

scattered around the world who can attack at any time. They must be attacked before they can strike first. Saddam Hussein possessed weapons of mass destruction and could use them himself or pass them on to terrorists, and thus Iraq constituted a threat to world peace and security. In such circumstances, so the argument goes, it is not necessary to wait until a "rogue state" launches a missile with a nuclear, biological or chemical warhead or passes these weapons on to terrorists. Other countries are justified in defending themselves against such an attack by a pre-emptive strike seeking to destroy the weapons or to end the regime that possesses them. That is, there is a "just cause" to attack first.

2. Was it a legitimate authority that declared war? Is the U.N. the only body with moral legitimacy to authorise a war or can individual countries assume this responsibility?

According to Weigel, the U.S. and any other countries that felt threatened by Iraq need not wait for U.N. approval. Every sovereign state has a right and duty to protect

its citizens from attack, independently of international bodies such as the U.N. Indeed, the U.N. Charter recognises the inalienable national right to self-defence. Thus the war was declared by a "legitimate authority."

3. Last resort. To be a legitimate option, all other avenues short of war should be tried first and found wanting. In the words of Weigel, "Can we not say that 'last resort' has been satisfied in those cases when a rogue state has made plain, by its conduct, that it holds international law in contempt and that no diplomatic solution to the threat it poses is likely, and when it can be demonstrated that the threat the rogue state poses is intensifying?" Weigel argues that when a state such as Iraq possesses weapons of mass destruction and when attempts by international bodies to have the state destroy them have been shown to be ineffective, resort to armed force to destroy the weapons or replace the regime is justified.

Critique of the argument in favour of the war

The moral strength of this argument hinges on the answers to two questions. Did the U.S. have solid evidence that Iraq in fact had weapons of mass destruction at the beginning of 2003? And if they did, did the existence of those weapons pose a serious threat to Iraq's neighbours and particularly to the U.S.?

In answer to the first question, in spite of the U.S.' insistence that Iraq had those weapons, the U.N. weapons inspectors had not come up with any hard evidence when the war began. Israeli intelligence has since claimed that the remaining weapons were in fact taken to Syria before the war. Thus it is hard to see how there can be any justification for a war to remove weapons whose existence is not proven.

As regards the extent of the threat posed to the U.S. and the Middle East by any weapons in Iraq's possession, it is difficult to see how the threat was great enough to justify a war. Certainly Iraq had given no signs of any intention to launch an attack on the U.S. itself, nor did it have the technology to do so. If the weapons were a threat to the Middle East, Iraq's neighbours might have had some justification for waging war, but none of them even became involved in the war. As regards the threat to the U.S. posed by the weapons, if they existed, falling into the hands of terrorists, that possible threat was real but totally out of proportion to the real damage caused to Iraq by the war.

If the war was not justified, where does that leave the men and women who served in the war?

Even though moral theologians may judge that the conditions for a just war have not been met, in the words of the *Catechism* "the evaluation of these conditions for moral legitimacy belongs to the prudential judgment of those who have responsibility for the common good." (CCC 2309) That is, in the last analysis, it is up to the leaders of nations to decide if their security is sufficiently threatened to warrant going to war. Their prudential judgment, applying the general conditions for a just war to the case at hand, would be similar, for example, to that made by an individual as to whether he or she had a sufficient reason to miss Mass on a Sunday. No matter what others may say, in the end it is up to the individual to decide.

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"... in charity, violence itself will be vanquished..."

Questions for discussion:

1. What are some of the reasons why war should be the very last resort in the settlement of international disputes?
2. Are there any wars that you would consider to have been just, at least from the point of view of one of the sides? Apply the conditions for a just war to them.
3. Do you consider the war in Iraq to have been a just war?
4. In view of the destructive capabilities of modern weapons, is a "just war" still possible?

On that basis, the members of the Armed Forces of the countries involved would be justified in trusting the judgment of their leaders that there was a sufficient reason to go to war. It must be remembered too that governments have access to information which may lead them to war, which they cannot reveal to the public. If the members of the Armed Forces were opposed in conscience to the war, they would be equally justified in invoking a conscientious objection and refusing to take part. (cf CCC 2311)

Now that the war is over, we can only pray that peace and order will soon return to Iraq, and that no similar wars will be fought in the future. In the words of the Second Vatican Council: "Insofar as men are sinners, the threat of war hangs over them and will so continue until Christ comes again; but insofar as they can vanquish sin by coming together in charity, violence itself will be vanquished and these words will be fulfilled: 'they shall beat their swords into plowshares, and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more.'" (GS 78 §6; cf Is 2:4)

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A JUST WAR?



Few issues have aroused as much attention in the media and as much commentary as the recent war in Iraq. Was it a just war? In this article *FR JOHN FLADER* presents the arguments for and against the morality of the war

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Now that the dust has settled in Baghdad and the nightly news has returned to more peaceful issues of politics and sport, it is a good moment to take a quiet look at the events of March and April 2003 and ask: "Was the war in Iraq just?" The Iraqi people were clearly elated to be freed from 24 years of oppressive rule by Saddam Hussein, but that in itself does not necessarily justify the war that brought them their freedom.

At the same time, the question of the justice or otherwise of the war must be placed in context. Even though a particular war may have been fought for a just reason, war is always a great calamity, an enormous upheaval for individuals, families, nations, international relations, etc. In a sense, no war is a good war.

What does Scripture have to say about war?

In the Old Testament Yahweh lays out rules for war (Dt 20), and the book of Ecclesiastes speaks of a "time for peace and a time for war." (Eccles 3:8) More importantly, the Israelites were constantly fighting battles, both on entering the Promised Land and then afterwards in defending themselves against their enemies.

Jesus of Nazareth would seem to be against fighting when he asks us to 'turn the other cheek' if someone strikes us, (Mt 5:39) or warns that 'he who lives by the sword will die by it'. (Mt 26:52) Likewise, he says "Blessed are the peacemakers, for they shall be called children of God." (Mt 5:9) But at the same time he appears to accept the reality, if not the legitimacy, of war when he asks: "If a king is setting out to join battle with another king, does he not first sit down and deliberate, whether with his army of ten thousand he can meet the onset of one who has twenty thousand? (Lk 14: 31) Similarly, John the Baptist tells soldiers to be content with their pay (Lk 3:14) and so implies that they need not give up soldiering.

Thus, within the context of Scripture, we see that while peace is clearly preferred, war as such is not precluded.

What does the Church say about war?

Catholic tradition, following the Scriptures, argues powerfully for a peaceful solution to world problems. In the words of the *Catechism of the Catholic Church*: "Because of the evils and injustices that accompany all war, the Church insistently urges everyone to prayer and to action so that the divine Goodness may free us from the ancient bondage of war." (CCC 2307) The following point is equally insistent: "All citizens and all governments are obliged to

work for the avoidance of war." (CCC 2308) Recourse to war, then, should be the very last resort.

Pope John Paul II, who experienced personally the horrors of World War II, has been a tireless promoter of peace, and his familiar words "War no more!" will ring out down the ages as a powerful reminder of the value of peace. In his 2003 address to the Diplomatic Corps, he said: "No to war! War is not always inevitable. It is always a defeat for humanity." His extraordinary efforts to prevent the war in Iraq, to which he was clearly opposed, are well known. Moreover, Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith, said in an interview on 2 May 2003: "There

"All citizens and all governments are obliged to work for the avoidance of war."

were not sufficient reasons to unleash a war against Iraq. To say nothing of the fact that, given the new weapons that make possible destructions that go beyond the combatant groups, today we should be asking ourselves if it is still licit to admit the very existence of a 'just war'".

Nonetheless, while constantly promoting peace, the Church has recognised that we live in an imperfect world in which evil coexists with good, and in which force may sometimes be necessary to protect greater goods. The *Catechism*, quoting the Second Vatican Council, says: "As long as the danger of war persists and there is no international authority with the necessary competence and power, governments cannot be denied the right of lawful self-defence, once all peace efforts have failed." (CCC 2308)

Over the centuries the Church has developed what is commonly called the "just war doctrine". This doctrine was the work especially of St Augustine in the 4th-5th centuries and St Thomas Aquinas in the 13th. St Thomas examines the issue of war as a vice opposed to charity. In the first article of question 40 of his *Summa Theologiae* II-II, he gives three conditions which must be met if a war is to be just. It must be:

- authorized by legitimate authority; i.e. by the sovereign
- waged for a just cause; e.g. to avenge wrongs, punish wrongdoing, or recover what has been unjustly seized

- undertaken with a right intention; e.g. the advancement of good or avoidance of evil

The *Catechism* expands on these conditions and states: "The strict conditions for legitimate defence by military force require rigorous consideration. The gravity of such a decision makes it subject to rigorous conditions of moral legitimacy. At one and the same time:

- the damage inflicted by the aggressor on the nation or community of nations must be lasting, grave, and certain;
- all other means of putting an end to it must have been shown to be impractical or ineffective;
- there must be serious prospects of success;
- the use of arms must not produce evils and disorders graver than the evil to be eliminated. The power of modern means of destruction weighs very heavily in evaluating this condition." (CCC 2309)

The background to the Iraq war

In order to understand whether these conditions are met in the case of the war in Iraq, it is helpful to recall some of the events that led up to it.

It is clear that Iraq had weapons of mass destruction. They were given chemical and biological weapons by the U.S. in the war against Iran in the 1980s and they spent billions developing a nuclear bomb in that same decade. They had used chemical weapons against the Iranians and against the Kurds in their own country.

In 1991 Iraq invaded Kuwait, convincing the West that Saddam Hussein was unpredictable and not to be trusted. After the Gulf War, in which Iraq was pushed out of Kuwait, the U.N. passed several resolutions ordering Hussein, as a condition of his continuation in the presidency of Iraq, to destroy all his weapons of mass destruction and to give proof of having done so. Resolution 1441 threatened "serious consequences" if Iraq failed to comply. The U.N. then sent a team of inspectors to search for all such weapons and ensure that they were destroyed.

Over the years the U.N. weapons inspectors were repeatedly thwarted in their efforts to search certain buildings and sites, and finally in 1998 they withdrew.

The terrorist attacks on New York and Washington on September 11, 2001, brought matters to a head. In his address to the nation on the evening of the attack President Bush called the terrorist attacks "acts of war" and he warned that the U.S. would hunt down those responsible for the attacks, making no

distinction between terrorists and those who harboured them. In Bush's challenge to world leaders, "Either you are with us or you are with the terrorists." He also declared: "We are at war."

Within a short time, war was raging in Afghanistan, where the Taliban regime was known to harbour Osama bin Laden and his al-Qaeda terrorist network, believed responsible for the September 11 attacks. Other countries President Bush considered a threat were those in what he called the "axis of evil": Iraq, Iran and North Korea.

In late 2002 the U.N. asked the Iraqi government to submit a report on what had been done with its weapons of mass destruction. As is well known, the lengthy report submitted by Iraq denied that any such weapons remained in the country. Shortly afterwards, President Bush, convinced that the report was untruthful, began to put pressure on Iraq by building up the U.S. military presence in the Middle East, while Britain, Australia and Spain agreed to join the "coalition of the willing". The rest of the world refused to send troops and most countries manifested their opposition to the war.

Under this pressure the weapons inspectors were allowed back into Iraq, but after several months of inspections they failed to find any substantial evidence of the production or storage of weapons of mass destruction. The U.S. tried to obtain U.N. Security Council approval for a war on Iraq in fulfilment of the "serious consequences" clause threatened in Resolution 1441, but when it became clear that such approval would not be forthcoming, the "coalition of the willing" invaded Iraq without U.N. approval in March 2003. In three weeks the Hussein regime had fallen.

The case against the justice of the war

Was this a "just war"? Let us examine the case against it in terms of the conditions for a just war laid down in the *Catechism*.

1. Was the attack on Iraq a case of "legitimate defence by military force?"

Was the coalition defending itself from Iraqi attack? Hardly. Iraq had not launched an attack on anyone. On the contrary, Iraq was invaded by the coalition, and was clearly justified in defending itself. Iraq, without question, was fighting a just war.

If one considers the coalition's attack as a pre-emptive strike aimed at preventing Iraq from attacking first or from giving weapons of mass destruction to terrorists, there are still not sufficient grounds for the war. For a pre-emptive strike to be justified it would have to be shown that an attack by Iraq or by terrorists was virtually certain and that

it was in some way imminent. Again, there is no evidence for this. An attack by Iraq was most unlikely, and an attack by terrorists using Iraqi weapons, while possible, was neither certain nor imminent, especially since Osama bin Laden did not look kindly on Saddam Hussein.

On the contrary, Iraq would have been completely justified in launching a pre-emptive strike against the coalition forces when they were amassed and preparing to attack from Kuwait. Here the threat of a coalition attack on Iraq was certain and it was imminent.

2. Was the damage inflicted by Iraq on the coalition or on the world lasting, grave and certain?

It is difficult to see how Iraq was

causing harm to any other country, let alone any harm that was lasting, grave and certain. It is certain that the Hussein government had caused harm to certain groups of its own citizens, namely the Kurds, Shi'ites and political dissidents, but that was not the reason for the attack by the coalition. Iraq had caused no grave harm to any of the coalition countries.

3. Were all other means of putting an end to the threat posed by Iraq shown to be impractical or ineffective?

That is, was war the last resort? Although Iraq had been obstructing the work of the weapons inspectors for a long time, many world leaders were urging that more time be given them in the hope that they would either find weapons, which could then be destroyed, or that they would come to the conclusion that there were no such weapons. Further diplomatic efforts could still have been made to put pressure on the Iraqi government.

4. Were there serious prospects of success?

If success is measured in terms of overthrowing the Hussein regime, there were certainly serious prospects of success, as the quick end of the war in fact proved. And one can be confident that any weapons of mass destruction still in Iraq will now be discovered and destroyed. But if success is measured in terms of reducing the threat of terrorist attacks on western countries, it is likely that there will now be an increased

probability of terrorist attacks, especially on those countries involved in the war. Moreover, as the Pope has warned, there is a real danger that the Muslim world will interpret the coalition's attack as a war on Islam, leading to long-term religious strife.

5. Did the use of arms produce evils and disorders less grave than the evil to be eliminated?

Any war, including the war in Iraq, causes great harm in the loss of life, destruction of property, disruption of social stability, increase of hunger and disease, etc. It is difficult to see how the overthrow of the Hussein regime and the possible discovery of any weapons of mass destruction could justify the great harm inflicted on Iraq and its people by the war, even when, as some commentators have pointed out, the number of casualties on both sides, including civilians, was small in terms of the scale of the war. Even if weapons of mass destruction given by Iraq to terrorists were used in an attack on the U.S., it is probable that the damage inflicted there would be nowhere near as great as the damage inflicted on Iraq by the war. Thus, there is no proportion between the certain and grave damage inflicted on Iraq by the war and the possible damage inflicted by a terrorist attack if the war had not been fought.

As if summarising the injustice of the war, the Holy See expressed its position in an address to the U.N. Security Council on 19 February 2003 by its Permanent Observer to the UN, Archbishop Celestino Migliore: "The Holy See is convinced that in the efforts to draw strength from the wealth of peaceful tools provided by international law, to resort to force would not be a just one."

The case for the justice of the war

While most writers have opposed the war in Iraq, a few have defended it, including Americans Fr Richard John Neuhaus, George Weigel and Michael Novak. It is only right to consider their argument. George Weigel, author of the biography of Pope John Paul II *Witness to Hope*, in his William E. Simon Lecture for 2002 entitled "Moral Clarity in a Time of War", offers a reasoned justification for the war. What follows is based loosely on his argument.

1. Was there a just cause? Every government has the duty to safeguard the security of its people. International terrorism is a deliberate attack on the security of innocent human beings and thus governments are justified in seeking to defend themselves from it by whatever means are necessary.

In the case of terrorism, the threat to security does not come from some invading army, but rather from a shadowy, hidden but potentially powerful network of groups

"No to war! It is always a defeat for humanity."