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**Augustine's Just War Theory in a South African Context: A Church Perspective.**

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# Abstract

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The fundamental elements that shaped and gave rise to Christianity as a dominant religious movement rest in the crucifixion, death and resurrection of the person of Jesus of Nazareth. Had there been no crucifixion and had Jesus died a natural death, there would be no foundation for the Christian gospel as we have it today. Jesus had to die a violent death and be a human sacrifice in order for him to be a historical figure that he is today. My point in departure is to highlight that the events that constitute history are in many aspects very violent in nature. Therefore, it may not be a great exaggeration to conclude that the shedding and spilling of blood is necessary in the making of history, since war and history are so joined together like Siamese twins. War is so much part of our lives, it is said that only the dead have seen the end of it. And history according to James Joyce, is a nightmare from which [he is] trying to awake. Such has been the explicit nature of Just War Theory as it is rooted in the backdrop of Christian conviction.

This thesis seeks to illuminate the topic of Just War Theory from a Church and Augustinian perspective. It demonstrates how Augustine's writings are a rich resources for theological, political and judicial reflection on international politics. It critically examines the connection between Church and State, that is to say, the origins of the Just War Theory. Further, it goes on to demonstrate that for Augustine the two are intertwined and God ordained. It draws conclusions for current Just War practices as outdated since its failure to attain world-peace.

# CHAPTER 1

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## 1.1 Introduction

It is said that when two nations go to war the winner gets to write the history books. History as we have it today has been written and interpreted from a Western perspective; thus making the Western views the most dominant and influential. The fact that history teaches us that America was discovered by Christopher Columbus when American Indians had already inhabited the land is to emphasize a European perspective. Thus, history is essentially a Western story. War being part and parcel of the Western story is, and has been, a central feature of civilisation throughout recorded history. Colonialism of Africa did not just happen voluntarily; war had to be waged and it brought with it the three famous C's - Christianity, Commerce and (Western) Civilization (see Prozesky (ed.) 1990:30-32). For the purpose of this paper my research will argue that for Western civilization to be effective in Africa war from both the Christian and commercial world had to be waged as the three are interwoven tools of colonialism. From the Christian perspective this would be my focus. Augustine (A.D 354-430) in the first part of the fifth century of the Christian era developed a perfect theory that could justify Christian war. Augustine of Hippo known today as a Doctor and Saint in the Catholic Faith was very influential in Protestant theology. He believed that war was a result of sin as well as a remedy for sin. He gave reasons for his theory by concluding that sometimes killing human beings was justifiable. Three components of Just War were developed overtime. As long as war was waged by proper authority, had the right intent and just cause it was permissible. The *jus ad bellum* (just cause for war) was dominant over the *jus in bello* (just conduct in war). According to Holmes (2001:[2]), Augustine asserts that:

The commandment forbidding killing was not broken by those who have waged wars on the authority of God, or those who have imposed the death-penalty on criminals when representing the authority of the state, the justest and most reasonable source of power. "When there is no command by God, war may be waged only by those with legitimate authority, and only for a just cause."

In Holmes' view, Augustine was not, however, specific on what causes can be considered just but in my view, Augustine was very specific as he had high regard for authority-meaning

the authorities could impose their will on others. In my own understanding of Augustine's concept of peace, this research will conclude that peace in such a context has to do with authority, order and servitude since servitude to God is beneficial to all. Thus those who oppose God will be harshly treated. When I speak of authority, I mean that from a Roman Catholic point of view, which caused Augustine to utter the famous statement, 'I would not believe in the gospel unless the authority of the Catholic Church moved me'. Such peace therefore, can only be temporary and to a certain degree as it is depended on imposing one's will over the next. Thus, Augustine fashioned what is now called the "Just War Theory," or *Bellum iustum* which over the centuries has become a complex set of criteria to govern both the recourse to war in the first place and the conduct of war once begun.

## 1.2 The Research Problem

I approach this research topic with the outmost diffidence. As a non-experimental research project, the outcome of this research is solely dictated by the researcher's experience, views, disposition and the interpretation of selected texts thereof. Thus, a thorough knowledge of the proposed subject and my context is of vital importance, if to avoid the researcher's own prejudice. Just War is more than just a theory, doctrine or tradition; it is a reality much like Practical Theology is concerned with the question of, 'what is the right thing to do?' And since reality is created by both 'truths and lies', the aim of this research is to highlight the injustice people suffer because of the indifference in race, culture and even political affiliation and how Augustine's Just War Theory has been deployed for such selfish acts, masquerading as God's justice. This research will attempt to outline Augustine's development of Just War Theory and evaluate it in a context of apartheid South African but not limited to. Much has been written on the topic of Just War but nonetheless, the topic could never be redundant as a Just War is one that has to be justified publicly and continuously, making the tradition infinite. My goal is to show the continuity of thought from ideals of the Patriarchs to the ideals of modern institutions like apartheid. Thus, in the context of apartheid South Africa where violence was used to maintain and control a racist regime will be my focus. I must stress though, this paper is by no means a historical lesson on apartheid. It is merely a means to understand Augustine's theory of Just War from an

Afrikaner perspective and how it justified their crimes against humanity. The theory of Just War predates even Christianity; therefore, my aim here forth is not to argue precisely and solely from a Biblical point of view- as it would be unrealistic nor holistic.

### **1.3 The Purpose of the Study**

The purpose of the study is to introduce the reader to the Just War Theory (JWT) and reflect upon it from the context of apartheid South Africa. South Africa since the 1940s had been synonymous with racial discrimination because of her policy of apartheid. Therefore, one would expect to find a large extensive and academic volume of literature on such a topic. The purpose of this research as factual history is not an apologetic defence of the Christian religion and the Just War Theory. It is rather an attempt to outline and reconstruct the loopholes that causes the failures and shortcomings of both these church traditions. In fact through the Just War Theory, I challenge the established institutions to critical self-reflection and self-introspection, if they are to survive the 21<sup>st</sup> century and beyond. As I have already alluded, the theory itself has been largely dealt with but not in the South African context. The extant written literature has been written from an Afrikaner perspective thus justifying apartheid as a necessary policy to this date. As a result a need has arisen for research that will provide a critical introduction, overview, and evaluation. I borrow from Prozesky (ed.1990:122) to sum up the purpose of this study nicely when he wrote:

...apartheid experience demands a critique of everything that has aided it historically. Since Christians have unquestionably been prominent in the creation of this system, that critique must also be applied to them and the religion which helps shape their values and beliefs. And if such a critique brings to light problems within Christianity, problems which help why Christians could ever have had a hand in apartheid-an involvement which raises problems of credibility for their religion..

Therefore the study is intended to be evaluative but yet argumentative and hopefully add to the lesser available literature on the topic in South Africa. Furthermore, it attempts to widen the field of discussion and not prescribe the limitations set by prevailing historiographical theories. Last but not least, it is necessary to understand not only the reasoning behind apartheid but the Just War Theory itself as a necessary and justifiable tools of both the Boer-Afrikaners and the Roman Catholic Church (RCC).



Furthermore, research of this type can draw attention to the possible consequences or implications of different starting point. The Just War Theory may serve as a moral justification of self-defence but it has inevitably created repressive regimes and in some cases 'liberation movements.' Therefore, the point of departure is not always straightforward; it has to be understood historically. As a presupposition is dictated by a certain ideology and world view thus, the actual conclusion is the ultimate fibre of the bearer of such a view. This study aims to expose a theory as more than just mere words and thoughts but as a starting block of the ultimate event and consequences thereof. Furthermore, it is written for anyone who wishes, as I do, to learn the truth and origin of Christianity and its dogmas.

#### **1.4 The Objectives of the Study**

I am perplexed and vexed by different assumptions people have on many different objectives. From a moral point of view I do not understand why one race or religion could be superior or even exploit or terrorise others, especially on a divine command. Therefore, the objectives of this research are to understand the origins of laws and the connection between them and the governments that rule us and why certain people (Afrikaners and Christians in this case) can harm others and not have any moral conflict. Further, if people do not adhere to a shared morality, what constitutes and formulates these views? Though dealing with a scholar of such great complexity as Augustine can be liable to dire misinterpretations of text- my research will primarily focus on the end results of his proposed thoughts.

#### **1.5 Methodology of the Study**

The primary research will be based on the translations of Augustine's own works. Although Augustine only tackles the proposed subject (Just War Theory) in one chapter of his 22 written chapters in his monumental *City of God*, the foundation for the development of his theory can be found in his worldview as well as his forsaken pagan philosophies. The use of secondary sources will also be deployed and interpreted in my own views though. The study will consider the historical development which led to Augustine's development of his Just War Theory in his own era and context. The research will deploy a qualitative methodology

and the emphasis will always be in contrast to Augustine even when arguing from a context of contemporary history.

## 1.6 Literature review

In his *City of God*, Augustine dealt with the issue of Just War Theory for the first time. Though the book contains 22 books, he briefly mentions Just War in Book XIX Chap 7. But this should be interpreted in the broader spectrum of tumultuous dynamics of the history of Christianity under the Roman Empire. The ontological connotation attached to the Book - *City of God*, is the end result of Augustine's justification of his Just War Theory. He started writing in 413 A.D and laboured 12 -13 years to compose his monumental *City of God* which was against the pagans. But in my view it was more than just against the pagans, as it has become the starting point for a theology of history even in modern day context. It has set the basic outline for moral inquiry of warfare in the Christian Faith. *City of God* is in progression with his *Confessions*, which was written as a theology of the self.

However, in the *City of God*, Augustine emphasised the divine authority of Scripture as the only instructive media or philosophy that can guide humanity about the highest good and the highest evil. Hence war could be justified by a divine command from God or those who rule under Him. Thus, from this perspective, Scripture became the ultimate authority in the Roman Medieval era (until his theology of original sin); and that thought transmitted into the Reformation era to modernity, aptly influencing literature on the Just War debates. To date, there is a vast published literature on the Just War Theory which stems from theologians and jurists to ethicists. However with the dawn of modernity, the debates have escalated as we now have weapons of mass destruction and nuclear chemicals to consider thus, broadening the topic even further. The debate is more robust and widespread than in any period since the times of Vitoria<sup>1</sup> and Suarez<sup>2</sup> and Grotius<sup>3</sup>.

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<sup>1</sup> Francisco de Vitoria (1492-1546) was a Renaissance theologian and founder of the tradition in philosophy known as the School of Salamanca.

<sup>2</sup> Francisco Suarez (1548-1617) was a pious Jesuit theologian and philosopher.

<sup>3</sup> Hugo Grotius (1583-1645) was a Dutch jurist well known for laying the foundations for international law based on natural law.

It is to be expected that the literature be dominated by 'Just War against terror scholars' such as Jean Bethke Elshtain who asserted that "the Just War tradition does not present a series of boxes to check, and should you get more than a given number, then war it is (2006); as well as Mark Lewis Taylor who is known to be very critical of the criminal justice in the U.S. The critics are debating the Administration's national security strategy, which asserts pre-emption, prevention and secrecy as the cornerstone of its military policy (Harty 2006:6). Such a policy renders the Just War principles redundant as it is not reactive but proactive.

According to the current literature, some policymakers and pundits have called wars in the Far East "optional" wars-meaning those are wars of choice. The aftermath of 9/11 agree on the heinous record of both al-Qaeda's network and Saddam Hussein as a basis for just cause but wars waged by the U.S government were not for self-defence nor had the U.S government exhausted other options since they have a policy of not negotiating with those who are labelled "terrorists". Furthermore, just cause is a necessary condition but not the only condition, for justifying warfare.

The majority of literature is centred on such debates that question and oppose misconduct by the use of drones by the U.S government. Drones have become the primary weapon of choice for fighting the war on terrorism. But the legal and ethical ramifications of the so called "drone war" has been the subject of most debates-and rightfully so as it has resulted in a large number of unaccounted civilians. But ironically, the more the state is criticised, the more corrupt it becomes. Although, most current literature exposes the ills of the state in terms of misconduct especially during warfare, the easier the state finds it to justify its actions to the general public. The literature has taken many positive steps toward opposing the use of war by the sovereign state which clearly demonstrates that the waging of these wars do not adhere to the Just War Principles.

However, the Just War debate has clearly shifted from being a Catholic peace tradition to a more philosophical concept of *prima facie*. But a writer such Daniel M Bell in his book *Just War As Christian Discipleship* (2009) attempts to shift the focus back to Just War Theory as a distinct Christian belief. In such a Western climax and context, such an angle is redundant. Bell writes:

...the primary purpose of the Just War discipline is not to guide princes, presidents, and politicians who stand at the helm of nations and states... Rather it is a rule of life (and death) in the face of war... The purpose of the Just War discipline is to guide the Church in faithfully following Christ (2009:79).

The Church perspective in the current Western/American Just War context does not heed any influence as a paradigm shift from Church to secular dominance has occurred. Christianity no longer has much influence on state policy as it once had. Wars are a secular affair and those who have the rights to incite them are ostensibly secular. President Obama in his inauguration speech never thanked nor mentioned God but he praised his nation, military and might. Therefore, in such a context, we do not approach Just War as a Christian discipline but as a political ethic. Such an approach only serves as an introduction to the development of Just War theory.

It is sad to note how all these literature is been written from a Western perspective even though war is prevalent everywhere though arguably controlled by Western/American powers (as I write, Syria is at war and the American/Western 'superpowers' are arguing on what approach to take). The challenge therefore, is to interpret literature into each context and make it relevant to my research. South African scholars do not offer much on the proposed topic and when they do it is one sided. However, S.R Miller's book titled *Just War theory: The case of South Africa*, provides a good starting point but my search for the book has been in vain, subjecting my research to emotionally written articles thus justifying my choice of research topic. Further, Augustine has influenced so many generations of scholars and has covered so many aspects in theology, and in my view, his Just War Theory being the most controversial. Therefore, it is only befitting that a South African scholar add to the already vast existing literature on Augustine.

Augustine's Just War Theory has had a mixture of reception and understandably so. Lisa Sowle Cahill, a Christian Ethicist describes Augustine's Just War ethic as a "killing-as-love paradox," continued by the Reformers and alive and well in the twentieth century to date, in writers such as Reinhold Niebuhr and Paul Ramsey (Cahill 1994:94). Cahill and other feminist writers such as Iris Marion Young, MacFague, Brock and Parker, Schussler-Fiorenza, Tamez and Williams have been highly suspicious with regard to Just War Theory as a tool of

the chivalrous male protector stemming from Jesus' self-sacrifice as a necessity for human salvation. Their main argument is against male dominance and Just War is a typical example of a male dominated state as protector of all.

In 1945, the United Nations Charter drew directly on the Just War literature in its commitment to uphold world peace, thus elevating the status of Just War literature to binding international law. But it was in the century before 1648, which paved the way for modern day Just War literature as scholars like Hugo Grotius, a Dutch jurist, Francisco de Vitoria, a Spanish Dominican priest, and Francisco Suarez, a Spanish Jesuit who were instrumental in the shift from just cause, *jus ad bellum* to just means, *jus in bello*. After Suarez death (1548-1617) ensued the destructive Thirty Years War which contributed to the emergence of a European law of nations, influenced largely on the Just War Theory. While the question of a Just War after the time of Grotius became more like a question of international law enforcing norms for inter-state behaviour. Today more angles have been established which include the concept of just intervention.

Other issues debated in reference to just intervention include the question posed by Richard Betts in his article *The Delusion of Impartial Intervention*. He argues that if intervention is limited it has to be partial unless it is to prolong the conflict indefinitely (see S J Atwood, *Just War to Just intervention* 2003:59). As evident, the Just War Theory has been applicable across different disciplines. Developed in Medieval times but very much relied on in these present contemporary times (at least from a scholarly perspective); thus, enabling the enrichment of literature from varying disciplines. It has been applied not as a single cultural consensus but as distinct streams in Catholic canon and theology, Protestant religious thought, secular philosophy, international law, military theory and practice and the experience of statecraft. Thus, we find examples of the Just War Theory in theorists of the law of nations and in positive international law as well as feminist liberation movements.

In the Augsburg Confession (Art XVI) it says, “Our Churches teach that lawful civil ordinances are good works of God and that it is right for Christians to engage in Just Wars, to serve as soldiers...”.The Westminster Confession speaks of wars that are “just and necessary”; and left-wing Calvinism elaborated the Just War doctrine into a theory of justifiable revolution which underlay the struggles for human liberty and rights in the British civil wars and the American Revolution (Ramsey 1983:xii).

According to James Turner Johnson (2005:1) one of the most important theorists of the Just War in the twentieth century is Paul Ramsey, a Protestant theologian and Michael Walzer, a political philosopher. Therefore, the literature on Just War Theory has shifted from the moral dilemma of Christian participation to international ethics. Forcing the literature to be very evolving and more critical and as I have mentioned before, all these literature is written from a Western perspective and climax- thus the following is therefore my own attempt.

# CHAPTER 2

## AUGUSTINE

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### 2.1 Augustine's Early Years

Augustine was born on 13<sup>th</sup> November A.D 354 in Tagaste, in Numidia (modern day Algeria). His father, Patricius, was a pagan<sup>4</sup> civil servant. His mother, Monica, was a Christian who was to be a great influence to her son in his later years. He was not an only son. He had an elder brother, Navigius, and a sister whose name is not known. He tells us that at his birth he was signed with the cross and sprinkled with salt, but not baptized. His mother taught him something of the chief truths of the Christian religion from infancy; and when in his early years he was seized with a dangerous sickness he begged of his mother, with eagerness and faith, that he might receive baptism (*Confessions*, 1.17 and v.16), but on his rapid recovery the sacrament was again put off or rather postponed. According to Van Oort (1991:25), Augustine from his youth had been educated in the tradition of the Catholic Church. He points out to the fact that in most cases this aspect is not alluded to only that of his mother Monica.

From an early age, Augustine possessed great intellectual capabilities which forced his parents to send him to the best schools of his times. From A.D 365-371, he schooled in Tagaste, Madauros, and then Carthage, even after his pagan father's sudden death around A.D 372. He then was assisted by Romanianus, who, in the 12<sup>th</sup> chapter of the 2<sup>nd</sup> book of his work, *Against the Academicians*, Augustine makes grateful acknowledgement of his obligations to him.

Poor child that I was, when it was necessary to me to continue my studies you received me into your heart. Deprived of my father, your friendship consoled me; your conversation re-animated me; your wealth came to my assistance...

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<sup>4</sup> This has been a common view amongst scholars, but has been challenged by Fredriksen 2008, p.3 and p. 379

However bright as Augustine was, from his early teens, he had a weakness for the opposite sex as he took a concubine with whom, he lived together for 14 years, and birthed a son called Adeodatus in A.D 372.

It is interesting that Augustine is said to have dated his conversion to Christianity with the reading of the Book, *Hortensius*, which had a pagan author named Cicero. In his search for truth he read philosophers such as Plotinus, Apuleius, Cicero, Varro, Gellius and Seneca. However according to Van Oort (1991:25-26): “Augustine himself had never been a pagan, nor did he become one when he was entangled in error and scepticism.’ In his *Confessions* (3.5.90 he is quoted as saying “They [the Scriptures] appeared to me unworthy to be compared with the dignity of Cicero”. He then lived a life of Manichaeism<sup>5</sup> for nine years before his famous conversion to Christianity in a garden, in Milan A.D 386. It is said that, at some stage during the nine years he remained in the Manichean sect, disillusionment began to set in: their claim to possess truth was revealed as mere pseudo-science, their ascetism proved to be more a matter of words than of practice, their dualism raised more questions than it solved, and the much acclaimed Manichaean bishop, Faustus, failed to answer any of these problems. On finally breaking with them, Augustine despaired of ever finding the truth and hinds at a period of skepticism in the *Confessions* (Esler 2000:1206-1207). ‘Having left the Manicheans, Augustine looked for answers in the writings of Plato and Plotinus, causing him to ask whether the conflicts created by instability and uncertainty in one’s conduct could be overcome by the solution of fusion the ONE’? (Heller 2007:1).

Following his newly found Christian faith, he retired from his teaching post at Milan and he composed a series of philosophical works at Cassiciacum. The following year A.D 387 he got baptized at Easter by his mentor Bishop Ambrose. The same year his beloved mother, Monica, died at Ostia. A.D 391 marks his elevation to priesthood as he was ordained presbyter at Hippo Regius. His appointment was accompanied by suspicions of his Manichaean past, as well as rumours of an illicit affair with a certain married woman.

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<sup>5</sup> Manichaeism was a gnostic religion that began in Persia with the prophet Mani (216-c. 277) which was dualistic in nature as it taught the story of cosmic struggle between two opposed principles: Light and Darkness.



## 2.2 Augustine's Understanding of the Church

The reference of the word Church today has a different ring of authority to it as Augustine understood it. In those days, the Roman Catholic Church (RCC) was perceived (at least in the West) to be the one true Church of the one true God. Therefore, having *carte blanche* on the issues of faith as well as State governance. The *City of God* was written not only to refute the pagans but to highlight the ontological ordination of the Church. To Augustine, the Church despite of her temporal habitation was very much a city of God as it was seen as an extension of the heavenly city itself. Hence the Church possessed the right to rule and punish over the commonwealth. Traitor (2010) puts it like this:

The temporal Church is empirically the city of God because it constantly 'looks' in worship from earth toward heaven and is ever oriented toward its true, ideal, real and ultimate mode of being (the ontological City of God); the sinful but 'being saved' Church maybe tainted with evil, but it is nonetheless the 'empirical city of God' because through faith God is there present. Faith is the bridge or *tertium quid* that unites the 'ontological' and the 'empirical' especially in the life of the Church but also, to a lesser but nevertheless significant extent in the life of the 'heavenly directed' earthly city.

The Roman Empire and the RCC were seen as eternal rulers of the world. Such a disposition however was very myopic to say the least. The notion of *alpha* and *omega* is significant in such an epistemology. According to O'Donnell (n.d):

Augustine's epistemology is, like so much of his thought, difficult to characterize in a way that avoids misinterpretation. He has the knack, as so often elsewhere, of holding views that seem irreconcilable with each other. The paradox of Augustine's epistemology is that it sometimes sounds completely a prioristic and intellectualist, and at other times it sounds completely ecclesiastical and authoritarian. It is both, and in the combination is the genius of it.

Augustine being involved in so many controversies of his day, of course had to sound contradictory even irreconcilable at some point. Whether one sees this as a beauty or a weakness of his theology is totally a personal view. The problem arise when such personal

views are not only imposed but preserved and professed as catholic truth. Augustinian teachings have been the thresholds of not only the RCC but the secular government as well. The Just War Theory is such an example.

Although every human being has parts of their life which are not admirable, should one dig deep enough, Church presbyteries nonetheless were in that era considered God oriented. In the words of Trainor (2010:544) 'It is important to note that the glorious *City of God* is the 'truth' or 'true destiny' not just of the Church but the earthly city as well'. The authority and order that the RCC possessed and exercised, was the true peace Augustine ever searched for. Uncertainties make us uncomfortable no doubt (hence Augustine struggled to fully depart from his past); but the Church as a divine institution was presented as certified 'truth'. Thus, peace to Augustine was a condition of tranquillity based on justice, which in turn is seen as a harmonious ordering of rights and duties among men, and between humans and God (Hartigan 1966:199). Therefore, to speak of the harmonious, order and peace of heavenly city is to speak of the Church as well. Anything that threatens such peace and order is by virtue rebelliousness against God, hence a justifiable war as an act of love and salvation. To summarise:

The City of God [Church] is the ontological truth and prescriptive standard (the 'prescriptive ontic') of the empirical earthly city. Alternatively, the City of God, considered in this way, is the 'objective correlative, the true and prescriptive eternal compass, of the 'subjective' life of the earthly city (the 'rising earthly city') and its members Trainor (2010:545). Universal truth was measured through Christian revelation and realpolitik position of the RCC. Henceforth the Reformation which was brought about by people refusing to no longer believe in such 'truth' protested. Such a conclusion in my view is indicative of the Roman Catholic culture and has left an ugly stain which is proving difficult to washout.

### 2.3 Augustine's *City of God*

In his book *Jerusalem and Babylon*, Van Oort (1991:14) writes;

Did the church father [Augustine], prompted by the fall of Rome, only intend to write a topical book in defence of the Christian faith and did this develop into a gigantic apology in the course of the years? Or did his goal lie on a higher plane right from the start and did he operate according to a structured design?

These are fundamental questions in understanding the origins and motives that drove Augustine to writing his *City of God*. This research attempts to answer the latter question as I personally resonate with the idea. However, Van Oort (1991:5) points out many scholars of age who agreed on the former when he wrote:

In the text editions and translations prior to 1900, the *City of God* was generally considered to be an apology. These editions were often provided with extensive scholia. Influential commentaries were those by the English Dominicans Thomas Waleys and Nicolaus Treveth, the Spanish Humanist Joannes Ludovicus Vives, the French scholar Leonardus Coquuaeus and the Swiss- Dutch theologian Johannes Clericus.

Thus the idea of Augustine's *City of God* has been for ages presented as an apology against pagans. But a more systematic research like the one done by Van Oort (1991), draw parallels to this old aged 'truth'. Thus he concludes:

Besides being a compendium of his theology, often regarded as the major work of Augustine's oeuvre, the *City of God* is an apology. This is also an important characteristic. Augustine's writing opposed the pagan elite, but it was not primarily in reaction to the shocking events of 410. Even if Rome had not fallen, a work like this would certainly have appeared. The view that the *City of God* is an apology was and is generally acknowledged. However, the author not only *attacked* the pagans, he also *addressed* them. He defended, but he also intentionally gave a thetic exposition.

On the contrary there is no doubt that during the whole medieval period there was in Rome a single spiritual and temporal authority exercising power which in the end exceeded those that had ever lain within the grasp of a Roman Emperor (Southern, 1970:25). Augustine in his *City of God* Book I, Chapter 1 wrote:

For to this earthly city belong the enemies against whom I have to defend the city of God. Many of them, indeed, being reclaimed from their ungodly error, have become sufficiently creditable citizens of the city; but many are so inflamed with hatred against it and are so ungrateful to its Redeemer for His signal benefits...

The *City of God* was not only against the pagans but Romans belonging to different factions; his Just War Theory even more so. In fact the first ten books of the *City of God* are presented as a grand apology according to Van Oort (1991:93). Thus Schaff (1890:8) argued that the *City of God* was to Augustine;

...what was required of him-to expound the Christian faith, and justify it to the enlightened men; to distinguish it from, and show its superiority to, all those forms of truth, philosophical or popular....

Again and again Augustine mentions words like wisdom, truth, enlightened men whenever he refers to Christianity. Hence he stated:

But the wise man, they say, will wage Just Wars. Surely, if he remembers that he is a human being, he will rather lament the fact that he is faced with the necessity of waging 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 (1972:861-862).

The events of 410 had no doubt shaken the foundations of life as it was known and according to Van Oort (1991:58), Augustine on hearing the news seemed to have been the only one to react immediately, in sermons and letters (see Courcelle, *Histoire littéraire*, 64-77). His main point was to illustrate that Christians were aliens in a world where there are no eternal kingdoms: only the city of God is firm and permanent. In fact Augustine's attitude was made up long before the events of 410. Van Oort (1991:59) writes:

Already in these first reactions themes of the *City of God* appear. Even a considerable time before the fall of Rome, Augustine composed a short treatise in which he sought to give a theological interpretation of the terrifying events of this day: the barbarian invasions and the ensuing suffering of the children of God. When in 409 a certain Victorianus asked him to write a comprehensive work on this subject, he answered in a letter in which he pointed out that such suffering had been prophesied by Christ, and was taking place in order to test the righteous and punish the wicked. 'The humble and holy servants of God, however, who suffer a double portion of temporal evil, namely *from* and *with* the wicked, have their consolations and hope and hope of the world to come.'

According to Brown (1967:314), this dualistic theme Augustine deployed, he had met it first, perhaps in the work of a Donatist, Tyconius (cf. T.Hahn, *Tyconius-Studien*, 1900, p.29). Since the fall of Adam, the human race had always been divided into two great 'cities', *civitates*; that is, into two great pyramids of loyalty. The one 'city' served God along with His loyal angels; the other served the rebel angels, the Devil and his demons (see Ps 61, 5-6). Van Oort (1991:8) elaborates further when he averred: 'After the Donatist Tyconius, it is Manichaeism that has been named most frequently as the source of Augustine's doctrine of the two *civitates*.'

Christianity in this manner comes across as a religion of learned men but more importantly Christians are foreigners in the earthly realm. Throughout his *City of God*, Augustine paints a vivid picture of dualism in both understanding and living a Christian lifestyle. Brown (1967:319) states: 'It was Augustine's intensions in the *City of God*, to prove to his readers, that hints of a division between an 'earthly' and a 'heavenly' city could be seen throughout the history of the human race.' There is no doubt that Christianity in this sense disregards the 'earthly' city and everything it represents. Instead, a 'heavenly' city is promoted and preferred. In fact there is even a notion of a third city, *a tertium quid* according to scholars like Marrou. To this, is a state of mind common to all powerless minorities, who have been conformed to a life of poverty and hardship, since they are taught that, their riches are stored up in heaven. Such though nullifies the reasons God created the world in the first place. For He created the world for us to rule and have dominion over (see Genesis 1:28).

Jesus at his trial is quoted as saying, “My kingdom does not belong to this world. If it did, my followers would be fighting to save me from the clutches of the Jews. My kingdom belongs elsewhere” (Jn.18:36). Since Augustine distinguishes between two cities, one earthly the other heavenly, it is important to contrast Augustine’s interpretation of the two cities to Jesus’ version of two kingdoms. Equally important is to establish the kingdom Augustine belonged to. By his surrender and opting to instead die, Jesus backed up his statement in John (18:36) when Jesus said; ‘My Kingdom is not of this world; if my Kingdom were of this world, then would my servants fight... Augustine on the one hand did the complete opposite when faced with a similar conundrum. Instead he adopted a theory that justified warfare and presented it as God’s will. This should clearly demonstrate his love for Rome as capital of the world.

Heick (1965:138) interprets Augustine in his *City of God* as follows:

In Augustine’s thought, the city of the world, as the counterpart of the city of God, is equivalent to the political state. Although rooted in the fall, the state is willed by God to maintain order, welfare, and peace. Augustine was decidedly conservative along these lines. To hold property, in his eyes, was not wrong. Even wars, though evil in themselves, might be “waged by the good,” for the protection of the life and liberty of people in distress (cf. *Epistles* 138,13).

According to Peter Brown (1967:313-314), Augustine in the years after A.D 410, when Rome got invaded and partially destroyed, Augustine’s sermons were able to boost the confidence and morale of the people. As a master rhetoric he was able to tell them exactly what they needed to hear. He gave them back their sense of identity and belonging through a series of sermons. He told them how distinct and unique they were and that they were ‘citizens of Jerusalem.’ ‘O high-born race of foreigners on earth ... you do not belong here, you belong somewhere else.’ My confusion is, if we belonged elsewhere, surely we’d be ecstatic going back home. But why then should Augustine develop a Just War Theory instead of being grateful to them that take us home? For this contradicts the notion of a heavenly city. No doubt no man wants to die even us Christians whom are promised an afterlife in heaven. According to Van Oort (1991:88) in my conclusion of this section;

The City of God is a compendium of Augustine's theology, a major work in which previous thought had matured and settled down. It is a work that grew in the course of a substantial period of time, unlike the sermons intended for the congregations of Hippo or Carthage, unlike the letters written to specific people in particular circumstances. It is a work addressed to the intellectual elite of the Roman world.

According to Van Oort (1991:154); Augustine does not consider the Roman Empire to have been Christianized, nor the emperorship, but he acknowledges that since Constantine Christians have been called to the office of emperor by the grace of God. In Book XVIII Augustine calls Babylon the first Rome and Rome the first Babylon (XVIII, 2 and 22).

## 2.4 Cicero's Influence on Augustine

Cicero, *On his Ideal Orator*, 1.31-32 asked:

What is so powerful and splendid as when a single man's speech reverses popular upheavals, the scruples of jurors, or the authority of the Senate? If we consider our leisure time, what can more pleasant or more properly human than to be able to engage in elegant conversation?

Cicero was arguably one of the greatest orators of his times; so much so, Professors wrote books about him and university students in Augustine's times were compelled to study him. Like Cicero before him, Augustine mastered oratory and he used to make a living out of this craft. The 4<sup>th</sup> century was the heydays of great Christian debates, and Augustine was involved in many of these debates. According to Peter Sanlon (n.d):

He [Augustine] achieved success and fame through his speaking. After conversion to Christianity he described his secular rhetorical career as *vendito verborum* (see *Confessions* IX.5), a peddle of salesman of words. Once he had thought the scriptures not worthy of comparison with Cicero (see *Confessions* III.5). A huge change in Augustine's values led him to see opening up the scriptures in preaching as a speech truly worth hearing 'The preaching of God's word has to be repeated to you always' (Sermon 5.1).

In his Master's research paper, Van Neste (2006:8) points out that Augustine knew a great deal about Cicero's works; so much so, one of Augustine's friend Alypius "boasted of his

friend's prowess as an expert on Cicero to university circles in Carthage" (Brown 1967:299). As a student, Dioscorus wrote to Augustine asking him to give his opinion on some parts of Cicero's writings (Humphrey 1912:156).

Clearly, Augustine had a reputation as a competent Ciceronian scholar. Therefore, Augustine's oratory abilities could be likened to that of Cicero and Quintilian whom are regarded as the best orators of antiquity and according to Sanlon (n.d):

Oratory played a central role in the culture of antiquity-law, politics, entertainment, education, funerals, and career advancement were sufficed in rhetoric. There were different schools of thought and varying degrees of ability, but few would have seen any point in challenging Cicero's claim that the most influential man in the world was the one that could speak well.

And based on the oratory and authority Augustine argued his Just War theory, Augustine was indeed first and foremost a salesman of words. Therefore, it may not be a great exaggeration to suggest that Augustine knew how to pitch and sell Orthodox Christianity as the one and only religion of salvation. In fact through Cicero's writings and Ambrose's preaching, Augustine formulated his own point of departure that turned him into a giant that he is today.

Most importantly, Augustine did not only admire Cicero's works like *The Republic*, which was lost for centuries, but in fact credit him with his own conversion to Christianity. He wrote:

And at that time during the regular course of the studying I came across a certain book by Cicero, whose tongue all men admire, but not his heart. But that book contains his exhortation to philosophy, and it is called *Hortensius*. That very book changed my affections, and to you, Lord, it changed my prayers, and it cost me to have purpose and desires (*Confessions*. III, iv.7).

Therefore, it is not surprising that Augustine is regarded as one of the main source of Cicero's *Republic* as he so often quoted him. According to Van Neste (2006:ii):



In *The Republic*, Cicero creates the model state and argues that this state had the right to use military action on a group of people who were not capable of exercising justice. This influenced Augustine to create his own theory of the perfect state, which also had this right to use military action.

Therefore, one can even argue that Augustine's *City of God* was a pre-conceived idea long before the events of A.D 410. However, in regards to Cicero's influence on the young Augustine, Van Oort (1991:31) asks; 'What was it that Cicero taught?' He goes on to answer this question by stating:

As far as the dialogue can be reconstructed from Augustine's work, the aspect that moved him most must have been the view that all people wish to be happy, but that in the desire for happiness it is not wealth and honour that provide the keys, but only wisdom. Or rather: it is the very search for wisdom that makes man happy. Not the sensually perceptible life is the true life, but the spiritual one.

This view best explains Augustine's obsession for wisdom. But in his quest for wisdom, Augustine elevated his ideals to the highest point thus became absolute. The more he sought after wisdom, the farther away he drifted from such happiness. It is not to suggest that Augustine was unhappy or miserable, but the fact that he was involved in almost every controversy of his time, points to the conclusion that he was a "troubled soul." In contrast some scholars have argued this as his great apologetic contribution.

## **2.5 Ambrose' Influence on Augustine**

Ambrose had been Bishop of Milan for 11 years by the time Augustine converted to Christianity. His father was a civil servant (administrator) as was Ambrose himself a governor of a province called Liguria but through a controversial court ruling somehow ended up as Bishop of Milan. However, he became such a great Bishop that according to Brown (1967:83), on one occasion "He had 'bewitched' the Catholics with his new hymns." (see *Auxentium*, 34 P.L. xiv,1017). And not only through his new proposed hymns would he dazzle Augustine but through his preaching as well. And according to the same author (1967): "Augustine, as a 'professional', was anxious to hear this distinctive oratory. He found it delightful: less 'soothing and entertaining' than that of Faustus, but 'far more learned'." It

is clear that Augustine in his search for wisdom (*sapientia*, changeless truth) was influenced by academics;<sup>6</sup> hence his academic theology should be no surprise to us.

According to Chuck Fisher's article titled *The Sins of Augustine*:

...Augustine favored his philosophers more than the Old Testament revelation. Bishop Ambrose, who was instrumental in converting Augustine, had to help him overcome his problem with the Old Testament: it seems that Augustine felt that the God of the Old Testament was capricious and vindictive, and at odds with the God of the New Testament ...Ambrose and Augustine overcame the apparent contradiction by using a method of interpretation called allegory. The teachings of the Old Testament, according to Augustine, could only be understood by taking the Old Testament as allegory. Augustine spiritualized the Old Testament, teaching that the histories of the Old Testament had nothing to do with God, in reality that the stories about God in the Old Testament only taught about God in pictures, like parables. According to Augustine, the Old Testament was not a perfect revelation of God and his character, but contained bits and pieces about God that we had to figure out with allegorical interpretation. Augustine's influence was so great that, for a thousand years, his method of interpreting the Bible was the official method of interpretation used by the Church (cf Joseph Ratzinger's article '*Herkunft und Sinn der Civitas-Lehre Augustins.*').

Ambrose therefore, was not only instrumental in Augustine's conversion but had to help him overcome his dissatisfaction of Scriptures especially the O.T. Ambrose was only able to do so because of his use of rhetoric as he had been privileged by having had an upper-class education of his times. In a short time he (Ambrose) was able to convince Augustine to turn away from a philosophy/religion he had adhered to for nearly ten years. Augustine after much observation of Ambrose's attitude towards preaching came to a realization that:

I [He] noticed, repeatedly, in the sermons of our bishop ... that when God is thought of, our thoughts should dwell on no material reality whatsoever, nor in the case of the soul, which is the one thing in the universe nearest to God (*de beata vita*, i, 4. cf. Brown 1967:84).

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<sup>6</sup> Not referring to a sect- although implying learned men like Ambrose and Cicero.

And since Augustine was after all seeking nothing but the ‘truth’, his Christian views should therefore be seen parallel to such ‘truth’; although he took authority as truth rather than truth as authority. Some scholars like Viktor Stegemann even suggested that Ambrose was the source of Augustine’s doctrine of the two cities (see Van Oort 1991:10-11). They point to the contrast between Milan and Rome, Ambrose and Symmachus, as a personal experience by Augustine and in combination with Manichaeism, as a possibility that give rise to his view of *civitas Dei* versus *civitas diaboli*.

# CHAPTER 3

## JUST WAR

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### 3.1 The History and Development of Just War Theory

Men who cling to their convictions and defend them become heroes whose stories live on throughout the ages; such was Aurelius Augustine. A master of rhetoric and according to Kinsella & Carr (2007:3), Augustine was the first to identify several reasons why a state could justifiably go to war in addressing the rules and principles that formed what theologians, philosophers, statesmen, and lawyers refer to as the morality of warfare. However, Van Neste (2006) vehemently argues that, Augustine depended heavily on Cicero not only when writing his *City of God* but when developing his Just War Theory as well. It is therefore necessary to look into every aspect of the development of Just War Theory. Robert Holmes unlike Van Neste however, credits Augustine as “the father of just war thinking” in Christianity (see Holmes 1999:323). If Holmes, Kinsella & Carr views are correct, then Christians were the first people to have justified warfare. However, I disagree with this view as it is too abstract not holistic as will be evident from here onward.

But what exactly is a Just War? How can it be morally justified? How is it related to the Christian faith? And does the Church have a secular mission or is Just War within a divine plan? In the words of Larry May, Just Wars are ‘contingent pacifism’. A ‘contingent pacifism’ is opposed to war not on absolute grounds, but on contingent ground, namely that war as we know it has not been, and seemingly cannot be waged that is morally acceptable (2006:1). Such a conclusion is backed up by history, since wars have generated the most controversy of our times. Hence, the intentions of Just War as a tradition will always be opened to debate.

Based on May’s observation, it can be suggested that Just War therefore, is a legitimate reaction or rather a response towards an aggressor by a legitimate authority governed by a desire for peace. But the notion of peace as an absolute norm in this context is always contingent as well, thus biased to a larger degree. And historically, the early Church Fathers like Origen, Lactantius, even Tertullian were pacifist. The above mentioned author (May 2006:2), suggests that Tertullian took quite literally the pronouncement of Jesus that even if

you have been directly attacked, you must turn the other cheek rather than fight back. Such a hermeneutical approach was conservatively peaceful in contrast to Augustine. But then again I do concur with it on the basis that if the notion of heaven is to be taken literally, so does this notion of peace.

On August 24<sup>th</sup> A.D 410, as Alaric sacked the city of Rome; the foundations for Augustine to develop his theory of Just War were laid. As pagans blamed Christian neglect of the old gods, and asked them why in Christian times calamities were more numerous. And according to Heller (2007:1), “The ultimate fall of Rome marked the first wholly successful attack upon a civilization that had stood more than a thousand years.” Pelagius witnessed this horrible event, and he wrote to a Roman lady describing it as follows:

It happened only recently, and you heard it yourself. Rome, the mistress of the world, shivered, crushed with fear, at the sound of the blaring trumpets and the howling of the Goths. Where, then, was the nobility? Where were the certain and distinct ranks of dignity? Everyone was mingled together and shaken with fear; every household had its grief and all-pervading terror gripped us. Slave and noble were one. The same spectre of death stalked before us all (Pelagius, Ep. *Ad Demetriadem*, 30. P.L.xxx, 45 D).

In times of despair, people want to be led. And through his sermons and writings, that is exactly what Augustine did. Brown (1967:291-292) wrote:

As a bishop he could claim to have done what no the pagan god had done: he had undertaken the moral guidance of a whole community (see *City of God*, II, 19,12 and II,28). No pagan temple had ever resounded to such oratory as Augustine now used, to establish his threatened authority over the Catholic ‘sheep’ at Hippo (see *City of God*, II, 4,13).

Based on the above mentioned statement, Augustine represented Christianity very well. He did not only defend and promote but integrated Orthodox Christianity to God’s master plan. Moreover, with only words he was able to reassure the populace in such tough times. No doubt he acted swiftly as he reassured people like the charismatic bishop that he was but what he vehemently justified then, is of greater concern now- as it has evolved from being a theological moral debate to a part of international politics. It

is therefore, worthwhile to look into his position on the Just War Theory as a fundamental aspect. Van Neste (2006:1-2) in this regard has averred that:

Augustine's Theory of Just War is to a large extent based on Cicero's own Theory of Just War, which Augustine modified with his own political, philosophical and theological ideas into a concept that was acceptable to him and his Christian outlook.

The consequence of such a statement renders the whole idea of Just War within the divine plan fraudulent. This means not only that this theory predates Christianity but that the Church conformed to secularism rather than transforming it. Furthermore, it leads to doubts and questions not only of indoctrinated dogmas but the process and reasons for such in the first place. And when the Church's authenticity and authority are on the line; who then can we look up to? Just War as a Christian doctrine has proved to be one of the most tragic intellectual errors of all times. I refer to it as an intellectual exercise because that is exactly what it is-an intellectual political response.

Nonetheless, the fact of the matter is that, we cannot simply discard of it. We would not only be admitting its flaws but we would have to replace it with an alternative ideal. In an ideal world; pacifism-abstract as it is would be an ideal alternative. Without any shadow of doubt, the Just War Tradition has constituted a dark and ominous cloud in the Christian sky and not surprisingly so, since it is not even a Christian concept to start with. Hence Augustine had to look elsewhere though he presented it from a Christian perspective. Through Augustine's Just War Theory; war at last had found a new moral consensus at least in the Christian context.

It is said, "By reading Cicero's *Hortensius*, I [Augustine] was aroused to pursue wisdom (Confessions, VIII,Vii,17). This wisdom *sapientia*<sup>7</sup> he would later on even seek from Scriptures. Hence so many scholars doubt the genuineness of his Christian conversion as it is argued that Augustine converted the Church to Neo-Platonism. This cast doubts on Augustine as a pure Christian theologian that the Church presents him to be. We see that Augustine was more than just perplexed by Cicero's political philosophy; in fact his own political philosophy in his *City of God* bears more than just a passing resemblance to Cicero's

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<sup>7</sup> Latin for changeless truth

thoughts and this is fundamental to our understanding of the origins of Just War Theory. However, be it as it may be, Augustine was the one who brought the Just War Theory into the Church. Thus Holmes, Kinsella & Carr in this regard are both right. In Siegel (2003:[1]) words:

Just War as a tradition was intended to promote peace. It seeks to do this by limiting the situations which can be seen as justifying conflict, by limiting the means by which conflict may be carried out, and by specifying peace as the only goal to which conflict may be oriented.

The Church being synonymous with the idea of peace, found herself in a tight spot. Understandably, she had to take a stand but such a stand has been questionable. Because if you have just been attacked, your city sacked along with your possessions and possibly your women raped, is this the time to declare love and peace for your enemy? History has shown us that Just War Theory, in actual fact breeds the opposite response. Through the Just War Theory, it is argued that peace can be achieved through warfare. Meaning if you desire peace you must be prepared to go to war. Augustine (1972:866) asserted that 'even when men choose war, their only wish is for victory; which shows that their desire in fighting is for peace with glory...even wars, then, are waged with peace as their object ...'

However, I do not fully concur with such a discourse since, a peaceful or peace seeking man even when attacked and angered is not necessarily the one who lifts up his hand in retaliation- but seemingly the one who turns the other cheek. To set up war principles suggests a readiness and willingness to fight and kill at any given opportunity should you be attacked first. Bell (2005:4) supports this when he said "...we have approached warfare in terms of what is called aggressor/defender" model. According to this model, we will not attack first to avoid being the aggressor but once under siege, we come out all guns blazing with no restriction. Such is exemplary of the inefficiency of the Just War Principles. However, Brown (1967:289) writes:

On a deeper level, Rome symbolised the security of a whole civilized way of life. To an educated man, the history of the known world culminated quite naturally in the Roman Empire, just as, to a nineteenth century man, the history of civilization culminated in the supremacy of Europe. The sack of Rome by the Goths, then, was

an ominous reminder of the fact that even the most valuable societies might die. 'If Rome could perish' wrote Jerome, 'what can be safe?' (cf. Jerome, *Epistle*.123,16).

The Just War from Augustine's position is understandably governed by pro-Roman principles that were to guard against such evil. The problem comes in its justification as a means of peace. To speak of peace as the end result of war is fictitious; it is to assert that the moon is made of cheese: Feeding the Great Myth. Thus is propaganda at the highest level set-up by those who wish to impose whatever selfish they harbour on their opponents. In retrospect I concur with Augustine when he said '...all men desire to be at peace with their own people, while wishing to impose their will upon those people's lives' (1972:866).

Such a peace like a product you purchase from a convenient store has terms and conditions. It has to suit one party over the other; hence the ultimate goal of war is not peace but power and control over the conquered, for it is only natural for man to monopolise that which he treasures. Hence I argue that Just War is a tool of a conqueror. Those who conquer, writes the history books, impose their views and values on the populace. Just War Theory in its classical format was developed by a unilateral Church and State in marriage and through the course of history it has served as some sort of an international law. And the only problem is when the truth intrudes upon such changeless moral narratives.

In Augustine's line of thought, peace not only qualifies but it justifies a war, hence Augustine developed a Just War Theory. In his *City of God* he writes; "All human society is based on a desire to share some good (see *City of God*,XV,4,3)." "Of such goods, the most deeply felt by human beings is the need for 'peace': that is for a resolution of tensions, for an ordered control of unbalanced appetites in themselves, and of discordant wills in society (see *City of God*, XIV,I,18)." In Augustine's words war is "the result of necessity," and therefore "let it be necessity, not choice, that kills your warring enemy (Augustine 1955:26)."

But such a statement is contradictory as Augustine (1972:866) said: ... "even when men wish a present state of peace to be disturbed they do so not because they hate peace, but because they desire the present peace to be exchanged for one that suits their wishes." Hence, the challenge to the notion that war brings peace, for such a peace is dehumanising, a result of an unjust order. Peace is the highest form humanity can achieve. Even in John 20:21, Jesus emphasized peace to his disciples as he was leaving them. Hitherto, man will



devise laws and devices in order to achieve this peace. However, the problem is not seeking peace but the ways in which it is sought and achieved. Furthermore, peace cannot be achieved where there are at least two prevailing ideologies as I shall elaborate further down low.

From Augustine's perspective, war is imminent as it is a necessity as food is a necessity for the survival of any living creature. But such a necessity is in actual fact a desired wish of those who want to dictate the sort of peace. Just War even to St. Thomas (1224-1274) was a necessity, though it was a means of protecting political society. In both Thomism and Augustinian views, the only reasonable and responsible thing to do was to draw up principles that govern warfare since even wars are waged with peace as their objective. To Augustine,

Peace is so great a good that even when in relation to the affairs of earth and of our mortal state no word ever falls more gratefully upon the ear, nothing is desired with greater longing, in fact, nothing better can be found (1972:866).

Augustine in his persuasion of Just War Theory as a necessity for achieving peace has a double standard to say the least. The peace he talks about is dictated and achieved through duress not consent. It is the killing of opposing ideals rather than a compromise of ones' prevailing views. Peace in essence can only be preserved when the whole body acknowledge its ruler. In his *City of God* he writes:

Indeed, one robber maybe so unequalled in strength and so wary of having anyone to share his plans that he does not trust any associate, but plots his crimes and achieves his success by himself, carrying off his booty after overcoming and dispatching such as he can; yet even so he maintains some kind of shadow peace, at least with those whom he cannot kill, and from whom he wishes to conceal his activities. At the same time he is anxious, of course, to be at peace in his own home, with his wife and children and any other members of his household; without doubt he is delighted to have them obedient to his beck and call. For if this does not happen, he is indignant; he scolds and punishes; and, if need be, he employs savage measures to impose on his household a peace which, he feels, cannot exist unless all the other elements in the same domestic society are subject to one head; and this head, in his own home, is himself (1972:866-867).

The above statement is not only one sided and self-centred but very patristic. It is demonstrative of not only Augustine's sexist side but the Church culture as a whole. Augustine was not only self-obsessed but in his auto-biography he writes of a woman whom he lived with for thirteen years (372-385 A.D) even shared a child with. But surprisingly, he never mentioned her name not even once and even of his mother Monica is alluded to once. From his description in his "growing pale in envy" (*Confessions* 1, 7) when he saw a sibling being breast-fed by Monica, paints a picture of his self-obsessed nature. Throughout his theology, whatever he struggled with he concluded as beyond human control. Augustine had a brother called Navigius and a sister whom he failed to name although it is said she was more a part of his story than Navigius. From such patristic overtones it is easy to see why the Seventies women's movement challenged the notion of patriarchal God/Father.

This however, is exemplary of Augustine's Roman Catholic theology of authority which was the overriding reason of his conversion to Christianity. As he wrote,

Where, then, shall I begin? With authority, or with reasoning? In the order of nature, when we learn anything, authority precedes reasoning. For a reason may seem weak, when, after it is given, it requires authority to confirm it (1887:42).

Thus the Church is viewed as the oppressor, who has assumed the power of authority, thus employs measures through which he can attain this will.

Once that is achieved, he calls it peace and justifies warfare in its name. For the oppressor, the notion of peace only refers to them as other people are 'things' that needs to be converted. Sadly, such has been the double-edged thrust of the authority of the RCC through persuasiveness of Just War as a divine authority. No doubt, authority and order are needed in any system, institution, and structure to be fully functional, but those who are in charge should not just impose their will on others. Such a set-up is not conducive for peace and equality as these two notions would lead to total disintegration of our cherished institutions.

However, I do concur with Nigel Dower (2009:82) when he said: "It may be that the Just War Tradition is right on certain things, but, if so, it being a tradition does not make it right, and modern Just War thinkers are interested in the various *arguments* that are advanced in the tradition." The fact that a theory became a tradition essentially means such has become the

reality for Christendom and such is the core of arguments. My argument is that the divine authority has been attached to the Just War Tradition thus rendering it absolute. Since humanity is tall on greed and hatred but short on grace and love; wars are inevitable but they should not be branded “Just.” To brand anything “Just” is to sanctify and immortalise it as it is beyond reproach. And such a tradition has been instilled into every aspect of our world governments.

The problem with such a theory, tradition and reality as secular as it is in postmodernity is that it has its roots (at least in its classical form) in the Catholic Church that affirms herself as the One True Church of the One True God thus bringing Christendom under severe scrutiny from moralist and the likes. It is easier to side with an atheist, when God is portrayed in such a manner. It is true that most people are for peace; therefore, if wars bring peace, people will automatically support them. This is the stance of the Church as well. Augustine’s theory can be justified from this hypothesis that some evils are worse than war and some values worth fighting for e.g. the Roman Empire and the Christian faith.

According to Holmes (1989:114), those who favour the Just War Theory believe that being willing to wage war when confronted with such evils is the best way to prevent war. But in the words of Ralph Waldo Emerson (1803-1882) quoted from [www.brainyquotes.com](http://www.brainyquotes.com), “Peace cannot be achieved through violence, it could only be attained through understanding.” To understand each other though, is far more a riddle hence, history has favoured warfare over understanding one’s enemy. Despite the principles of the Just War Theory, warfare has been the central feature of civilization even though war inflicts death, injury and pain to both sides. But Augustine was of the notion that death is merely a physical evil and to suffer this fate is far better than to be guilty of bad motivation or vice (*De Civ. Dei* I, 9. cf *De Lib. Arb.*, I, 5.12).

According to tutor2u Admin (2009:1 cf. Langan 2001:1, Spanneut in Tremblay & Billy (ed.) 1991:114), Augustine drew on the existing Roman doctrine of *justum bellum* and the Old Testament stories of wars fought on Israel’s behalf, as commanded by God. Such Biblical exegesis/ hermeneutic in my view is way out of context. A theologian has ethical and moral responsibilities when interpreting Scriptures. Augustine was very well-versed in philosophy; hence he questioned Scriptures for the better half of his youth. Surely, for him to deploy *figura* (figural interpretation) was at the least irresponsible and desperate. Although

hermeneutical hegemony is relatively a recent development, Augustine knew very well that Scriptures should not be taken literally especially in his present environment. Concerning the danger of interpreting Scriptures literally he wrote in his *Confessions* (CC XXXII5):

[My liberation occurred] when I heard, rather often, one after another of the obscure passage from the Old Testament being explained, passage wherein I was slain (*occi-debar*) when I took them literally (*cum ad litteram acciperem*)

He also stated: We must be on our guard against giving interpretations which are hazardous or opposed to science, and so exposing the word of God to the ridicule of unbelievers (*De Genesi ad litteram*, I,19,21, especially n.39).

Hitherto, Augustine cited Luke (14:23) which contains the line “compel them to come in” out of context in order to justify force by the state in the conversion of the non-believers. In so doing, God was exclusive and limited to the Roman Empire. Therefore, in developing his Just War Theory had a motive and he misused Scriptures (by connecting the Romans to the Israelites of the Old Testament) to achieve this. Augustine needed to persuade the pagans that the Christian faith was not to be blamed for the sack of Rome. Therefore, he needed to change policy as Rome was pacifist; but in doing so, Christianity should not be tainted. Hence he drew God into the picture; it then became ontological and authoritative. According to Gomes (2008:4), The Jewish dichotomy of war is not one of ‘just’ or ‘unjust’ but ‘divinely commanded wars’ (*mitzvah*) and ‘permitted wars’ (*reshut*)-optional or discretionary:

When war is undertaken in obedience to God, who would rebuke, or humble, or crush the pride of man, it must allowed to be a righteous war; for even the war that arises 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).

War in this perspective cannot be harmful as it is obedience to God, a just cause. The end results of war are benefiting and not injury to the saints. Thus, Augustine attaches a spiritual connotation to warfare especially since it is commanded by God rendering it ontological.

God in such praxis is a God who resorts to warfare and there is no moral dilemma as such is the mystery of His providence. For Augustine, all of God's acts are just, by definition, even if the application of that definition to specific cases of the human experience eludes human reasoning.

Agnosticism<sup>8</sup> is applied in such a scenario as man cannot fathom anything beyond the existence of his earthly experience. Hence Augustine (1887:301) affirms that the man must "be blameless who carries on war on the authority of God, of whom everyone who serves him knows that He can never require what is wrong." Such a statement brings up the ancient accusation against Christianity as being responsible for the miseries of the world and it does not account for the psychological effects of the aftermath of war. For if man cannot be blamed for the atrocities of warfare, who then but God? But in Augustine's observation, God can never require what is wrong; meaning war commanded in God's name is never wrong. Thus, Langan (2001:5) noted:

This level of agnosticism about human values and 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, 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 of an appropriate authorization.

These views strip individuals of any consciousness as we are portrayed as empty silos that can be filled with whatever deemed necessary. Thus Christianity is painted as absolute representing the broader spectrum of believers and this has proved perilous. Christianity, young as it is, is thought of having had transcended all other religions. Even though the ideals and concepts that shaped Christianity had been borrowed thus representing and still prolonging these other beliefs. Furthermore, how can the Church confirm that it is God who is commanding war when we so clearly cannot? And on what type of people is war being waged if we all are created in His image? Since Augustine (1972,864) suggested that: ... 'not

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<sup>8</sup> Agnosticism is the view that the truth values of certain claims especially claims about the existence or non-existence of any deity, as well as other religious and metaphysical claims are unknown or unknowable.

even the saints and the faithful worshippers of the one true God enjoy exemption from the deceptions of the demons and from their multifarious temptations.’ Such a statement suggests that those wise men that wage Just Wars could in actual fact be deceived themselves. It is so clear from the above statement that war is not only acceptable but it is necessary in God’s Kingdom. In fact it is the very thread that holds the Kingdom together. Such a theory is one example that exposes the bias in mainstream theology.

But ironically, in the same Bible through Jesus’ teachings, the opposite could be said, as Jesus proclaimed ‘You have heard it said to those of ancient times, ‘you shall not murder’: and ‘whoever murders shall be liable to judgement.’ And, “You have heard that it was said, ‘an eye for an eye and a tooth for a tooth.” But I say to you, do not resist an evildoer. But if anyone strikes you on the right cheek, turn the other also.’ ‘You have heard that it was said, ‘you shall love your neighbour and hate your enemy.’ But I say to you, love your enemy and pray for those who persecute you, so that you may be children of your Father in heaven’ (Matthew 5:38-39).

Augustine in his interpretation of love and peace was antithetical with Jesus’ teachings on the two subjects. He literally wiped the slate clean (*tabula rasa*) and gave a new Christian interpretation when he asserted that killing is necessary as opposed to turning the other cheek as Jesus proclaimed. Instead of praying for his persecutors he waged war on them out of love. But like the great American pop star Tina Turner once sang ‘what’s love got to do with it?’ because clearly such love is sadistic; it is a love of death not life. Thus Just War is inconsistent with the ethic of love. However according to Watkins (2005:6)

To understand this verse fully, it is important to realize the authoritative context. Jesus was speaking to the individual, not to the authority of the government. For that matter he was not speaking to the authority of parents or policemen either. It should be clear that a parent is not supposed to “turn the other cheek” if their child is rooted in evil disobedience. Parents are given the authority by God to raise their child in the framework of God’s laws and to discipline the child if need be. Jesus is not instructing parents to “turn the other cheek”, nor is He instructing governments to “turn the other cheek” when confronted with evil injustice. In this passage Jesus is

laying out standards for personal Christian behaviour, and not for other levels of authority.

Watkins, following Augustine, in his reduction asserted that, God is the supreme authority and our governments are second in command. However the notion of the state or government acting as the moral agent of God is very much problematic to say the least. Moreover, to assert that the Bible is the word of God rather about God has no basis just as to use hermeneutical application of Scripture verses in order to support Just War Theory is perilous. My point in the above statement is not to argue the Biblical inerrancy or infallibility thereof. Rather I admit and submit to the mysteries of Scriptures as introspective but nonetheless, I am not dictated by preconceived orthodoxy in my hermeneutics.

Furthermore the God concept and revelation thereof, is not universal and exclusive to the upper echelons of church structures. The hierarchical structure of God as the supreme authority, the government as God's representative, and the individual as a lowest authoritative figurehead only benefits governments as God Himself does not. Institutions are not created by mistake, for they serve a specific purpose; therefore the government as an institution is central to consolidation of power. And whoever argues that governments are God's representatives should do so inclusively, not limited and exclusive to one particular government of choice.

Moreover, sovereign states are made up of a collective of individuals put in power by the masses. Perhaps one should refrain from using the term sovereign state in Augustine's context as according to Baylis & Rengger (eds. 1992:61):

Since sovereign state have been around for a long time, it is easy to see how students unfamiliar with history might be led to believe that they are permanent and unchanging feature of the international landscape. In fact, of course, for most of its history the human race has not been organized into states. In the words of Oran Young, 'Over the bulk of recorded history , man has organized himself for political purposes on bases other than those subsumed under the concepts "state" and "nation state".' Only with the break-up of medieval Christendom and the Holy Roman Empire did a system of states slowly emerge, and even then these new political entities were confined to a relatively small area of the world-Europe.

Therefore, the individual should not be taken for granted as an empty silo. In the last chapter of the Book of Judges (21:25) it is written: “In those days there was no king in Israel and everyman did that which was right in his own eyes.” This to me implies that humans are very capable of ruling themselves as God created beings. The notion of good and evil is imprinted in their DNA. <sup>9</sup>The kingship notion only came about once the people themselves asked God for a king to rule over them and in the process seemed to have rejected God as their King. My main point here is to demonstrate that individuals are not empty silos and furthermore, our established institutions are nothing without the people, and not the other way round.

The notion of war as a necessity to acquire virtues like peace, justice, love, and even freedom is directly linked to the classic development of Just War Theory. John Finnis, a Catholic legal philosopher noted that the first principle of morality, is one basic to both the Gospel and the natural law. This implies loving God above all other things and one’s neighbour as oneself (see Mt.22:36-40; cf. Mk.12:28-31). In both Thomism and Augustinian thoughts, the virtue of love which ultimately conceives peace has been the fundamental reason for the development and promotion of Just War Theory.

Freire (2007:47) in his quest to attain freedom averred that: “Freedom is acquired by conquest, not by gift.” This implies and cements the argument that warfare is necessary if virtues like peace, justice, love and, in this context, freedom are to be attained. The most fundamental question therefore, is not warfare (as is deemed necessary), but the moral condition and principles that must be met once war is waged. The following are the Just War Principles which have been developed through the ages. According to Harty (2006:2), Augustine originally specified that three principles must be met before resorting to war; “just cause,” “legitimate authority,” “right intention”. Over the centuries, moral theologians have added several more principles to Augustine’s three in response to the historical experience of war:

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<sup>9</sup> DNA is according to biology and science, a deoxyribonucleic acid that is hereditary material in humans and almost all other organisms.



- “proportionality” was added to reduce the damage caused by war;
- “probability of success” was added to prevent protracted conflict; and
- “Last resort” was added to urge the exploration of alternatives.

The Just War Principles are meant not only to guide but to avoid war in the first place; but since their inception, this has not been the case in the history of the Just War Theory. If ‘Necessity knows no law’ and ‘all is fair in love and war,’ Augustine’s Just War Theory cannot be a law, since according to him, ‘war is a necessity’; when necessity itself knows no law. His theory then should be re-viewed as requiring a belligerent to surrender that which is perceived to be advantageous or to convert to that which is imposed upon him. Such a doctrine can only be effective and binding when adhered to by the whole body. And only then can we speak of peace, love and Just War in the same sentence. Hence the Just War Theory is not a written law, but an ethical and moral guide.

According to Johnson (1984:2) ‘the West cannot think about war without using the terms of Just War Theory (this is the problem of the theory becoming a tradition), even when they disagree with what it teaches’. This demonstrates not only the consistency of Just War Theory (as it finds expression in contemporary issues like international law and military manuals of the laws and customs of war) but the authority and influence of Augustine as a Church figure. Thus in retrospect marks the Christian influence on the West (and Africa as a colony).

Just War Theory expose Christians as hypocrites; to disagree with its teachings but still incite war in its name is nothing more than hypocrisy even though in the words of Vivian Phelips (1931:8), “Men wish neither to be no hypocrites nor to be thought hypocrites”. But to speak of loving your neighbour as you love yourself, but still kill him and be able to justify it, on the very same Bible that commanded you, thou shall not kill.

Just War Theory as a tradition has become the perfect pretext for the ills and greed of those who rule us, as they are the ones deemed eligible to wage war. Justifying a war based on the Biblical Scripture is maleficent. If the Just War Theory could be truly justifiable Biblically, then the authority and authenticity of Scripture as the Word and Law of God needs to be revisited as surely exhibits double standards. Lest we forget it was the same Augustine who

said: “an unjust law is no law at all”. On what basis then did Augustine justify a war; if not self-serving ambitions of religious and political monopoly? If so much heinous similarities can be found between paganism and Christianity-what was the point in Augustine’s conversion?

In contrast to Augustine’s disposition of the development of his Just War Theory, history shows us that war has not always been the result of necessity; in actual fact it has often been the result of greed. One interesting example of such wars was the Punic wars fought between Rome and Carthage from 264 BC to 146 BC (see Adrian Keith Goldsworthy, *The Punic Wars*). A typical example of the power hungry Rome in its conquest for power conquered Carthage’s empire and laid the city to ruins just so it would be the new powerhouse of the Western Mediterranean. It may have been centuries before Augustine’s time but I find it interesting that Augustine developed a Just War Theory for the empire that enslaved him and his ancestors (remember-his hometown “Tagaste” was a colony of Rome). But according to Augustine on such a matter, this too is not problematic; as he averred:

The first cause of slavery ... is sin, whereby man was subjected to man in the condition of bondage; and this can only happen by the judgement of God, with whom there is no injustice, and who knows how to allot different punishments according to the deserts of the offenders (1972:875).

Today we know differently; we abolished physical slavery though we still adhere to the same God of the Old and New Testaments, thus emphasizing my point on Augustine’s literal hermeneutics as dangerous to the broader community of humanity.

History again on the side of religion has shown us that multitudes of people have been unjustly killed and enslaved. In actual fact, history according to the commentators, has never known an unjust war since the inception and Christianisation of Just War Theory. The problem is that Christianity itself is a process that keeps on evolving to be relevant in its times - and it should. Therefore, any Christian tradition and doctrine is expected to evolve as well-meaning that Augustine’s Just War Theory has been improved upon and is interpreted from varying contexts but interestingly the killing part is yet to be erased.

Christianity in its infancy had many loopholes thus it borrowed from other existing Greek philosophies and so called pagan religions in order for it to be of relevance. In so doing it ultimately became tainted. The same can be said of Augustine who is credited with the development of the Just War Theory in its classical form. Augustine did not become arguably the most influential Christian theologian by chance. He had been for years exposed to all sorts of opposing pagan philosophies and religious beliefs which shaped his thoughts. One cannot jump into swimming pool and expect to come out all dry. This is evident in his development of Just War Theory, where he practically cut and pasted Cicero's Just War Theory into a Christian doctrine. Such today would be considered plagiarism but instead he has been declared into sainthood. But the biggest problems stem from when man speaks in the place of God and Augustine averred that sovereign state can do so.

### 3.2 Augustine in Defence of Just War Theory

Augustine in his defence of Just War Theory in his *City of God* averred that:

But the wise man, they say, will wage Just Wars. Surely, if he remembers that he is a human being, he will rather lament the fact that he is faced with the necessity of waging 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 (1972:861-862).

Such a statement introduces the ideology of necessity to warfare as a pacifist is deemed foolish since he has no desire in waging a war whether just or unjust (according to Augustine's disposition). Further, it is the duty of any wise man since he can remember that he is a human being (thus depicting once again Augustine's analogy on the weakness and sinfulness of humanity). In contrast Pelagius<sup>10</sup> who was Augustine's greatest rival denied the concept of original sin as he asserted that:

Everything good and everything evil, in respect of which we are either worthy of praise or of blame, is *done by us*, not *born with us*. We are not born in our full

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<sup>10</sup> Pelagius (354-418) was a monk, probably of Irish origin. He came to Rome in 400 and was distressed at the low state of conduct there. Feeling that there was no need of more moral effort he was shocked by the prayer in St Augustine's *Confessions*, 'Give what thou commandest and command what thou wilt.' His teaching seems to have aroused no stir until he went to Carthage after the sack of Rome in 410 (see Phelips, 1931: 73-74).

development, but with a capacity for good and evil; we are begotten as well without virtue as without vice, and before the activity of our own personal will there is nothing in man but what God has stored in him (Pelagius, *Pro libero arbitrio*, ap. Augustine. *De peccato originali*:14).

Whatever humanity chooses to do is but a choice not a result of our inherited sin and weakness. Therefore, the wise man is not necessarily the one who incite Just Wars because of his inherently human weakness as our nature is not born with us but is rather developed through time. Henceforth, the waging of Just Wars is a choice we make and has nothing to do with neither inherited wisdom nor weakness.

To be labelled wise Augustine's thought was:

... peace between men is an ordered agreement of mind with mind; the peace of the home is the ordered agreement among those who live together about giving and obeying orders; the peace of the Heavenly City is a perfectly ordered and perfectly harmonious fellowship in the enjoyment of God, and a mutual fellowship in God; 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 (1972:870).

Augustine in a nutshell, believed in an ordered structure, which was necessary if peace was to prevail. The one thing that threatened such an ordered structure was indifference in mentality and religion-for 'peace between men is an ordered agreement of mind with mind'. Any foreign ideal was believed to have been distorted by a pervasive radical evil and had to be eliminated. Therefore, the wretched according to Augustine (1972:870), in so far as they are wretched, are not in a state of peace and lack the tranquillity of order, a state where there is no disturbance of mind. Clearly, Augustine wrote as a Christian apologist not only defending Christianity but elevating it to the highest status of Faith. Such utterance is evidence of the times he lived in where Christianity was the order of the day. Hence he had to confront the entire religious policy of classical culture. But in contrast, the two most dominant isms of the spirit of our times (postmodernity) are relativism and pluralism, this being my point of departure, as I find it difficult to concur with such views.

Augustine in his defence of Just War Theory as a rhetoric was persuasive (persuasiveness is what is central to authority as Augustine understood it) as he affected the way in which people think about the nature of humanity and subsequently, what we mean by the word 'God'. The nature of man was distorted with evil right from birth, thus making him a sinful being. Furthermore, a war is waged by or within persons who are in some sense natural being-and peace is the condition of their being. Hence a wise man was the one who waged a Just War as it was deemed necessary. God in this sense comes across as being opposed to intellectual arguments (philosophy) but punished those who were against the divine order and authority of the RCC. However, Augustine himself was arguably more of an intellectual than a religious man.

And according to Kinsella & Carr (2007:3), Augustine also argued that:

Wars that had as their end the securing of peace or punishing the wrongful actions of others were held to be justified provided the war was fought to achieve these legitimate ends. But wars fought for reasons of aggrandizement or for seizing that which was not one's own were considered illegitimate and hence unjust.

Evidently, the latter instead of the former has been the reason wars have been waged and were still justified on the Just War principles. George Weigel quoted from Mark S. Latkovic's (2002:[1]) paper has asserted that:

The Just War tradition is not "an algebra that provides custom-made, clear-cut answers under all circumstances. Rather, it is a kind of ethical calculus, in which moral reasoning and rigorous empirical analysis are meant to work together, in order to provide guidance to public authorities on whom responsibilities of decision-making fall."

To understand Augustine's development of Just War Theory, one has to understand several things, one being his world view. Augustine was a product of his times and according to Mattox (2011:1):

The state was a divinely ordained punishment for fallen man, with its armies, its power to command, coerce, punish, and even put to death, as well as its institutions such as slavery and private property. God shapes the ultimate ends of man's

existence through it. This was interpreted within the context of political and legal system.

This is evident in one of his principles that assert that only a sovereign state (legitimate authority) has the right and authority to wage war since it represents God's authority on earth. After all this was said unilaterally in reference to Rome. Augustine was somewhat fascist hence his statement must be understood from a Christian perspective, where he had authority, influence and his word carried so much weight. His world view was very dualistic and extreme with no grey areas. Augustine's development of Just War Theory was rather an adoption of Cicero's Just War Theory. In other words Augustine took a non-Christian concept and Christianised it, taking an extreme pagan ideal and turning it into yet an extreme Christian tradition.

In simple terms, Christian nations could now wage wars as a measure of peace, from a Christian praxis, making such a theory an extreme Christian tradition in contrast to Islamic Jihad. I contrast these two traditions as they both assert peace as their fundamental presupposition. But from the results of the two traditions, more lives have been lost than the actual peace obtained, hence they are of questionable ethical value.

The other things that need to be understood are historical and eschatological ideas dating back to pagan and Jewish tradition (see Theodor E. Mommsen 1951:2-7). These ancient ideas and traditions shaped and influenced third century Christian theologians like Irenaeus of Lyons, Tertullian, Lactantius and Hippolytus. All these Christian authors shared a belief that the fall of Rome would be most ominous event (Mommsen 1951:5). In his *Divine Institutions* (7,25,6-8), Lactantius stated that:

The fall and ruin of the world will shortly take place, although it seems that nothing of that kind is to be feared as long as the city of Rome stands intact. But when the capital of the world has fallen ... who can doubt that the end will have arrived for the affairs of men and the whole world? It is that city which still sustains all things....

Based on the above statements, it is evident why Augustine rejected the pacifist approach in favour of the Just War Theory. To attack Rome was to attack existence as they had known it; it was unthinkable for Rome to be sacked. And in resolving such a tragedy, Augustine

resorted to warfare tactics and presented them as a peaceful tradition in his *City of God* where he asserted:

For even the wicked when they go to wars do so to defend the peace of their own people, if they can, so that all men and all things might together be subservient to one master. And how could that happen, unless they should consent to a peace of his dictation either through love or fear? (1972:868).

Augustine was not only pious but his epistemology was very authoritarian and that is reflective in his views on the Just War Theory. To say peace and love are the driving forces behind the formation of his Just War Theory is but a fallacy; since it is not by consent but duress. The Just War Theory was clearly formulated for the advancement of both the Roman Empire and the RCC. The monotheistic idea of one God, one Church and one Empire creates a central power, thus is binding in its very nature and anything that restricts us is in essence bondage. Delsol (2004:65) is quoted as saying:

When the world is only understood from a single perspective that takes itself as the sole truth, man believes that he lives under the reign of the True and the Good. This, however, is only an illusion ...

However, Richard Shelly Hartigan (1966:198) in defence of Augustine's development of his Just War Theory stated:

It is a mistake to assume that, because St. Augustine attempted to reconcile to the Christian ethic of love, he embraced war and its bloodshed eagerly or without reservation. Quite the contrary is true. The pages of his *De Civitate Dei* abound with sympathetic reference to the miseries inflicted by past wars...

It may be true that Augustine was regretful of the evil of warfare, but emotions aside, Augustine did use his authority to justify warfare in order to preserve Rome and the Catholic values, and that is the bottom line. Unfortunately, history is not judged on the good intended but the evil or good suffered. In most cases it is the former. The historical and the contemporary position of the Just War vary because people ascribe to different moral affiliations even on the question of war. And that is the reality of Augustine's Just War Theory.

### 3.3 Morality of warfare

'The question of whether this or that use of force is morally justifiable is not simply a moral question. It depends on a whole complex of political causes and effects, a set of facts' (Vann 1939:28). On what constitutes the evil of war Augustine (1887:301) asked:

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 evil in war are love of violence (*nocendi cupiditas*), revengeful cruelty (*ulciscendi crudelitas*), fierce and implacable enmity, wild resistance, and the lust of power (*libido dominandi*) and such like.

Is it war that is problematic or is it rather the spirit in which it is fought and reasoned? If war is seen as a divine obligation and endowment, it becomes not only a moral act but a religious necessity. And according to Delsol (2004:39), "In the face of ...perversions of politics, morality assumes precedence and wants to assume the role of governing me." Therefore, the perception of a just war which is morally compliant needs a major make-over if we are serious about achieving true peace. As long as warfare can be morally justifiable based on whatever human concepts and principles, war will remain a dominant factor of humanity. Just as the policies of slavery and apartheid were justified on Scriptures; but nonetheless, have been abolished, so should be the case for Just Wars. Delsol (2004:42) warns us when she said;

If we become the spiritual directors of the entire world-a role we currently attribute to ourselves-it can only be by re-establishing a monopoly on moral judgement, a monopoly that the Enlightenment broke only with great difficulty.

Zahn (1983:130) sums it up well when he wrote: "It is time to file the Just War theory away in the same drawer that hides the flat-earth theory." Since in my view Just War was meant to address the issues of its time but nonetheless failed to do so. Coates (1997:5) emphasises this point when he wrote:

The perception that the just war approach has become an anachronism, that the reality that lent the tradition credibility and may once have established its relevance no longer exists, is another common source of criticism. One form of this criticism argues that the reality of modern war places it outside the scope of just war thinking.



In some cases this judgement is driven by a preoccupation with the nuclear issue, so that it is the 'nuclear age' in which we are now seen to live that has made just war thinking irrelevant.

However, I do agree with Mario Bigotte Charao quoted from Brian Wicker ed. (1993:53) when he noted:

It a childish illusion to pretend to be able to eradicate war from a society dominated by ethos (and ethic) of violence, a 'culture of death' or an 'anti-life mentality' and by an aggressive attitude without respect for nature.

Therefore, Charles (2005:590) maybe right when he noted: '...the social, political and moral challenges before us are daunting, revealing our biases against the need for military intervention to be naïve.' The above statements sums it up very nicely, as even our moral and ethical perceptions are shaped by a belief in the inevitability of warfare thus making it a self-fulfilling prophecy. In a sense war is an integral part of our being but however, it has proved to have benefited only a select few. And anyhow to Augustine, death was a necessary sacrifice to achieve peace not an evil act. Thus, Augustine (1887:303) noted:

... 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 a moral demerit. This injustice is seen in every case where a man loves for their own sake things which are desirable only as a means to an end, and seeks for the sake of something else things which ought to be loved for themselves.

Augustine in his Just War argument reduced the idea of death as something inevitable, yes death maybe inevitable but it is still no reason to throw other people's life away. I say other people because not many of the legitimate authorities who are licensed to incite wars have seen the sight of a battlefield. Even, Kinsella & Carr (2007:55) defined the Just War Theory as:

... the theoretical foundation for the morality of war. It is said to hold that war can sometimes be morally justified, but even when it is justified the means or methods used to fight a war are still limited by moral considerations. It is therefore, at times suggested that Just War Theory occupies a middle ground between the extremes of

realism, under which moral concerns are simply irrelevant to the propriety of war, and pacifism, which holds in its strongest form that war is never morally justified.

When it comes to human reasoning in the act of greed, it is a very thin line between what is perceived as legitimate and illegitimate, and unfortunately in warfare push is altogether likely to come to shove. And Delsol (2004:42) is right when she said; “No one has the right to instruct another in morality, unless he is a director of consciences.” In theory, based on the statement above it is suggested that; Just War as a tradition is close to pacifism. Such a statement may be true on paper but realistically and statistically; the two traditions are opposite. If peace is the core foundation of the two, one may ask, ‘what do we mean by peace’? The notion of war has no peace to it, whether you put Just in front of it or not. War is violence, and it the words of General William Tecumseh (1984:126) ‘War is hell’. And in war there are always casualties but somehow humanity is still blind to such naked truth.

At the same time though, the notion of pacifism is too abstract (at least in the fallen world), as Augustine concluded that man is a sinful being and war is the result of that sin. It must be said that religion interpreted in such pessimistic view is enslavement to its followers and the mental framework of slavery is simply to roll over. Thus Augustine through his theology not only bound people up to the institutions of his day but contrasted and nullified the theology of the cross. Thus the Just War Theory is a civilizational regression, a mockery to the message of our Lord. If Jesus died to take away our sins, why then was Augustine so obsessed with human sin? Chuck Fisher (n.d:[1]) noted that one problem with Augustine

... is his tendency to develop doctrine based on his experience rather than scripture. I have heard it said, "A man's philosophy is dictated by his morals." The same is true for his theology. Augustine wrote an autobiography, considered to be a classic, Confessions, and in it, he discusses his problems with sin. He spends a great deal of time dealing with an incident (as a young teenager) in which he stole pears from a neighbor's tree, and uses this event to develop and teach the doctrine of Original Sin.

Just War Theory expose Augustine's despondence as a natural man. He assumed the worst for humanity based on his personal struggles with sin. Hitherto Just War Theory in principle means good but in practise it is the opposite. The one problem is that it has become a tool of justifying and even inciting wars rather than actually promoting the peace it was intended for. The fact that history keeps on repeating itself proves that humans hardly learn or in Augustine's perspective, man is of sinful nature. This implies then, man as a sinful being is incapable of peace; suggesting that war is inevitable as a means of both power and peace. Therefore, one can be tempted to agree with Augustine's theory of Just War as a means of peace but then again according to Mario Bigotte Choraó quoted from Brian Wicker ed. (1993:53),

...it is important never to lose sight of the fact that war is only one of the most apparent expressions of violence, a monster with a thousand faces which in numerous ways violates the dignity of the human person and the integrity of the divine work of creation.

And in my view, Just War is of the thousand faces which violate our human dignity and that of the divine creation and those in favour of it, perceive it as an imperialist tradition used to justify their politics.

But in contrast to the above notion of Just War and of man as a sinful being, Santikaro Bhikkhu (2003:1) (a Buddhist writing on behalf of Dharma Counsel) asserted that: 'Just War' make no sense in a tradition dedicated to moral decency, non-harming, compassion, and wisdom. Furthermore, he boldly denounces the notion of war as a "necessary evil." He says 'it is merely the bad policy of short sighted, cowardly, selfish, and ill-informed leadership (2003). Clearly, Just War as a peace enforcing Christian tradition is rejected in this context. To a large degree I agree with Bhikkhu's view in this regard. Justifying a war basically means that conflicts cannot be resolved Biblically; thus in retrospect ridicules the authority of the Christian Bible as our ultimate guide book as Augustine modified it. To resort to killing based on God's command, clearly, implies that the Christian God is ineffective in resolving matters peacefully and non-violently, hence war is incited and justified. Thus, Augustine averred that: "Peace is not sought for the purpose of stirring up war, but war is waged for the purpose of securing peace" (*Epistle.138 to Marcellinus*).

According to Langan (2001:7):

... Augustine's approach to the just war is really about the perseverance of 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.

Hence one can argue that Augustine valued ideals and institutions more than life itself.

The theory of Just War has been more politically oriented than it has been theologically, and not only in the modern day context. Vasquez (1993:45) asserts that:

To understand war, one must first have some understanding of politics. To the extent that one focuses on or emphasizes the wrong things in one's conception of politics, then it can be expected that one will misunderstand war-why it has dominated the past and whether it will continue in the future.

Augustine developed his theory in the aftermath of the conquering of Rome by the Vandals. Rome was a State not a Church, thus making Vasquez' point that: 'to understand war, one must first have some understanding of politics'. Augustine was a Church Father but Church and State were integrated thus one and the same entity by then. Theology is concerned with justice in every sphere of life but warfare in most cases is politically driven. Therefore, Augustine's development of Just War Theory is an oxymoron according to Bhikkhu (2003:1) since he was a Church Father. But from the marriage of Church and State, Augustine can counter argue my statement as being legitimate to do so as he was also responsible for civil society-which to me was a conflict of interest as I will argue further below.

As I have alluded already, Just War as a tradition has both theological and political implications. David Easton (1965:50) defined the latter as the "authoritative allocation of valued things." Clearly in this case Rome was the "valued thing" and once it was invaded, it caused Augustine a great deal of pain and he had to be patriotic as he developed the Just War Theory. Johnson (1984:1) in this regard said:

Augustine wrote as a Christian theologian, clearly faced with a problem that was very painful: how to reconcile traditional Christian teaching against the use of

violence with the need to defend the Roman Empire-Christian for more than a century by Augustine's times from the invading Vandals.

Meaning that Augustine had concerns over both the Catholic Church and the commonwealth. The development of such a theory proves how dynamic and multifaceted Christian theology is, thus making it very perilous in the wrong interpretation as it is not limited to Church structures only. Augustine stated that: "It rests with the decision of God in his just judgment and mercy either to afflict or console mankind, so that some wars come to an end more speedily, others more slowly". Such a statement sums up Augustine's world view in connection to God and warfare. Furthermore it offers simple answers to real life situations. To conclude that the outcome rests with God is to detach yourself from a situation you initiated in the first place. Thus both Church and politics in this instance have allowed themselves to be perverted and such is irresponsible. Thus, Augustine's theory sounds not only universal but theologically impaired since there are no universal truths at least in theology and definitely not where war is concerned.

Perhaps as Choraos would agree; we should look at the development of Augustine's Just War Theory from a patriotic point of view. Choraos quoted from Brian Wicker ed. (1993:55) stated:

The formulation of the doctrine of peace and war is bound to fail if it does not take into account the real meaning of nations or fatherlands, or it neglects the authentic values of patriotism... . The nation is one of the most important communities, maybe the most complete and most complex of the communities engendered by civilized life.

If warfare is seen as a patriotic duty, it won't only be morally justified but will be supported by the masses.

Kinsella & Carr (2007:4) in response to the morality question mark of warfare cites that:

Philosophical efforts to develop a morality of warfare in the form of Just War doctrine turned out to be of considerable political value. In a Europe convinced that natural law controlled the proper relations of human beings, philosophical insight into the morality of warfare did much to permit states to justify their actions in the

international environment and claim that right was on their side. ... Consequently, the development of a morality of warfare was driven both by the intellectual commitment to fathom the proper relations of human beings and by the desire of states to enlist the law of nature in defense of their own political interests.

And so was the case for South Africa as the Afrikaners were after all European descendants. Mark Evans (2005:204) averred that:

The self-defence justification for war obviously rests on the idea that the people of the state have, *ceteris paribus*, the right not to suffer attack. They have the right to resist not only the attempt to kill or injure them but also to conquer them or otherwise deprive them of certain liberties; it is their sovereignty as 'a people' that counts.

The above statement is such a classical example of not only apartheid-South Africa but the magnificent ancient Rome of those days. The Afrikaners and the Romans as 'God's people' had *ceteris paribus*, the right not to suffer attack. The development of the Just War Theory could in fact be accredited to the fall of Rome. Because for Rome to fall was unimaginable and this shook the very core of Christianity as the Catholic and dominant faith. Augustine as the most influential Church figure of his days saw a need to address this threat once and for all and Just War Theory was the result.

Coates (1997:83) wrote:

For a thinker like Saint Augustine, who believes in the possible legitimacy of war, its impersonal or 'public' nature is one of its moral strengths, enabling combatants to fight and even kill one another without personal animosity or hatred, even without violating the unconditional law of charity.

### 3.4 Justice, Peace and the Relevance of Just War Theory Today

Again on the subject of justice and peace, Augustine borrowed heavily from Cicero. And according to Cicero's thought, justice is service to others-arguably more like altruism<sup>11</sup>. Cicero in his *De officiis* described the concept of justice.

The first office of justice is to keep one man from doing harm to another, unless provoked by wrong; and the next is to lead man to use common possession for their common interests, private property for their own...

The use of the word 'wrong' is plural thus problematic. Anyone can deem anything wrong, based on their interpretation. For there has never been a Prince or Ruler who does not think that his cause is unjust? Just War as a word is literally in reference to justice; and for peace to prevail, is depended on this justice. Augustine based his Just War Theory on virtues like justice, peace, love, temporal law but moreover, on the concept of a divine commonwealth. Thus Just War is a civic virtue. For Augustine, peace is associated to the intimate desire of people to be governed. There is no peace without a strong government and there is no justice without the submission of all the members of human society to this government (XIX, 12).

However, how has the theory of Just War evolved in modern times? And has it contributed positively or negatively to our aspirations of world peace? These questions and many others similar are important if we are to reflect on the necessity and relevancy of Just War tradition in modern/postmodern times. Furthermore, can we still define such within the divine plan and most importantly what has history taught us on this subject? The following chapters serve as a critical reflection of the Just War not only as a tradition but as an international law of some sort in our current era. And according to Delsol (2004:65) 'Modernity is the moment when people perceived that every purported truth is an interpretation of the world and not the veritable mirror image of it.'

George Orwell (1962:63) in his wartime essay 'England Your England' wrote:

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<sup>11</sup> Altruism is opposed to egoism. It is the principle or practice of unselfish concern for or devotion to the welfare of others.

As I write, highly civilised human beings are flying overhead trying to kill me. They do not feel any enmity against me as an individual, nor I against them. They are ‘only doing their duty’, as the saying goes. Most of them, I have no doubt, are kind-hearted law-abiding men who would never dream of committing murder in private life. On the other hand, if one of them succeeds in blowing me to pieces with a well-placed bomb, he will never sleep any the worse for it. He is serving his country, which has the power to absolve him from evil.

Thus proves Coates (1997:6) observation that “... all modern war-whether nuclear or conventional-is by its nature ‘total’, and therefore beyond the just war or any other moral pale.” Although our era is regarded as postmodernity, however, when it comes to Just War it is business as usual as it is used as a political weapon. I use the term ‘business’ loosely because wars are in most aspects business oriented and in this regard we are still stuck in the Dark Ages. Orwell with his statement has best summarised the psychology and morality of combat soldiers who act an extension of a sovereign state. Killing in the name of a deity or country is a heroic thing to do, although killing in private life is prohibited. Thus from this perspective war is an integral part of civilization. The more civilised a nation, the bigger and sophisticated its arsenal.

Delsol (2004:40) writes:

...war conducted in the name of human rights has nothing in common with old wars for territory or power. It is like wars of religion or ideology, which aimed at those who were guilty rather than simply at the enemies of the group. . Hence its effort not only to judge criminals but to demand repentance from them, to extract confessions, which is what was done in both the Inquisition and in ideological regimes. Hence, too, its tendency toward Manicheanism, which is the exaggerated form that all moralisms take when they attain power, because power does not allow for half-enemies. In the same way, moral powers cannot imagine “half-guilty.”

Thus the introduction of Just Intervention as one of the principles that governs the Just War Theory, has contributed negatively to what should in my view be a defunct ideology in our current times. This ideology of justifying a war within a divine plan is of ancient people and should remain there. As Delsol (2004:43) noted:



The desire to monopolise judgement is a natural tendency of ancient peoples, a tribal reflex when they encounter others. The true greatness of a civilization emerges when it begins to accept that others exist who are also capable of thinking and judging.

### 3.5 Just War Theory as a Punitive Law

When Augustine was defending the move from Jewish religious tradition to the new Christian rites (see *Ep.*136,2), he argued that:

...changes in religious institutions, such as had occurred throughout the history of Israel, need not be regarded as unnecessary and shocking reversals of ancestral custom; they could be presented as significant landmarks that hint a process of growth (quoted from Brown 1967:316-317).

It is interesting that Augustine saw the move from the old Jewish religious traditions of the Old Testament to the new Christian rites of the New Testament as a process of growth. And this is a sign of a civilized man, a man who embraces change. To this Delsol (2004:43) writes; “To abandon the idea that one has a monopoly on thinking and judgement is a sign of a more advanced humanity. Monopoly is connected with the thought of perfection.” However though, the monopolistic RCC in contrast not only opposed but harshly condemned the Protestant Reformation as a heresy and the same Augustine was the protagonist through his anti-Catholic writings he left behind. To this, one can only conclude that the Bible has been interpreted as an imperialist book in order to justify one’s politics.

Christianity was accepted in Roman society after Emperor Constantine’s victory at Milvian Bridge in A.D 312, which he attributed to divine intervention. This means that Christianity or at least the Roman Christianity was born out of a battlefield. By A.D 380 the Emperor Theodosius I changed the cause of history when he declared Christianity the Roman Empire’s official religion. Augustine (354-430) whom developed the Just War Theory was born and lived in such a pro-Christian era.

This was a very important era in the western-world as it promoted the western culture and ideals as the most dominated way of life and according to Southern (1970:22):

One of the greatest achievements of the Middle Ages was the detailed development of this idea of a universal human society as an integral part of divinely ordered universe in time and eternity, in nature and supernature, in practical politics and in the world of spiritual.

The theory of Just War first came about as God's rule, when the 4<sup>th</sup> century Romans realised that the *parousia* was not going to happen at least in their own lifetime. Therefore Christians were obliged to protect their Christian traditions. Rome as a Christian nation, having been invaded, had to respond just like any other nation would. For a second nation to defend itself against the attack by the first is a rational punitive reaction. Since the tradition was argued ontologically, Just War tradition could be looked at as God's punishment against the pagans. In fact from the Church perspective, Just War is a judgement; since God sends wars to punish the wicked and test the virtuous according to Augustine.

However, in the historical aftermath of such a view, we need to ask ourselves - to what extent can war be justified as punishment? Victor Tadros in his legal studies research paper '*Punitive War*' poses similar questions and replies by saying 'One reason why it is difficult to make progress with the extent to which punishment might contribute to the just war theory is that the justification of punishment is itself very contentious' (2010:3).

Tadros is interpreting this from a moral, rational and legal point of view in contrast to Augustine, who argued theologically first and foremost; asserting that God even when punishing is still free of sin as He punish out of love. Hence, Augustine argued an act of love for the enemy. Therefore, theologically, Just War is punitive even as an act of love by God. Although Augustine argued it was an act of love; we should judge for ourselves if indeed this is an expression of real love. In his parable of the 'just judge' *City of God*, Book XIX, Augustine portrays the judge as reluctantly but unyieldingly embracing punitive and violent methods as the 'necessary' means for dealing wrong-doing and evil.

However, Tadros in his regard goes on to explain that:

historically retributivism (implies that (a) it is intrinsically valuable that offenders suffer in proportion to the gravity of the offence they have committed because that is what

they deserve or (b) it is permissible for the state to ensure that offenders get what they deserve by punishing them) played a role in the justification of war, however it is unlikely that it would figure strongly in modern just war theory. Historically, it may be that war was thought justified in order to punish people who held mistaken religious beliefs (2010:3).

Such views since modernity and from philosophical point of view are said to have been reversed. But the fact that Just War is now thriving in international politics contrasts such claims. Further, modernity gave birth to nazism, fascism and apartheid. These three ideologies by design were punitive models and could be traced back to their respective Christian nations. And they all invoked the primacy of the State and since the State by definition is the only lawful institution that can wage wars-wars were a dominant factor in all three. So therefore, wars are punitive by nature and as an idea can never be wiped out as they are waged in order to make everything fit into the parameters of the dominant ideal of the day.

And on the topic, Augustine 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.” Thus Just Wars undertaken by good men is a punitive measure by the authorities not self-defence. In his work *The Correction of the Donatists*, 22-24 -Augustine is quoted as saying “Why ... should not the Church use force in compelling her lost sons to return, if the lost sons compelled others to their destruction?” Long before 410 AD, Augustine had already advocated the use of force against the Donatists. Thus his Just War Theory is a result of a hierarchy of ideals advocated by the men in authoritative positions.

However, to truly understand the nature of wars, we have to understand the driving force behind such an endowment. Wars by design can only be waged by Sovereign States; therefore, the legitimacy of a State had to be ontological as there is no greater army than that with a holy call. Historically, it has been the Christian nations that has intervened on behalf of so called ‘weaker nations’ when under-siege. Consequently it has been the Christian nations that have most successfully expanded their territories by conquest. To

drive my point across I quote an African-American historian John Hendrik Clarke (1915-1998) from his speech in a song by Immortal Technique titled conquerors:

Nearly all religions were brought to people and imposed on people by the conquerors. And used as a framework to control their minds. My main point here is that, if you are a child of God and God is a part of you, then in your imagination, God is supposed to look like you. If you accept a picture of a deity, assigned to you by another people, you become a spiritual prisoner of that other people.

The first point is that religions are brought to people by conquerors- well at least the three most popular prominent religions. Thus religion by nature is punitive. This should highlight the nature of religions as nonetheless retaining or containing vestiges of military conquest. Wars had to be justified from a Christian point of view because Christianity by nature is a product of conquerors. The main aim of a conqueror henceforth is not only to expand territory or gain material possessions but to impose his culture and worldview on the conquered. Thus religion is used as a framework to control people's minds because to truly conquer someone, you must firstly conquer their mind. Catholic Christianity in the Middle Ages was so much imposed and embedded into people's minds that they accepted and adhered to the doctrine of a theology of sin without question. In their imagination, people did not look nor functioned like God, because they were taught to loathe what is human as by nature it is evil. Once such a framework was advanced, the grounds were fertile to justify warfare even as a punitive model against the pagans and other opposing factions.

Furthermore, people accepted the picture of a deity which was assigned to them by the RCC. Such a deity resorted to warfare as a gesture of love for the other. Henceforth, people became spiritual prisoners of the RCC till the time Luther protest against some of these teachings in his 95 theses against the clerical abuse and the sale of indulgences. In fact the Donatists were the first schism faction to reject the Roman political order as they questioned the corrupt marriage between State and Church. Just War as a political tool is punitive by design and consequently depicts the coercive nature of the institutions that governs us. Jacques Etienne quoted from Brian Wicker ed. (1993:66) sums it up nicely when he wrote:

Even if dialogue is the best way of resolving conflicts, unfortunately it cannot be enough in every case, Whatever evil resides in the heart of man, of which God alone is judge (and saviour), human societies (leaving aside individual rivalries) are in fact tempted to use force to impose their views.

# CHAPTER 4

## Just War: A South African Context

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### 4.1 Apartheid as a Just Cause

Prof Yolanda Dryer (n.d.) counter-argues the notion that polygamy is an African culture, by saying if that is the case, apartheid to the Afrikaners can also be argued as their culture. Should that be the case, this means that all the evil that came with the system could be justifiable on the basis of culture; for taking culture away from a person is in actual fact depriving that person of their identity. As Jacques Etienne quoted from Brian Wicker ed. (1993:66) has noted that, “societies are tempted to affirm their identity by opposing each other.” From this perspective, therefore, apartheid could be justified but then again a counter-argument can be made to say that culture is actually a choice an individual or group of people make. But to fully comprehend the ideals behind the development and indoctrination of such a theology, one must investigate the mentality (worldview) and psychology of the forbearers of the system.

During the 1930s and 1940s the Dutch Reformed Church and the National Party had formed a close working relationship in the racist design of apartheid. The church provided legitimation for the policy of “racist domination and separation”. It worked out a theology of apartheid that was based on a reading of the Bible.

Seeing themselves as God’s very own chosen people, the cause was justifiable on such basis. It must be understood henceforth from this perspective that the Afrikaners believed that they had just cause, right authority and right intent. Therefore, waging war on their opponents was not only Afrikaner nationalism but a just cause, just like the Israelites sacked the surrounding pagan Canaanites with God’s approval. Prozesky (ed.1990:62) drives it across nicely when he pointed out that [to the Afrikaners] ... “racially defined nationalism teaches that humanity is *genetically* divided into inferior and superior groups. White superiority could be considered a fact of nature.”

Johnstone (2005:[1]) in her article titled ‘White Refugees from Third World Barbarism: The Case of South Africa, Part 2’ writes that:

If we impartially and unemotionally examine the motivations for implementing Apartheid it meets all the requirements for a Just War of self-defence: It was a just cause to ensure Afrikaner demographic survival; it was a last resort; it was declared by proper authority; it possessed morally right intention; it had a reasonable chance of success; and the end was proportional to the means used.

She deploys the *jus ad bellum* of the Just War tradition which includes such concepts as just cause, right authority, right intention, that the resort to war be a last resort, and the proportionality in a larger, overall sense weighing the total evil a war would cause against whatever good it is expected to achieve. From her disposition, apartheid's legitimacy was necessary for the survival of the Afrikaner community as a liberation theology. In this regard Terreblanche (2002:299) writes: "Consequently, the ideologies of Afrikaner nationalism was really a means to an end, namely to mobilisation of ethnic power to attain political power, and especially greater wealth." However, should we go back to the fundamental reasons of not only apartheid but racism in its nakedness. Prozesky is right to point out the difference in genetics but wrong to suggest that White is *genetically* superior for in an interracial conception Black *genes* are always superior. For me this is the fundamental reason behind the so called "White supremacy." Hence one of the first pieces of apartheid legislation designed by the architects of apartheid was Mixed Marriage Act, Act No 55 of 1949. It was from this reduction that apartheid was conceived.

On an economic front though; which is the second most fundamental reason for apartheid –the gap in the Gini coefficient and land distribution of South Africa even after two decades of democracy, the economies of the two races are antithetical. I believe that even after a hundred years or so, it still shall be the case as problems cannot be resolved at same level at which they were created. And besides, the economic policies are only artificial modified on the surface. Especially, when the difference between Afrikaner Nationalism and Black Nationalism is not only skin colour but the Afrikaner Nationalism owned land and assets. While the Black Nationalism has no assets and land for the majority of their people. Parliament being the only thing they (mis)manage. Hence the Afrikaners did more than just survive; they thrived as a people and still do. Arguably, apartheid was more of Hans Morgenthau's theory of realism than Augustine's Just War Theory; as the Afrikaners dominated the South African economy and socio-politics. And according to Coates (1997:98)

‘Moral realism ... is what the just war tradition purports to be about.’ Henceforth it is quite interesting that even the philosopher Aristotle also regarded warfare as a necessity for the survival of the community. Even Thomas Aquinas who saw man as a social being once asked: ‘Is warfare always sinful?’ (Sigmund 1988:64) ‘Seen in this fashion, warfare becomes a noble and heroic enterprise precisely because the fate of the community is tied to the art of war’ (Kinsella & Carr 2007:1). Thus wars are waged for the protection of ideals and to survive cultural assassination and have nothing to do with loving the other and what is just. Warfare then should be viewed as supreme authority whereby all other authorities derive their power and legitimacy. Ultimately war, like any other ideal is meant to serve.

A just cause is required for war to be justifiable, it is stated. However, Johnstone as any other beneficiary of such an inhumane system had to be apologetic and write a hagiography of such a ‘just cause’. Although according to one of the pioneers of the Just War Theory St. Thomas of Aquinas had considered such a cause to be that those who are attacked should be attacked because they deserve it on account of some fault. For Johnstone to conclude that apartheid was a just cause meant Blacks were somewhat at fault and deserved to be attacked. In my view perhaps the only fault was native Africans to have been in possession of a fertile land and resources and apartheid was the repossession of these resources.

Clearly Johnstone’s perception and reality in these regards are not just different but in actual fact antithetical to her Black South African counter-part. Her interpretation is arguably shaped and dictated by a White imperialist worldview and Just War Theory best represented this course. She emphasizes my point that the Afrikaners viewed themselves as the proper authority appointed by God in a foreign African land. But such has been the view of the Western world as shall be demonstrated under the chapter of International Law.

Her apology of apartheid as a just cause should be interpreted in a wider context of Afrikaner cognizant egocentrism. Since their victory of the Boer war (now referred to as South African War) in 1901, the Afrikaners had gradually believed themselves to be conquerors blessed by God Himself. Terreblanche (2002:298) noted:

By overemphasising the alleged injustices done to Afrikaners by British imperialism and foreign capitalism, and exaggerating the dangers of *swart oorstroming* (‘black swamping’), Afrikaner ideologues succeeded in creating a ‘syndrome of



victimisation', ie. the idea that the existence and interests of the Afrikaner *volk* were endangered by other population groups .

Thus a justifiable ground was presented. And according to Kinghorn (1986:54); "... for the first time in South Africa, a racist world view was introduced based on the new philosophy of Afrikaner nationalist." Although Protestant and Reformed; the Christian ideal of monotheism and the Roman Catholic assertion of one universal Church legitimized their Christian concept. The notion of one God and His elected people was the presupposition of the Afrikaners. So, theirs was not to ensure a demographic survival but was in actual fact dominance as (mis)quoted from the Bible itself.

Just War as a Christian doctrine is said to involve the use of the State (as the State is God ordained) army to eliminate heresy by killing heretics who refuse to convert to mainstream Christianity. In the case of apartheid South Africa, the Afrikaners considered themselves as God fearing people were obliged to convert the non-believing Blacks. In so doing, police force was deployed as a means to control the Black population for the betterment of the commonwealth. Like Augustine, the Afrikaners gave the commonwealth a spiritual purpose. Therefore, anybody opposing the state was labelled a terrorist hence; waging war on them was justifiable. This theory led what could have been a pacifist Christian not to become a docile pawn of the so called 'imposter'.

On the basis of Augustine's Just War Theory, remaining passive was no longer an option as engaging in war was permissible although as a last resort- though in this context arguably was the only resort. Just War Theory in my view exposes the ills of Christianity as an ideology that benefits a certain group of people, the so called '*elect*'. If we are created in the image of God, like the Bible asserts, is killing not tainting God's image or is God's image a certain colour like the masters of apartheid had believed?

In relation to the State being the sword of God, McKenzie (2001[1]), puts it bluntly when he writes:

A key responsibility of the civil government is to protect its citizens from attack by wrongdoers. This involves punishing those who break the law. It also involves defending the nation from every external attacker, including nations, other groups of people or dangerous pests and diseases. All these responsibilities are encompassed

in the power of the sword (Romans 13:1-8). Therefore, pacifism is not a Christian option.

It is reported that for nearly five decades, the apartheid government spent millions of dollars on a propaganda war to win the hearts and minds of millions of black America. Apartheid –economically thrived for this long because the international community did not impose adequate sanctions (unlike in the current case of Zimbabwe). The fact that the United Nations (UN) took so long to mediate suggests to me that to a certain degree it condoned apartheid as a just cause. Jeffery (2009:9) wrote:

Though the UN Charter recognised the right of all peoples to self-determination, many of the founder members of the world body initially accepted that South Africa's apartheid policies were a domestic affair falling outside UN jurisdiction.

After a visit to South Africa in 1983, Perez du Cuellar the then United Nations secretary general was quoted as saying: "Two world leaders have made a big impression on me: China's Deng Xiao-Ping and South Africa's P.W Botha. They understand power." Such statements cement my argument of Just Wars as a means to consolidated power and a strategy for pursuing national interests.

The aftermath of the 1976 Soweto Uprising however exposed the cruelty of such a policy to the international community. But according to Ron Nixon who is a Washington journalist for the *New York Times*, the apartheid governed had hired the New York public relations firm Sydney S. Baron to counter the perception that South Africa was a racist society. The firm hired a popular black politician as the face of their campaign to discourage divestment and sanctions. His job included setting up trips to South Africa for black American legislators and journalists so they could see conditions for themselves, although used as a smoke screen to cover up the real situation (see *City Press* 25/08/2013:25).

Welch and Fox (eds. 2012:24) emphasize my point when they noted:

...lies were not the only means of propaganda. Truths and half-truths were often good enough to rouse the men, lift their spirits, and keep them on commando.

Why did the Boer bitter-enders remain on commando rather than desert the republican war effort, at times against all odds? A few issues are particularly relevant

here and these were used to great effect by the Boer leadership as propaganda. First, in Boer society there was a widespread patriotism and love of freedom, focused primarily on the independence of the two republics, but also closely linked to a broader nationalism. Second, there was a burghers' religiosity. They had an abiding conviction that their cause was both sacred and just, and that God would therefore help them. Third, there was a growing resolve among the burghers to continue the struggle because the news of the British scorched earth policy, the burning of their homesteads and killing of their livestock were gradually filtering through to them. And they were hearing horrific reports of the suffering of their families in the concentration camps. Fourth, there was the role of the Boer leaders, many of them inspirational men, in motivating the burghers. There were also other reasons of varying importance, such as the fear of being taken prisoner and sent to a prisoner-of-war camp abroad. Of course, not all these reasons weighed equally heavily on the bitter-enders; individual burghers were moved by a combination of reasons in their decision to persevere to the end. All these issues were used by the Boer leadership to keep the burghers on commando.

Given the lengths the government went to, in order to preserve its policies; it is clear that this was a just cause for them. From the above statement; the 1960 Sharpeville-massacre and the 1976 June 16 student uprising were justifiable to the then government as the state was under attack; though an internal one. The Sharpeville massacre is said to be the turning point in South African history.

On March 21, 1960, without warning, South African police at Sharpeville, an African township of Vereeniging, south of Johannesburg, shot into a crowd of about 5, 000 unarmed anti-pass protesters, killing at least 69 people-many of them shot in the back-and wounding more than 200 ( see <http://overcomingapartheid.msu.edu/multimedia.php?id=13>: accessed 15/09/2012).

It is further said that after this massacre, the African National Congress and the Pan African Congress which had been passive turned to armed struggle and went underground (see A. Jeffery's *People's War: New Light on the Struggle for South Africa*, ch.1). Thus, another sound debate on Just War from a liberation movement perspective can be drawn. War

viewed from this perspective is but a vicious circle that knows no end. How then can a war be just if the conquered will sooner or later retaliate on the basis of a Just War Principles? Surely war in such a paradigm is not an appropriate response because it never ceases.

## 4.2 Armed Struggle in the Just War Principles

From his introduction of his book titled *People's War*, I quote Anthea Jeffery (2009:xxxii) as an introduction to the above mentioned topic:

In 1961, when the African National Congress (ANC) embarked on armed struggle, racial discrimination permeated every nook and cranny of life within South Africa, stunting the lives and betraying the hopes of millions of black people. After some 15 years of National Party (NP) rule, discrimination lay 'at the very heart' of South African society, as John Kane-Berman (then a journalist on the *Financial Mail* and since 1983 the chief executive of the South African Institute of Race Relations) was later to write: 'Discrimination...governs every facet of our lives from the cradle to the grave-and even beyond, since even our cemeteries are racially segregated. It is enforced where we live, where we work, where we play, where we learn, where we go when sick, and on the transport we use. Not only does the government condone it; it systematically pursues it, preaches it, practises it, and enforces it. It is enshrined in our Constitution, written into our laws, and enforced by the courts' (*Financial Mail* 1 November 1974).

The Just War Principles does not cover the topic of armed struggle thus point out to the sole perspective of what and for whom it was conceived for. Although one may argue the legality and morality of an armed struggle, but its intension is arguably to liberate the oppressed. In fact every war in essence is argued from such a perspective. Thus the principles that govern the Just War Tradition are only in favour of Sovereign States. Therefore, it is only logical to expect the formations of organisations belonging outside the parameters of the Just War Theory. These so called 'terrorist organisations' are in most cases anti-government's whatever '*capitalistic discriminative*' policies. From this perspective they too argue the justness of their cause, even though not recognised by the law. The ANC since 1961 when it first engaged in armed struggle is the best example of this conundrum. Today it

encompasses a different tag than it did in 1961-does presents us with a concrete argument from an armed struggle point of view.

However, the following statement made by Archbishop Desmond Tutu in 1987 on a visit to Mozambique is of importance:

We regard all violence as evil ... This does not mean, however, that the mainstream tradition of the church does not reluctantly allow that violence may in certain situations be necessary. The just war theory makes the point clear.

... The allies argued that it was justifiable, indeed obligatory to go to war to stop Hitler's madness, and the Church concurred with that decision. Most people (apart from the purest pacifists) knew in their bones that it was right to fight against Nazism.

This is a situation which causes much puzzlement in the black community. Not only did the allies go to war against Hitler with the approval of the church, but the church aided underground resistance movements which operated in Nazi-occupied countries ... More than this, most western countries have their independence written in blood. The USA became independent after thirteen colonies had fought the American War of Independence. But when it comes to the matter of black liberation the West and most of its church suddenly begins to show pacifist tendencies (Prozesky ed.1990:203).

South Africa during this period of oppression was no doubt still volatile enough to experiment with the notion of armed struggle. According to Nick Howarth's book titled *War in Peace* (2012:35-36):

During this period the ANC's strategy was to maintain their offensive position in the 'struggle' and win new ground politically. They would achieve this by attacking their enemy in all areas simultaneously, so that the Security Forces would be stretched, dispersed and over-extended. Their plan was to divide the white community by using clever propaganda techniques. They wanted political prisoners released. They also intended to expand their armed actions into an all-out people's war. The ANC declared 1988 as 'The year of united action for people's power'...By now the ANC embarked upon a rekindled *Operation Vulindlela*. Mac Maharaj- a political theoretician-and Sipiwe Nyanda-an Umkhonto commander in the Transvaal-had

been given specialist training in East Germany and Cuba. Their courses included such subjects as Urban Warfare, Military Struggles and the Importance of Synchronising Military with Political Initiatives. *Operation Vula* was initiated when Maharaj and Nyanda covertly entered South Africa from Swaziland in 1988.

The black South African leadership not only took matters into their own hands but were puzzled as they questioned the double standards of the mainstream church when it came to the liberation struggle/war. The puzzle was, if war against Hitler could be not only justified but financially supported by the church, why was it so different to condone the liberation of black South Africans from a similar evil? It may not be a great exaggeration to assume that black South Africans liberation was not a great priority for the *Nederduitse Gereformeerde Kerk*. After all, the first traces of apartheid as a policy of separation are to be found in this very same Church which had ties to the apartheid government.

Prozesky (1990:204) wrote: “The elimination of violence is directly related to the elimination of state and institutional oppression.” He goes on to quote Nelson Mandela in response to P.W. Botha’s offer to free him on condition that he [Mandela] must reject violence as a political instrument. Mandela replied:

It was only when all other forms of resistance were no longer open to us that we turned to armed struggle. Let Botha show that he is different to Malan, Strijdom and Verwoerd. Let him say he will dismantle apartheid ... Let him guarantee free political activity so that people may decide who will govern them (*Weekly Mail*, 15 February 1985).

The Just War Principles require that only the rightful authority with a just cause may wage a war. But in such a scenario clearly these principles are insufficient thus deviating from the accepted norm. However, an armed struggle even if to liberate oppressed people could never qualify as a Just War Principle even if it does have the right intensions. Hence the Just War as a kind of an operating international law can only serve those in power since the question of peace and warfare is decided by them. Today we know that the proposed armed struggle was not a solution. Only through a democratic process of negotiations were we able to avoid bloodshed.

The Truth and Reconciliation Commission (TRC) of South Africa was formed after the newly elected government of 1994. The purpose of this commission as it states, was to reconcile the nation through a process of confession and amnesty. However, this commission was not without its challenges. In its official findings of the South African liberation movements, the TRC (1998, vol.2, ch.4: 235) stated:

In reviewing the activities of the ANC and the PAC, the Commission endorses the position in the international law that the policy of apartheid was a crime against humanity and that both the ANC and the PAC were internationally recognized liberation movements conducting legitimate struggle against the former South African government and its policy of apartheid. Nonetheless, the Commission drew a distinction between a 'just war' and 'just means' and has found that, in terms of international convention, both the ANC, its organs NEC, the NWC, the RC, the Secretariat, and its armed wing MK, and the PAC and its armed formations *Pogo* and APLA, committed gross violations of human rights in the course of their political activities and armed struggles, acts for which they are morally and politically accountable.

The above statement confirms that Just War Principles can only favour governments and international organs like the UN. Regardless of the international recognition of both the ANC and PAC as liberation movements, the law does not permit them to fight the evil of their oppressive government. Cherry (2000:4) elaborates in detail that these gross violations were:

Three kinds of actions were found to be gross violations of human rights. These were the planting of bombs and landmines by MK where civilians were killed and injured; the killing of informers of state witnesses; and the torture and execution in exile of suspected agents or mutineers.

Civilians seem to be a big part of any war; therefore, even a justifiable war is inadequate in its explanation. Cherry (2000:5) goes on to state that, the ANC in its defense argued that it should not be found to be guilty of 'gross violations'... This exposes the weak reasoning of Just War Theory as a war of retaliation. Since the ANC as an internationally recognised movement, regarded herself fit to challenge the then oppressive government. Cherry (2000:5) even goes on to point out that the ANC offered a variant on the civilian argument

suggesting that in certain circumstances, civilian casualties should be viewed as ‘acceptable collateral damage’. Thus human life during warfare becomes a statistic. It is one thing to live and die for a cause than being sacrificed as a civilian.

### 4.3 Justification and Legacy of Apartheid

Terreblanche (2002:298-299) noted:

In the 1940s, as growing African urbanisation fuelled fears of *oorstroming*, it became expedient for Afrikaner ideologues to emphasise the ethnic ‘purity’ of Afrikaners and the imperative of protecting this purity against miscegenation with ostensibly inferior indigenous races. Consequently, as the reverse side of the coin aggressive Afrikaner nationalism, NP ideologues formulated an explicit and insulting version of racism, which crystallised into the policy of apartheid. The NP regarded the different African ethnic groups as heathen nations to be Christianised and civilised by Afrikaners.

Apartheid like Just War Theory when thoroughly investigated comes across as a pre-emptive policy developed out of fear of the unknown. Thus the monopolisations of power through economic policies were essential for these realizations. Apartheid and the notion of white supremacy fed on each other like a virus. Therefore apartheid as a policy was not a foreign ideal *per se*; the only difference in South Africa was that it became a written law. Therefore, crucial to theological reflection is the process of establishing connections between all dominant ideals of the day. And according to Raymond Tunmer in his *Race and Education* undated article: ‘Apartheid has been powerfully influenced by the Western capitalist and pre-capitalist class tradition, to which all South African Whites are heirs’. Thus racism and Euro-centrism are intimate bed fellows.

Sampie Terreblanche (2002:26) wrote:

Even if we take the impressive benefits of South Africa’s external and internal colonial history into account, we cannot avoid the conclusion that unemployment, poverty, inequality, violence, and criminality are not only serious problems that mainly affect black South Africans, but also that they have an indisputable *structural* or *systematic* character. All of these problems have been shaped and ‘created’ over a



very long period by the power structures on which the systems of colonialism, segregation, and apartheid were based.

Whoever denies the ugly truths of both colonialism and apartheid policies is disillusioned. And moreover, putting such policies within a divine plan is preposterous. Terreblanche in *A History of Inequality in South Africa 1652-2002* illustrates the naked reality of South Africa even in the post-apartheid era. It is true that problems cannot be resolved at the same level at which they were conceived. However, denying apartheid policies as a human flaw and insisting on justifying it within the Just War Theory does not help the cause. It is my belief that we need to move to apartheid and not away from it because we have not fully dealt with and comprehended it. We need to embrace even that horrible history because whoever controls history also controls the present and the future. If we are serious about making a future, we need to start with living the past.

It is public knowledge that the apartheid government regarded the various African ethnic groups as heathens to be Christianised, commercialised and civilised by Afrikaners. The government even invoked Church support in their wars against the natives. For Afrikaners to have such a conviction, clearly was not formed in a vacuum. As descendants of the West, such views were an integral part of their being. In fact Whites have internalised racism to such an extent that even fellow Africans will scorn each other for embracing the ideal of Africanism. African ideals are perceived in a rather negative manner and are to be avoided if one is to fit into a White man's world. Thus in post-apartheid South Africa our greatest challenge is not how the Afrikaner race perceives us but how we as native Africans perceive ourselves and each other. Thus the biggest legacy of apartheid is not lost opportunities but the loss of African pride and identity.

#### **4.4 The Controversy of the Just War**

Just War since its inception and indoctrination has permanently altered the spirit and consciousness of our times. It is a doctrine of cynicism and chaos. In my observation, it has common roots with Francis Bacon's capitalist ideologies as it has reduced human life to mere biology and economics. The spiritual aspect of human-beings has been eradicated and abandoned in favour of universal ideological fiction. The continued use and development of Just War principles raises the question whether modern day imperialism ever ended, or if it

is continuing in the Just War Tradition? Clearly those who are in position of power thus have the right and authority to incite wars, view soldiers and civilians as necessary statistics just as slaves were commodities.

But through it all, perhaps it is the law that is in error; John Dugard in *International Law: A South African Perspective* writes:

The promotion of human rights has become a concern of the international law only since World War II. Before 1945 the manner in which a state treated its own citizens was generally not regarded as a factor to be considered in deciding whether to admit a state to the community of nations. Neither the League of Nations nor any state raised objections to South Africa's racial policies when it became an independent member of the community of states. Since 1945 many states with poor human rights records have been recognized and admitted to the United Nations.

And according to Terreblanche (2002:305) in the 1950s and 1960s South Africa was strongly supported by the large industrialised countries despite its racist policies. And furthermore:

...if it were not for the large-scale economic and cultural support the great powers such as Britain, the United States, Germany, and Japan gave South Africa during the second half of the century, the apartheid regime would not have lasted for 46 years (2002:301-302).

Recently, although without a clear mandate; South African soldiers with the blessings of the UN have been deployed to Central African Republic (CAR) and the Democratic Republic of Congo (DRC). On the 23<sup>rd</sup> of March 2013, 13 South African National Defence Force (SANDF) soldiers were killed in battle in CAR. Such a mission according to the office of the presidency is an effort to bring peace to the CAR region by disarming Seleka rebels. The political commentators suspect such a mission as a necessary intervention to protect the ruling party's economic interests in those regions thus making it a private war to some degree. Such has been the irony in the Just War Theory as an international law. It is been used to start wars and invade nations irrelevant in the perceptions of the uninformed public. However Coates (1997:127) noted:

When the state employs force in defence of their particular interests they are justified in so doing only to the extent that, at the same time, their actions can be

convincingly construed as a defence of the international order and a securing of the international common good. The defence of a 'private' interest is, or ought to be a 'public' act.

South Africa is to Africa what America is to the world; a "powerhouse", and Just War Theory has been controversially utilised in the invasion of both of their respective enemies. From Just War to just intervention, the results have been the same- powerful nations waging wars in the name of peace. It is not ironic that, Just War Theory was developed in the midst of great chaos and it still finds itself in such conditions. It has not only taken the world by storm, but has become the very storm of controversy more so in recent times.

The bottom line of Just Wars is consolidation of power and control of resources. And Augustine like the RCC understood power and this concept of power resonates well with American/Western nations. In Milan, Augustine (before his famous conversion) heard the powerful preaching of Ambrose. However, Augustine was impressed by Ambrose' use of rhetoric rather than his religious instructions. Such suggests that Augustine was in pursuit of persuasiveness rather than being an adherent or a follower of a creed. Such is self-evident from all his concepts (accepted and rejected by the Church) he developed for the RCC. He was more than just a Bible quoting pastor, as he expounded and modified the Bible. Rather, he should be viewed as a reinforcer of faith and ideals; and it was to have a most powerful influence on the RCC even the Protestant Church after it, down to our times. And most definitely as some scholars suggest- a man such as Augustine who has been involved in so many controversies should be looked at as part of the problem not the solution.

Furthermore the traditions of a Just War are a legacy of the RCC, although the marriage between Church and State seem to have been annulled as it is more subtle now, but the concepts and laws that govern our nations are directly linked to the Church. The truth is we still live in a system (directly or indirectly) created by the Medieval Roman Church and we still define ourselves (knowingly or unknowingly) by that system for we are disciplined not to question authority. Just War Theory is such an example of an entrenched ideal which had to be Christianised but later secularised to serve the same purpose.

Through Augustine's theology of original sin which states that sin is inherited from birth and man is originally and biologically a sinful being, the RCC, was able to implement a systematic theology that not only taught humanity how to loathe itself and that which came from

within but how depended on Church we are ought to be. This was emphasized in Augustine's words when he alluded, 'No salvation exists outside the Church' (*Salus extra ecclesiam non est*). A question needs to be asked then, 'what impact has such a theology and ideology had on the human psyche? When the RCC was able to put a price tag on sin thus, sin became the theology of the Church even to date.

#### 4.5 International Law

Does Just War as an international concept means it is absolute? In fact is international law really law to begin with; when it is clearly influenced by Western super powers? In regards to these questions, Dugard wrote:

International law is the product of the European system that came into being in the sixteenth century. Until the nineteenth century it was in reality a European law of nations. This system of law, rooted in convictions of European superiority, accorded little recognition to the political organisms of Africa, whatever their level of sophistication. Indeed, territories occupied by non-European peoples not constituting a social or political aggregation were treated as belonging to no one-as *terra nullius*. The history of international law in southern Africa therefore begins with the first European settlement. This is an unashamedly Eurocentric view, but international law, until the present century, was unashamedly Eurocentric.

Yet again not in just matters of faith but of law; historical truth is narrated through European perspective. Delsol (2004:viii) wrote: "Originating and taking root in Europe, this understanding of international law and justice presents itself as a model for the rest of humanity." The fact that South African courts have over a century applied this version of international law means it is rubber stamped and cannot be simply discarded. Henceforth, from such a perspective, Africans still this day have no voice of their own. Africa is regarded as a motherland as it is submissive to Europe the fatherland. The Just War Tradition as part of international law continues the Eurocentric culture of superiority across the board. Therefore, law is but one of the many tools used by the Western powers in pursuit of a Eurocentric-worldview. Delsol (2004:122) wrote:

The justification of international law is often based on texts from Renaissance thinkers, especially Hugo Grotius's famous work, *The Law of War and Peace* (1625).

In several important chapters, Grotius affirms that kings or other governments have the right to punish-even outside their borders-those who “excessively violate the natural law or the law of nations...”

Grotius’s chain of thought in this regard was similar to that of Augustine. Augustine, who was an African but was colonised and a mouth-piece of the Roman Empire once asked; “Why should not earthly kings who serve Christ, not make laws in favour of Christ?” This prompts the question regarding the laws constituted by the earthly kings who serve Christ - in retrospect to the notion of law itself. Clearly, even temporal laws are shaped and influenced by certain ideals and are promoted as eternal laws. Therefore, law is falsified when its adherents believe it to be a single incontestable absolute universal truth. According to Dugard (1994:313):

International law did not outlaw war or the use of force by states before 1928. The distinction between the ‘just’ and the ‘unjust’ war, and the notion that recourse to war was permissible only when the cause was just, were not accepted by states.

That should be seen as a failure especially in the backdrop of World War I as it is clear what constitutes morality is not necessarily found in law. International law should be viewed as a chameleon law as it changes in particular situations to suit the most powerful world opinion of that time.

#### **4.6 The Failures of Just War Theory as a Peace Keeping Tradition**

When analysing Just War Theory as a potential peacemaker, one must first admit its history of failures as it has been applied to oppress and create divisions rather than to liberate and unite people. It has to be understood in a broader context of religion as religion is the wall that separates us all. Before religion could unite a people it first has to separate them and South Africa is a typical example of this. Delsol (2004: 124) wrote: “When religion dominated, it justified wars,” she goes on to quote Montesquieu when he noted that: “Religion gives to those who profess it a right to enslave those who do not, in order to more easily propagate it” (*The Spirit of the Laws*, XV,4).

Augustine was very conservative as he thought that the only people who were capable of true virtue were those who also have true piety, which for him was Christian piety. This

means that anybody who is non-Christian was incapable of having reverence for God. The problem with such a Christian notion is that it is not encompassing as it regards others as distant neighbours providing a separating wall. Christianity fails the moment it fails to recognise that no single culture is capable of alone mastering the universal truth. As Delsol (2004:2) noted “the denial of diversity is rooted in the absolute certainty that only one right way of life exists.” Augustine in most cases comes across as a fundamentalist but interestingly, the most fundamental of believers in fact do not believe. For if he truly believed, he would never had subjected to the Just War Theory over the *parousia*.

In apartheid South Africa the Afrikaners ascribed to wholly Puritan values. By Providence, it was their duty to convert and rule-over the heathen Blacks. The Afrikaners although being Calvinist Protestants were very much influenced by Augustine’s notion. In fact, Calvin himself quoted Augustine more than any other theologian. According to Harty (2006:1), Augustine rooted his "Just War" principles in his beliefs about human nature—and he didn’t have a very good opinion! Perhaps the source is more from his *Confessions*. Augustine wrote:

Any man who has examined history and human nature will agree that no human heart does not crave joy and peace. One has only to think of men who are bent on war. What they want is to win; their battles are but bridges to glory and to peace... (Part Five; Book XIX; Chapter 12, pp. 451-452).

God loves human virtues like peace, justice, love, courage and hope, but if Just War as a tradition falls within the framework of divine plan; God surely loves atrocities, bloodshed and despair just as much. The notions of honour and glory in warfare have led countless men to their untimely deaths. Thus warfare, irrespective is destructive to the functionality of the family structure. The advocates of Just War regard certain methods of fighting good and others evil, thus suggesting that there is nobility to the battlefield. Such advocates may even argue that even the act of taking a life must be regulated by laws and ideals. But even this is a perspective of a conqueror-someone who impose his views by force. And it is the evolution of these perverted ‘truths’ that needs to be guarded, as such perspectives ultimately become reality.

When it comes to peace, surely there are at least two different presuppositions. And Augustine clearly from his arguments believed, peace was not passive nor a gift from above. Such a picture depicts how far off humanity has fallen. In his *Confessions* he set out to portray how sinful humanity is; and that we do not begin our lives in innocence, which then become darkened by the adult environment. No creature is more selfish, he thought, than a baby in the cot: 'If infants do no injury, it is for lack of strength, not for lack of will' (C i.11). Thus suggesting that conflict is an integral part of our being; and those who yield greater strength, will inevitably cause greater harm on their weaker counter-parts. Why then did Augustine speak of love and peace for his enemy in his development of Just War Theory? It is human nature to justify even the evil we inflict on others, and Augustine, though a saint was no different.

Augustine may have comprehensively argued that the purpose of war is peace but in actual fact, statistically speaking it has been the opposite. Between 1914-1918 and 1939-1945 the world was at war and most nations participating were Christian nations. Force (like the baby in the cot) in many Christian nations has been the strategy that is utilised to strengthen not only the Christian Faith but the economy once it is under threat. The development of Just War Theory was arguably both an apology and a liberation methodology for the Christian faith through justifiably killing those who opposed and threatened the Christian cause. From a different perspective, such a tradition is very oppressive and discriminatory. According to Holmes (1989:147), it is believed at times that the most vicious wars in recorded history occurred during the ascendancy of the Just War Theory and the longest periods of relative tranquillity occurred when the theory was in eclipse. To sum up the above mentioned statement, the application of the Just War Theory has been the direct cause of humanitarian oppression.

Augustine preserved Cicero's Just War Theory that stated that the commonwealth [as a perfect institution] could wage Just War in the defence of its honour. It could also wage war in order to protect its citizens from the wrong doing of another party (Van Neste 2006:49). According to Siege (2003:1), Just War tradition is one of the three approaches that the Christians and the Christian Churches have taken towards warfare. The others being pacifism and the crusades otherwise known as the holy war. The Just War approach out of the three arguably has of course been the most dominant one. Ramsey (1983:148), in his

view of the theory suggested that 'too frequent the Just War Theory is said to be assuredly false or irrelevant or outmoded by people who would not confront the actual policies of their nation with the Just War criteria even if proved true. However, in the context of apartheid South Africa, most of these criteria were not even considered to begin with. The military-police force was deployed regularly in order to instil fear in people's mind. Apartheid South Africa as a sovereign state, considered itself Christian, hence felt it possessed the right to convert non-Christians even through duress.

From its inception the apartheid government as a Christian state, did not even flirt with the notion of pacifist approach but instead from the very beginning took a violent approach. Contrary to that, the Roman Empire in its Christian infancy stages deployed a pacifist approach. It was only in the wake of the sacking of the empire that Augustine felt a need to develop the Just War Theory. The intension was to discourage war but of course through time it was interpreted differently to justify all sorts of evil human ambitions. In response, Ramsey (1983:150), wrote that 'the justification of warfare and of Christian participation in it was not actually an exception but instead an expression of the Christian understanding of moral and political responsibility.' He goes on to argue that 'this, then, was not really an "exception", certainly not an arbitrary one; but a determined expression of justice and mercy.' In other words this was a Christian expression of responsibility and love towards one's neighbour. The Christian notion of love was the main factor that influenced such a conclusion. Therefore, the Just War Theory is not a mere concept but an actual solution as it states not what may be done but what should be done. Ramsey (1983:151) noted:

It was concluded that out of Christian love or from definitions of justice inspired by love, the death of an enemy might be directly intended and directly done for the sake of all God's other children within a just or a just endurable political order by which God governs and preserves human life in a fallen world ... .

Such a discourse is quite discriminatory when you are not considered God's child. In the apartheid context such a statement resonated with the Afrikaner's ideology as God's elect-built around the concept of divine ordination. The then Members of Parliament were mainly Christian theologians who prayed before every opening of parliament. However, they did not in the least struggle with any moral or ethical consciousness as it was approved



by God Himself. Such a political state, imperfect as it was, served a divine purpose. It then should be viewed as a divine gift and expression of divine mercy.

Hitherto, the Afrikaners for over forty years were able to justify not only their ideology but actions as well. Based on such an interpretation and understanding the Just War Theory strikes many as deeply problematic hence always contestable. This was an ideal that became more than just a tradition as it has become a Christian expression itself. Evans (2005:204) draws the lines that contributes to the difficulty of ascribing what conflict count as 'war'. He gives two reasons for these, stating that the nature of warfare is diverse and changeable and secondly the decision to call a military confrontation a 'war' often has specific rhetorical and ideological purposes that may themselves be deeply contested. So then, can the 1976 June 16 student uprising, the Sharpeville massacre and all other related conflicts be defined as war? For the legitimisation of this paper, I code Vasquez (1993:42) six theoretical assumptions about war:

- (1) War is learned;
- (2) war comes out of a long-term process;
- (3) war is a product of interaction and not simply systematic conditions;
- (4) war is a way of making decisions;
- (5) war is multi-casual;
- and (6) there are different types of war.

Therefore, in summary apartheid was a war (though an internal one) and depending on which side one represent, it could be argued as just or unjust. But according to Guthrie & Quinlan (n.d.:1) "the Just War tradition is a set of mutually agreed rules of combat which are only applicable between culturally similar enemies, which was not the case between Boer-Afrikaners and Africans." But then again the majority of wars are between culturally and religiously different groups and that don't exempt them from being labelled Just Wars. With that in mind, my research has concluded that apartheid could never have been justifiable as a Just War on the bases of *jus ad bellum*.

# CHAPTER 5

## Just War Theory reviewed

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### 5.1 Principles of the Just War

- A Just War can only be waged as a last resort. All non-violent options must be exhausted before the use of force can be justified.
- A war is just only if it is waged by a legitimate authority. Even just causes cannot be served by actions taken by individuals or groups who do not constitute an authority sanctioned by whatever the society and outsiders to the society deem legitimate.
- A Just War can only be fought to redress a wrong suffered. For example, self-defence against an armed attack is always considered to be a just cause (although the justice of the cause is not sufficient). Further, a Just War can only be fought with "right" intentions: the only permissible objective of a Just War is to redress the injury.
- A war can only be just if it is fought with a reasonable chance of success. Deaths and injury incurred in a hopeless cause are not morally justifiable.
- The ultimate goal of a Just War is to re-establish peace. More specifically, the peace established after the war must be preferable to the peace that would have prevailed if the war had not been fought.
- The violence used in the war must be proportional to the injury suffered. States are prohibited from using force not necessary to attain the limited objective of addressing the injury suffered.
- The weapons used in war must discriminate between combatants and non-combatants. Civilians are never permissible targets of war, and every effort must be taken to avoid killing civilians. The deaths of civilians are justified only if they are unavoidable victims of a deliberate attack on a military target. So in summary war is limited by its purpose, its authority and its conduct. But interestingly, the three Just War Principles have proved problematic from the onset till to date. And according to Coates (1997: 123):

The criterion of legitimate authority has become the most neglected of all criteria that have been traditionally employed in the moral assessment of war. Nowhere is this more evident than in the popular assessment of contemporary terrorism.

This once again proves the inefficiencies of this theory as a universal theory. Even the addition of the other three principles, especially Just Intervention has not helped the moral cause of the Just War tradition. To this Delsol (2004:65) wrote:

If a true war of intervention exists, one conducted (to take a modern example) to liberate a people from its tyrant without any ulterior motive (such as oil), then it is conducted against evil and it is a moral war. It is as if politics had decided that the evil in question-this tyranny-represented an adversary of all humanity. In this context, politics transcends its normal role because it employs its powers to accomplish a moral task. Such a war is and will always remain debatable, which does not mean that it should never be undertaken, but that we are dealing here with matters of conscience and decision.

Augustine in his development of the theory opposed individual self-defense but promoted the Emperor's inciting of Just Wars as he stated that only he had the obligation to maintain peace. Viewed from this perspective, Just War Tradition promotes blind submission to the authority; thus wars can be justified in the name of 'Godly pursuit'. Augustine (1887:301) wrote:

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

The biggest problem of the Just War Theory lies in the marriage of Church and State-as 'no one can serve two masters.' The latter took on the form of the bride, submitting to the former as the groom. Therefore, the Church as the appointed voice of reason lost her independency. Thus her mandate as she was intimate with the State. As some

commentators suggest that the marriage between church and state, was at certain moments impossible to serve both the state in its periodic absolute claims on the individual, and the Father of Jesus Christ, the maker of heaven and earth. Although the State is not entirely a corrupt institution, it allowed itself to be perverted and in turn perverted the church. Jesus in his first public ministry warned against the earthly kingdom when he pronounced 'repent for the kingdom of God is at hand' (Matthew 4:17). Suggesting to me that to inherit the kingdom of God, one has to relinquish certain comforts and reposition oneself not only mentally or spiritually but by association as well-since we chose our heroes from our companionships.

However, Augustine seemed to have enjoyed playing politics or perhaps he was born at the right time and the right place. A paradigm shift was in progression; this was the beginning of an era of Christian faith as a legalised movement. Thus the platform was laid for him to play both bishop and politician as he did no longer had to be in opposition with the State. In fact during the Middle Ages according to R.W. Southern (1970:[1]):

'church' and 'state' did not exist. In the West they merged in the religious and political community known as Christendom. The Papacy spoke with an authority only challenged by the Emperor: even lay thoughts and activities were draped in clerical garb. Yet because the Church was so intimately involved with the world, it responded to intellectual and social pressure with sensitivity far beyond that of the sectarian churches after the Reformation.

Augustine's development of Just War Theory is in fact an intellectual response which gives us a glimpse into his political philosophy. Clearly, the man was no political romantic; as he put aside feelings and long-age tradition to ensure the survival of the empire (though it ultimately fell in A.D 476. This defeated the purpose of his Just War Doctrine in the first place) even if it meant sacred violence by exchanging brutality for order and peace. In actual fact the *City of God* was his presentation of the Christian claim to political legitimacy. Williams (1987:58-65) puts it bluntly when he said in Augustine's *City of God* he 'seeks to show that the spiritual is the *authentically* political' and that 'the commonwealth is, ideally, a pastoral reality, its ruler a director of souls.' Such claims are still inherited to date. The principles of the Just War Theory are exemplary of the Christian's attitude of entitlement

not only to the commonwealth but to the world state- *weltstaat* at large. Thus, Augustine in the words of Brian T. Trainor was of the thought that:

...the earthly city that turns its face resolutely against God is *ipso facto* unjust and illegitimate, doing no more than holding together a precarious 'earthly peace', and that only an earthly city oriented to the true God can be genuinely described as just and legitimate (2010:543).

Hence, Rome was obliged to inculcate a theory which ultimately was developed into an international law. In fact Southern (1970:[15]), suggests that the church of that era was more earthly than that of scholastic theology or monastic contemplation. Therefore, Just War Theory is an inculcation of a secular theory into the church, as its approach of good versus evil is so entrenched in the minds of those it considers legitimate to incite wars. Bell (2005:4) put it better when he calls such an approach the 'crusade mentality'. To label things Godly and ungodly in line with Roman Catholic Christianity, has been the foundation of Christian history. Pope Leo XII in his endorsement of Augustine's *City of God*, wrote in his encyclical letter on the Christian Constitution of States (*Immortale Dei*, Nov.1,1885); that:

Augustine set forth so clearly the efficacy of Christian wisdom and the way in which it is bound up with the well-being of States, that he seems not only to have pleaded the cause of the Christians of his time, but to have triumphantly refuted the false charges [against Christianity] forever.

Such statements can only perpetuate the ills and vicissitudes of our world. The RCC has managed to internalise warfare to such an extent that, warfare becomes a self-fulfilling prophecy. Although empires fall, course change and intensions fate; warfare has only multiplied. Therefore, war should be viewed as a result of our manifested ideologies through established institutions. Nation rise against nation because we prescribe to conflicting ideals, be it religious, economic or otherwise; thus, become the fundamental catalyst of warfare. Therefore, the idea of a utopian pacifism is unrealistic under our current established institutions. Thus the institutions that shape us, also destroy us. Furthermore, to be considered Christian, orthodox, divine, or even unorthodox and heretical has a time connotation to it. Christianity itself knows this very well as it was considered illegal and heretical; a religion of the ignorant before the conversion of Constantine prior to 312-313

A.D. But in Augustine's times it became not only legal but absolute beyond measure; for now it was a religion of the mighty and intelligent.

Therefore, words or rather 'truth' (as Augustine sought after), have no actual meaning but the meaning of a word or 'truth' is determined but what the seeker of the 'truth' thinks in that particular time. Thus the consequence of A.D 410, when Rome was under siege, determined and shaped what meaning Augustine gave in his adaption of Just War. His was a theory based on Christian conviction which ultimately became a Christian duty. To date, one may argue the ethical and moral implications of such a theory, but like I have already alluded, 'words have no actual meaning' as they mean something opposite today. So to argue Just War today based on Augustine's version is like arguing a text out of context which is nothing but a pretext. Delsol (2004:66) in regards to what constitutes truth puts it better when she wrote:

The plurality of interpretations of the world-in other words, the diversity of cultures- does more than reveal the impossibility for men to define the truth (or the good) independently of particular mediations. It does not merely reveal a limitation in his means, or a limit of his being (at least vis-à-vis to that which he aspires). It expresses essential features of the human condition concerning man's freedom and his evolutionary or developmental character.

Therefore, quoting Paul in Romans 13:4 today in my own context cannot equate the ruler the same status Paul equated his. Henceforth the Just War principles are out-dated or out of context as they do not represent what perhaps they represented then. The notion of evil in Romans 13:4 is not the same as the one under apartheid South Africa. In fact the meaning and concept of evil is plural. Evil in the apartheid context is not the same as evil in Augustine's Roman context. In the apartheid context, being black was reason enough to be regarded as evil and/or 'terrorist'. Thus Augustine himself as a blackman would have been regarded as a 'heathen' a 'non-believer', to put it in a more politically acceptable term. Therefore, 'truth', since it culminates and shapes every virtue should be seen as a situated decision, bound to a particular time, place and a people.

# CONCLUSSION

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‘The outbreak of war in most cases is not a sudden process, but evolves out of a series of steps’ (Vasquez 1993:42). Augustine’s development of his Just War Theory was in actual fact more than an emotional response to the sacking of Rome in A.D 410. It was very strategic as Augustine let his emotions subside before he decided. The assertion that Just War was solely intended for the maintenance of peace in my view is very misleading; as it has altered the consciousness of our times. Subsequently in A.D 410 as Christians were integral to the socio-politics of Rome, Augustine’s faction persecuted other sects as there were many other opposing Christian sects and his thought was that even violence against heretics and schematics could be justified. Therefore, the Just War Theory was an attempt to justify not only the aftermath of the fall of the Roman Empire but those activities as well. Throughout recorded history, since the inception of Just War Theory; every war in the Christian nations has been justified as just by those who wage it. Although wars are inevitable, at least in the context of capitalist world states; a justifiable war becomes a tradition especially when is from a religious perspective. Furthermore, whoever decides on who qualifies to die based on human developed principles is in actual fact playing God; thus whatever is presented as a divine rule or plan should be reassessed. It was Augustine who suggested and encouraged us to ‘weigh up’ the Scriptures. He used an illustration: ‘When boys buy themselves nuts, they weigh them in their hand, and when they find they are heavy, they hold on without a qualm to what is still closed. So they weigh them up.’

Therefore, Augustine’s Just War Theory as both Christian and political tradition on my own scale; through the interpretation of recorded history is a generational flaw even an institutional sin in Christendom as it nurtures evil. Moreover, it contains oversimplifications that undermine its credibility thus come across as a lie of convenience. My concern as a Christian theologian is the heavy weight Christianity has on the Just War Theory as an inheritance from secular philosophy. Other religions like Buddhism for an example, have never justified a war. As I have alluded already, Just War Theory was pivotal for the dominance of Christianity as a religion as well as colonization of Africa and Latin America. Other religions like Buddhism predate Christianity but they are not as popular or dominant as the Christian faith as is ever more conducive to Wall Street. Thus, support a point from

my abstract that for history to be significant it has to be a violent one, such has been the Christian history. Furthermore, such a theory is a clear illustration that human life is not equal. One should recognize that there is an extremely wide range of views and doctrines contained within Christianity including the Just War Tradition; from the institutionalisation of slavery, to Apartheid South Africa, to class division. Christianity has reinforced injustice through Christian values. The fact that within Christian theology, we have Protestant theology, Roman Catholic theology (with its own Bible version) Liberation theology, African theology, Feminist theology which point to the schisms and conflicts (or some would say progression) within. Religion in its broader spectrum, one then can argue, is a very violent and prejudice endeavour.

The conclusion of this research has shown that war can bring no peace, it can only lead to the proliferation of more terror and hatred. Thus, the Just War Theory has failed dismally as it has become the injustice of the division of resources between developed and undeveloped countries, and the justification in warfare as a solution to inequality. Just Wars as peacemakers are nothing but an illusionary peace which in actual fact is just a deception. Just War Theory can only hold meaning if it is applied in the ideological fictitious world and I believe Augustine had illusions of such a society. In the words of Ernest Hemingway, “we should never think that war, no matter how necessary, nor how justified, is not a crime”. Killing people is never a solution; for it is our ideals-our way of life that needs to be killed. For revenge (even through a just cause) is a beast that begets itself and solves nothing-it only leads to more pain. Just War Theory has nothing to do with the teachings of Christ, for it is morally bankrupt. Thus one can think like a realist like Hobbes (1946:64) and conclude that human condition is ‘a restless struggle for power which ceaseth only in death.’



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