision [to go to war], I think it is important that you take that decision, as it were, on the basis of what you think is right – because that is the only way to do it. And, I think people sometimes think that my religious faith played a direct part in some of these decisions – it really didn't. [Religious faith] gives you strength, if you've come to a decision, to hold to that decision.[31]

In contrast, Blair makes it clear in his memoirs that religion has always come first, ahead of his politics.[32] On balance, taking into account a number of comments about his Christian faith over many years and his often protracted efforts not to be politically ridiculed in a country where the electorate is largely sceptical about overly 'religious' politicians, Blair's denial of any 'divine' influence on his decision-making appears more presentational and pragmatic than factual.

Elshtain and just intervention

Jean Bethke Elshtain, eminent American ethicist and political theorist, has explicitly associated herself with Blair's justification of military intervention in Afghanistan and Iraq. In 2007 Elshtain wrote: '*JWAT* [*Just War Against Terror*] was primarily written as a response to the domestic debate in America, although I think the clearest articulation of the position I endorse or come close to endorsing . . . is Prime Minister Tony Blair's.'[33] Explaining this claim she went on to outline how she saw Blair's approach as more cautious and considered than President Bush's parallel approach: though she 'would

[31] Blair television interview with Fern Britton, BBC1 TV, 13 Dec. 2009: http://news.bbc.co.uk/1/hi/8409266.stm (accessed April 2012).
[32] Blair, *A Journey*, p. 79.
[33] J. B. Elshtain, 'A Response', *International Relations*, 21/4 (2007), p. 505.

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put more Augustinian wariness into any final version of that position'.[34] Elshtain's reference to 'Augustinian wariness' reveals the historical locus of her pro-interventionism in relation to Afghanistan and Iraq.

Elshtain specifically cited Augustine as a principal source of moral authority in her justification of the use of military force. This reliance on Augustine was based partly on his desire to limit the use of imperial military power to only the most necessary and just of causes and partly on the acknowledgement that the application of force is sometimes necessary to avert a greater evil in the world. A further motivation for Elshtain's resort to Augustinian ethics was in response to the failure of both the modern state system and international institutions to react to the threats and actions brought about by the conjunction of terrorism, failed states and rogue states.[35] She thereby makes explicit some of the implied motivations for the use of Augustinian just war which have been identified in Blair's intervention discourse. However, what Elshtain identifies as Blair's more wary or comprehensive justification of military intervention – at least when compared with Bush's approach – can be read from the British perspective as a necessarily tentative outworking of the complex political, and party-political, dynamics which Blair had to overcome in taking the UK to war. Additionally, as has been argued above, Blair's resort to historical *moral* justifications for his proposed military intervention in Iraq can be viewed as an attempt to circumvent the limitations of the modern international political and legal system. The implication therefore is that he incorporated Augustinian just war concepts not out of a sense of wariness about using force but instead to hasten its application.

In one of her earlier books Elshtain described just war, and Augustine's place within it, as:

> an authoritative tradition dotted with its own sacred texts, offering a canonical alternative to realism as received truth. Rather than beginning with Machiavelli (or, reaching further back, Thucydides), just war as continuous narrative starts with Augustine; takes up a smattering of medieval canonists; plunges into the sixteenth century with Luther as the key figure; draws on a few natural/international-law thinkers . . . then leapfrogs into the era of modern nation-states – and wars.[36]

[34] Ibid.
[35] Ibid., p. 506.
[36] Jean Bethke Elshtain (ed.), *Just War Theory* (New York and London: New York University Press, 1992), p. 323.

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Her description is replete with religious terminology and imagery, referring to 'sacred texts', 'canonical', 'canonists', notions of 'received truth' and highlighting the contributions of Augustine and Luther. Elshtain's just war is a received truth with an existence of its own, borne through the ages in sacred texts. She also identifies the separation of religion-based morality discourse from international-law discourse as the tradition approaches the present. It is this, clearly not absolute, bifurcation within the just war tradition which encapsulates the tension identifiable in the intervention discourses of both Elshtain and Blair: with each tending towards historical morality as a means of escaping the constraints of present legality.

Elshtain, across the breadth of her writings, regularly returns to Augustine's political theology as a means of challenging or interrogating modern political practices. Elshtain's ethical subject of war emerges at the interstice of her political writings and Augustine's. She summarises his contribution to current political dialogue and modern conceptions of the subject, noting: '[Augustine] gives us the great gift of an alternative way of thinking and being in the world, a way that is in many vital respects available to those who are not doctrinally Augustine's brothers and sisters.'[37] This alternative way of thinking and being in the world is important to Elshtain, and others who would analyse the causes and justifications of political violence because, 'In the twentieth century, justification and rationalization of violence as the *modus operandi* of social change introduces an element of remorseless moral absolutism into politics.'[38] Each era in history bears the scars of specific, situated forms of violence. Augustine sought to restrain or influence multiple forms of violence: the military violence used both to attack and defend the Roman Empire; religious violence as Christianity fended off the challenge off traditional Roman religious practice; and doctrinal violence as he strove to protect the Church from those who would weaken it from within and without.

The violent scar which has disfigured global, especially Western, politics in the first decade of the twenty-first century was inflicted by Al Qaeda on 11 September 2001. Elshtain captured the potential risks bound up in retributive violence, asserting: 'Augustinians are painfully aware of the temptation to smash, destroy, damage, and humiliate . . . Violence unleashed when what Augustine called the *libido dominandi*, or lust to dominate, is unchecked is violence that recognises no limits.'[39] She views the terrorist action of

[37] J. B. Elshtain, *Augustine and the Limits of Politics* (Notre Dame, IN: University of Notre Dame Press, 1995), p. 114.
[38] Ibid.
[39] Elshtain *Just War Against Terror*, p. 152.

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9/11 as a prime example of violence which knows no limits, viewing Al Qaeda's actions as a type that Augustine warned against: 'Now, to attack one's neighbours, to pass on to crush and subdue more remote peoples without provocation and solely from the thirst for domination – what is one to call this but brigandage on the grand scale.'[40]

Elshtain's view of the response to the 9/11 attacks deserves further analysis in just war terms. When Elshtain refers to 'violence that knows no limits' she cannot be referring to the degree of explosive power unleashed that day. The thousands of deaths and scenes of devastation in New York were inflicted by a combination of the momentum of the aircraft and the combustibility of their fuel loads as they impacted the Twin Towers: high-rise and vulnerable steel and concrete structures. However, the actual 'firepower' involved was dwarfed by that unleashed on Iraq by the 'Coalition of the Willing'[41] in the first five minutes of the shock-and-awe air campaign in March 2003. The limits to which Elshtain therefore referred are not the means used by the terrorists but the targeting of civilian noncombatants: a category of people that just war advocates have sought to protect for millennia. A desire to protect the weak was woven into Augustine's just war writings, and in this regard Elshtain's observations are entirely consistent with his.

There is, on the other hand, an aspect of Augustinian just war which permeates Elshtain's writings – and Blair's discourse – that is more problematic in relation to the Iraq invasion than the desire to help the weak: vengeance and punishment. Augustine wrote:

> As a rule just wars are defined as those which avenge injuries, if some nation or state against whom one is waging war has neglected to punish a wrong committed by its citizens, or to return something that was wrongfully taken.[42]

Elshtain is content that the American military response in Afghanistan satisfied the requirement that just wars be fought for right intentions, in this

[40] Augustine, *City of God* 4.7, p. 142.

[41] 'Coalition of the Willing' was a label applied by President Bush to those states who supported, either militarily or at least in principle, the US/UK-led invasion of Iraq. On 27 March 2003 the Coalition was made up of 49 countries, only five of which (US, UK, Australia, Denmark and Poland) contributed military equipment and personnel to the invading force. A diverse membership included Japan, the Marshall Islands, Micronesia and Mongolia, not all of whom even have armed forces. See http://georgewbush-whitehouse.archives.gov/news/releases/2003/03/20030327–10.html (accessed Nov. 2010).

[42] Augustine, *Questions on the Heptateuch* 6.10, quoted in Mattox, *St Augustine and Theory of Just War*, p. 46.

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case 'to punish wrongdoers and to prevent them from murdering civilians in the future'.[43] Augustine is very useful at this point because he provides Elshtain with a moral justification for the use of force which would not be permitted under a close reading of international law as set down in the UN Charter. The main difficulties arise in this case because America was not attacked by Afghanistan or even the Taliban regime that ruled Afghanistan in 2001. When the Taliban refused to hand over the perpetrators of 9/11 to the US authorities President Bush followed through on his stated principle that 'Every nation in every region now has a decision to make: Either you are with us or you are with the terrorists.'[44] Having extended culpability from Al Qaeda to the Taliban rulers of Afghanistan, the subsequent overthrow of that regime has led to a very painful and protracted insurgency/ counter-insurgency war that shows little sign of resulting in a stable, law-abiding democracy where the rights of women and girls in particular are protected. A number of wrongdoers – and many innocents besides – were punished over many years of fighting in Afghanistan but not the individual most responsible: Osama Bin Laden.

Even if we grant that Blair's and Elshtain's desire to see wrongdoers punished for the attacks of 9/11 justified the 2001 military action against the Taliban and Al Qaeda, a further complication appears if that argument is extended to include Iraq and Saddam Hussein. Saddam may have harmed many people in the course of his reign but he had no hand in the 9/11 attacks, though both the British and American governments repeatedly implied that he did. The British Inquiry into the 2003 Iraq War and events in the build-up to it is ongoing at the time of writing this article. However, a 2008 Senate Intelligence Committee Report on the use of pre-war Iraq intelligence was highly critical of the Bush administration with whom Prime Minister Blair and the British government worked closely. The Chairman of the Senate Select Committee, John D. Rockefeller IV, stated: 'In making the case for war, the Administration repeatedly presented intelligence as fact when in reality it was unsubstantiated, contradicted, or even non-existent. As a result, the American people were led to believe that the threat from Iraq was much greater than actually existed.'[45] Any application of the Augustinian

[43] Elshtain, *Just War Against Terror*, p. 61.

[44] G. W. Bush, 20 Sept. 2001, Transcript of President Bush's Address to a Joint Session of Congress and the Nation: http://www.washingtonpost.com/wp-srv/nation/specials/attacked/transcripts/bushaddress_092001.html (accessed May 2005).

[45] J. D. Rockefeller, 5 June 2008, 'Press Release of the Intelligence Committee – Two Bipartisan Reports Detail Administration Misstatements on Prewar Iraq Intelligence, and Inappropriate Intelligence Activities by Pentagon Policy Office': http://

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notion of avenging an injury was misplaced at this point when applied to Iraq.

Conclusion

Prime Minister Tony Blair and Jean Bethke Elshtain were both profoundly convinced that military action against Iraq and Saddam Hussein was entirely morally justifiable. Complicating their arguments were the restrictions set down in international law which grant the use of force in only the most limited of conditions: the first being self-defence and the second being a Security Council mandate to promote peace and security. The result was a failure by the US/UK coalition to secure a clearly founded, and generally accepted, legal basis for the invasion. Subsequently, both Blair and Elshtain espoused a desire to protect the weak and help the helpless as part of their separate *moral* justifications of military action against Iraq in 2003. In so doing part of their arguments drew upon Augustinian just war, explicitly and implicitly, and the imperative to protect those who could not protect themselves. However, while selectively appealing to this facet of Augustine's work and applying it in the twenty-first century, the ontological foundation of his just war discourse was neglected and not similarly used in the present: the need to obey the direct command of God and maintain divine order on earth.

Probably the most incongruent use of Augustine by Blair and Elshtain was the manner in which they resorted to his, among other, ideas as a means of circumventing the restrictions of international law set down in the Charter that every member of the UN has signed. As a result, the very wariness of the use of military force which characterises Augustine's writings was reversed. Augustine's ideas were used in a pro-war capacity to support a case for intervention in Iraq that was proving increasingly difficult to substantiate in the current global polity, despite the accuracy of the claims that Saddam's evil actions had resulted in the suffering of his own people over many years. If the Augustinian argument for protecting the weak had ever provided a justification for intervention it was in 1988 when Saddam used chemical weapons on Iraqi Kurds, or in the aftermath of the 1991 Iraq War when he carried out ethnic cleansing against the Iraqi Marsh Arabs. If there is one positive lesson to hope for from the way that the 2003 Iraq invasion was justified it is that when the spectre of war presents itself again in the future – as it will – Augustinian wariness will be reasserted and any justification subjected to greater scrutiny by governments and peoples alike.

rockefeller.senate.gov/public/index.cfm/press-releases?ID=6c0e8179-05a6-4747-a9a2-ace5ffe68997 (accessed April 2012).

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