CHAPTER 5

Whose Just War, What Tradition?

Introduction

The profusion of unorthodox justifications offered for the invasion of Iraq, reviewed in Chapters 2, 3, and 4, suggests that significant developments are afoot in the just war tradition. It indicates that the jus ad bellum is in the process of being reconstituted along more broad-based lines: as classical moral tropes relating to good and evil, the rescue of the innocent, and the imperatives of fear are reappearing in just war discourse, the strictures of the legalist paradigm are being disregarded. Accordingly, the Iraq debate provides a context against which we can explore the renegotiation of the just war tradition. The general purpose of this chapter, and the next, is to examine the modalities of this renegotiation. What this requires is not an examination of whether the justifications canvassed in earlier chapters were appropriately applied to Iraq, but some form of second-order analysis focused on how the idiom of the just war was taken up and engaged by scholars and practitioners in this particular instance. The aim is to acquire some understanding of how the just war tradition is referred to, and deployed, in the course of moral debate, while also indicating how the tradition might be reconstituted through this very activity.

Of course, the very idea of the reconstitution of the just war tradition belies the notion that it is already previously constituted in some way or other, replete with its own basic “postulates” of engagement.¹ It supposes that the tradition is premised upon certain assumptions, conditions, and commitments, and bounded by certain parameters, understood as definitive of the very notion of the just war tradition. This leads us to the nub of the issue to be explored here: a review of the literature on the just war tradition reveals many diverse views on which assumptions, conditions, and commitments are key to, and definitive of, this tradition. Where one account of the just war
tradition privileges a particular normative orientation as the *sine qua non* of the tradition, others will stress a certain historical origin as key, or a given chain of transmission as essential. Indeed, different views with respect to this very issue are apparent when one considers the images of the just war tradition presented by the various theorists discussed in previous chapters. The specific function of this chapter is to draw out and elaborate the various images of the just war tradition suggested by Michael Walzer, Jean Bethke Elshtain, and James Turner Johnson in the course of their engagement with the moral debates generated by the invasion of Iraq. These three authors have been selected for two reasons: first, they are three of the most influential contemporary just war theorists and their respective work is a reference point in the field; second, they have all contributed substantially to the Iraq debate. Thus all three sections of this chapter will be devoted to elucidating the respective accounts of the just war tradition put forward by these thinkers.

There is much value in this task. Specifically, it achieves three ends. First, it provides us with a richer understanding of the moral debates over Iraq, as they pertained to the just war tradition. It does so by providing us with some insights as to the “platforms of understanding” that conditioned the arguments offered by the various theorists in question. Second, it awakens us to the difficulties that attend any attempt to articulate a definition of the just war tradition. Thirdly, and perhaps most importantly, it informs us as to how these various attempts to impose a settled definition upon the just war tradition may (at least partially) determine the future development of that tradition by directing it down certain paths instead of others, excluding certain voices from consideration, and disciplining those voices that do get a hearing.

All of this leaves one rather large question pending. All three accounts of the just war tradition surveyed here are very different from one another. Each privileges different postulates as providing the basic premise of the just war tradition. It might appear, then, to paraphrase R. B. J. Walker, that there is no single tradition of just war, but rather a knot of historically constituted tensions, contradictions, and evasions. In place of a unified or coherent just war tradition, we are greeted by a cluster of rival theories and competing visions. Faced with this plurality of competing and seemingly incommensurable accounts of the just war tradition, we must acknowledge the possibility that the conviction that there is such a thing as the just war tradition, singularly conceived, may be flawed. If we concede this view, it would necessitate dismissing the whole notion that we share a common just war tradition with Augustine, Aquinas, and Grotius (and even Bush and Blair, among others) as nonsensical. Such a concession would undermine the basic assumption shared by most just war theorists that there is a unitary just war tradition that