Research Brief

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Overview

The increasingly destructive weapons and indistinct nature of modern conflicts are further complicating the moral issues of resort to war, and legitimate methods and targets in the conduct of war. There is a need to re-examine religious teachings regarding when and how to use force, detaching political misinterpretations from the genuine pacifist messages of religions.

This research brief explores to what degree the world's leading religious traditions are in unity or disagreement regarding the justification of the use of force. It argues that the general principles of the ethics of war are cross-cultural, and that despite constant political interpretation of religious teachings, attitudes towards the use of force are more corresponding than contradicting.

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Religious Perspectives on the Use of Force

DECISIONS OVER THE USE OF FORCE ARE THE MOST significant and dangerous that leaders must take, both morally and in terms of achieving their goals. Consideration of the reasons that can justify behaviour resulting in the elimination of human life is as philosophical and ethical as it is political and legal. In the context of exponential increases in the destructiveness of war, particularly with the proliferation of weapons of mass destruction, such consideration assumes an even greater significance.

In resolving moral and practical dilemmas such as these, we may seek guidance from numerous sources. Yet, arguably the most powerful and enduring of these are religious traditions, which have consequences in all aspects of human life, not least in situations of conflict and violence. Religious traditions include ethical and practical guidance regarding the use of force, concerning both the resort to the use of force (*jus ad bellum*) and the methods, instruments and limits of warfare (*jus in bello*). Recent armed conflicts such as those in Kosovo, Afghanistan and Iraq have reignited classic debates on both of these issues. While by no means new forms of warfare, suicide-bombing, 'martyrdom' and asymmetric warfare, particularly in their spread and increased impact on powerful nations, have raised new questions regarding the ethics of force.

In this context, there exists an urgent need to understand better how 'just war' concepts have been assessed within the world's leading religious traditions, including Hinduism, Buddhism, Judaism, Western and Eastern Christianity, Sunni Islam and Shi'ite Islam. As part of their ongoing transformations, each of these traditions has responded to contemporary challenges and developments. Yet controversies surrounding the postulating of a 'clash of civilizations', the practice of targeting civilians, and the spread of terrorist and anti-terrorist strategies and tactics call for careful research into the distinction between genuine religious and ethical concepts and their manipulation for political purposes.

The Sources and Evolution of Religious Teachings on War

The origins of the main religious traditions' teachings on war can be found mostly in historical texts and scriptures. There have been endless political manipulations, readings and interpretations of these original scripts, leading at times to periods of intolerance, extremism, holy wars, crusades and genocide. Such divergence of

attitudes has been witnessed by all the major traditions throughout their histories, and remains evident to this day. Even so, consistent references and beliefs have survived in the writings of thinkers over the ages thus constituting essential principles of a basic framework of war ethics.

Within several of the traditions, evidence suggests that ideas expressed in ancient texts, often not explicitly regulating the conduct or justification of war, merged with existing norms of ‘etiquette’ in war during times of conflict. These emerging readings were based as much on the historical circumstances of their conception as on their claimed foundation in the word of any God. Both internal and external influences have shaped each of the religious traditions, and consequently affected their teachings.

Illustrating this, in Judaism, teachings on war evolved distinctively due to the tradition’s unique history with the creation of the State of Israel in 1948. Prior to this, all Judaic conceptualizations of war were derivative and hypothetical in the absence of a Jewish state or Jewish military to actually engage in a war. With Israel’s creation in 1948, engaging in war was no longer an intellectual construct; the Jewish people now faced practical and moral challenges of war which had faced other traditions for millennia. The experience of the Holocaust presented the Jewish people with a horrifying example of the threats that exist, and prompted new thinking for a tradition rooted in peace, which previously had no real foundation for any concept of war.

While most religious traditions can be seen as developing under the formative influence of conflicts with foreign powers, Japanese religion (seen as a single religious complex with various expressions, Buddhism and Shinto closely intertwined throughout its history) developed somewhat differently based on the relative lack of such conflicts until the nineteenth century. Up to this point, persistent internal struggles had instead forged an emphasis on stability and social order. The relatively sudden interaction with foreign powers that was to follow, led to expansionism and violent conflicts. The impact on the collective public consciousness of being the only country to ever suffer the use of atomic weapons, combined with exposure to Christian ideas after the Second World War, led to the prevalence of pacifism and little discussion of war in the Japanese religious tradition.

Historical events also influenced the traditional Sunni interpretations of Islam, which resulted from the expansion by Muslim Caliphs and rulers, through wars and violence. This, along with the nature of early Western contact with Islam during the violent medieval period, and contemporary radicalism among some Muslims, has contributed towards a belief commonly held by many non-Muslims, and even by some Muslims, that Islam is a violent religion.

These examples demonstrate the impact which historical events can have upon prevailing thinking within religious traditions. Shared experiences by members of a religion have often caused them to question existing understandings and accepted norms of behaviour, and left lasting impressions.

The Resort to War (*jus ad bellum*)

The resort to the use of force is a decision with enormous moral, political and practical consequences, and the justification of such decisions is frequently controversial. The UN Charter, Article 2(4), prohibits the use or threat of force, with two exceptions: the right of self-defence (Article 51),

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and collective military action authorized by the Security Council (Article 42). Parallels to these vital elements of international law are the criteria of just cause and legitimate authority, which are central to the modern just war doctrine. They are also evident as principles in the religious traditions, in addition to the remaining just war concept of last resort.

Self-defence is universally upheld as the strongest reason for going to war

Just cause

The area in which most agreement between religious traditions is to be found is in the use of force as a response to aggression. Most of the traditions prohibit any use of force for revenge or acquisitive reasons. Self-defence is universally upheld as the strongest, if not the only reason for going to war, often justified by the 'natural law' of self-preservation. In some traditions, such as Hinduism, Protestant Christianity and Islam, this is even promoted as an obligation, rather than merely a right or a justification.

Despite this broad consensus, there remain different interpretations of the meaning of aggression. Islam sees the expulsion of Muslims or helpless people from their homes as the greatest of harms, and this concept has remained central, along with the protection of places of worship and helpless people. Other traditions such as Protestant Christianity consider aggression to be violence which causes the loss of life or destruction of property.

The doctrine of pre-emptive war, aimed at preventing an imminent attack, presents a serious challenge for norms related to the resort to force. As distinct from preventive war, which claims to avert the possibility of a future attack and is seen in international law as equivalent to aggression, pre-emptive war is considered by some to be legally justifiable. Despite its ostensibly defensive nature, it is conducted in the absence of an actual attack, and is generally held to be morally incoherent by religious scholars.

Other justifications for the resort to force are apparent in some traditions. For example, the realist doctrine of *kutayuddha* in Hinduism preaches the use of force to maintain power. The expansionist policies of Japan before defeat in the Second World War were ironically claimed in ideological rhetoric to be an attempt to spread peace and security, as the "benefits of civilization", to neighbouring states.

The emerging contemporary norm of humanitarian intervention also has roots in several religious traditions, which justify the use of force to assist those in need. In Sunni thought, it is a duty of Muslims to fight in aid of those who are helpless to defend themselves. In Protestant Christianity, there is also the concept of fighting on another's behalf, assuming the other party has just cause.

Legitimate authority

The concept of legitimate authority is essential in the just war doctrine. Within some religious traditions, particularly Islam and Judaism, there is emphasis placed on the need for the consent of an exalted religious leader for a war to be considered just. In Shi'a

Research Questions

Are the world's leading religious traditions united or disunited in their assessment of what constitutes a justified resort to armed force as well as right conduct in wartime? How have these religious traditions evolved over time, and has this evolution been influenced by interactions with other traditions, or developments within other traditions? How have they responded to contemporary institutions, developments and norms, such as the League of Nations, United Nations, international humanitarian law, the Geneva Conventions, the ICC and non-violent methods of conflict resolution?

Peace and War

Some of the major religious traditions maintain the notion of peace as justice, rather than the mere absence of war. Usually expressed as a response to aggression, equality and justice are held as more immediate goals than peace, thereby allowing the possibility for the use of force to be legitimate.

In the Christian traditions, peace is viewed as the normative, baseline condition of humanity. However, Roman Catholic thought sees just war as unavoidable—since injustice can be expected to occur regularly, armed force can have a positive value, insofar as it contributes towards restoring a peace that has been violated by prior wrongdoing.

Judaism shares the belief that war is not a natural condition, and also that universal peace will become a reality for the whole of humanity. In Islam, great value is placed on building and maintaining peace, to the extent that it is considered a duty for all Muslims, and accordingly, those who bring peace are promised "continuous praise from the angels". In sharp contrast, Hindu teachings emphasize the inevitability of inter-state war, although they aim to limit the harmful effects of war

In the modern world, the clear distinction between war and peace has eroded, with issues such as terrorism and asymmetric warfare. It is now harder to distinguish between peace and war, and this directly challenges many of the moral imperatives of the main religious traditions.

Islam, Jihad may only be conducted with the authorization of an Infallible Imam, and in Hinduism war requires the consent of the High Priest. This demonstrates the confidence of the traditions in the inherent good and wisdom of such leaders, in that such significant decisions are entrusted by the tradition to them.

Several religions describe two forms of war, to be fought for different reasons and on different terms. Islam, Catholicism, Eastern Orthodoxy, Hinduism and Judaism share the concept of 'defensive' war and 'offensive' war, with significantly stricter *jus ad bellum* requirements for the latter. Within Judaism, even an 'Obligatory' (defensive) war requires a sovereign state and the approval of the high priest. In Roman Catholicism, a defensive war requires no special authority and an offensive war is seen as a choice rather than a necessity. Articles 42 and 51 of the UN Charter show that the concept of stricter requirements for offensive war has become an international norm; while individual states retain the right of self-defence, the UN Security Council is the only legitimate authority which may sanction offensive war.

Last resort

In several traditions, there is also a strong imperative to try all possible alternatives before resorting to the use of force. Protestant thought insists that war may only be fought when the enemy attacks first, and refuses offers of peace or arbitration. Shi'ite scholars outline stages of self-defense for Muslims, beginning with demonstrating opposition to war, then asking others to provide assistance, and finally resorting to the use of force. In Catholic thought, God has provided humans with means other than force, with which to solve disputes, and a wronged party must declare his or her grievances to the perpetrator, allowing an opportunity for peaceful resolution before resorting to force. However, these ideas were largely ignored until the 20th Century and the prevalent pacifist feelings that led to the formation of the League of Nations.

Just Methods in War (*jus in bello*)

The increasingly relevant question of which methods of warfare are justified is answered uniquely, and to varying degrees, by each religious tradition, shaped by their encounters with war and resultant thinking. In all the major religions, there are implicit and explicit teachings promoting restraint in the methods of war, including the standard elements of the modern, secular just war doctrine. These principles can be seen broadly as restricting both legitimate weapons to use in war, and legitimate targets of force. In each tradition, they are promoted in different ways, and sometimes for different reasons, but the basic concepts are shared.

Targets

Considering limits on the legitimate targets of force in war, religions emphasize the protection of innocent and vulnerable people. Noncombatant immunity is an evident common principle, including protection of the wounded, prisoners and even combatants who have lost their weapons. The targeting of civilians is condemned by all religions. These principles are now codified in international humanitarian law through the Geneva Conventions. Violations of humanitarian law prompt widespread condemnation from a range of actors, including figures of authority in the major religions.

Despite this widespread support for noncombatant immunity, the principle continues to be challenged by historical and contemporary issues, including terrorism and asymmetric warfare. These issues create tensions between inclusive and exclusive definitions of combatant

status, which entail correspondingly different prescriptions for the use of force. Those who advocate or practice terrorism often claim that civilians may be held responsible for the actions of their governments, and therefore are legitimate targets of force. Asymmetric warfare involves uncontrolled combat between actors of significantly different relative power, often with a blurring of the distinction between combatants and noncombatants, and the use of unconventional tactics such as human shielding and kidnapping.

The deliberate targeting of civilians is condemned by all religions

Regarding the highly controversial issue of Islamist terrorism, the term 'Jihad' is particularly divisive; while some claim that passages in the Qur'an permit or even encourage extended violence against non-believers (to varying degrees), others assert that the context and language of Jihad does not include action pertaining to war and killing. In some radical interpretations of Jihad, any non-Islamic presence in the lands of Islam is seen as warranting a defensive war, and any nationals of states supporting such a non-Islamic presence are legitimate targets, including civilians. Contemporary radical Islamic terrorism, such as that practiced by Osama bin Laden and his followers, claims this as a justification for mass killings of civilians.

When facing an enemy with no moral considerations of noncombatant discrimination, often to the point where they are conceivably using civilians as weapons, what is a justifiable response? International law regards the use of 'human shields' as a war crime, with responsibility for the fate of noncombatants resting with the offending party which placed them in their precarious position. For example, the Israel Defense Forces (IDF) 'purity of arms' code maintains that in such cases, minimizing the deaths of noncombatants is a priority, but that for a sovereign state, minimizing the deaths of your own noncombatants takes priority over those of the enemy. Islamic jurisprudence also allows enemies who take shelter among women and children to be attacked, even if this risks killing fellow Muslims.

Other restrictions of the use of force generally include the protection of fertile land, animals, homes and buildings, trees, fruit plants and water supplies. The protection of animals and water supplies is particularly emphasized in Islam, reflecting human needs in the environment in which the tradition's early development took place.

Methods

There is general agreement between the leading religious traditions that in any conflict, warring factions should use the minimum level of force that is necessary to achieve victory; to inflict more suffering than is practically required is seen to be morally wrong. Legal restrictions of the methods of war have developed, including the Hague Conventions of 1899 and 1907 limiting the use of conventional weapons; the Geneva Protocol of 1925 limiting the use of chemical and biological weapons; and customary international law which supports the principle of proportional force. A good example is the reference in Roman Catholicism to 'disarming the aggressor' and thus halting injustice

> Under Islam, no authority is required for defensive war and all citizens including women and children are required to fight. Offensive war is regulated much more strictly, with conditions including legitimate authority, the pursuit of peace and the declaration of hostilities before engaging in war. This is why Osama bin Laden has framed his *fatwa* against the 'aggression' of the United States and its allies as a defensive war—he does not have the authority to order an offensive war. The internal differences between the main Islamic denominations of Shi'ite and Sunni relate fundamentally to the legitimate political and religious leadership of Muslims; while Shi'ite Islam dictates that offensive war may only be conducted with the authorization of an Infallible Imam, Sunni Islam requires the approval of the Caliph. The current lack of either an Infallible Imam or a Caliph within Islam dictates that offensive Jihad is prohibited, in the prevailing consensus among Islamic scholars.

with the minimum use of force, when intervening to assist others.

The principle of proportional force has also been challenged by unconventional forms of warfare, but in the reaction to modern weapons, particularly the use of weapons of mass destruction, we can see strong parallels in the attitudes of the different religious traditions. There is almost universal condemnation of such weapons, and thus within all the traditions a general prohibition of their use, due to their indiscriminate nature and the massive casualties they cause. When presented with the choice between surrender or the complete destruction of the aggressor and the defending state, if not the entire human race, the use of nuclear weapons cannot be justified. The policy of nuclear deterrence is therefore also prohibited by most religions, although realist interpretations within some traditions such as Hinduism promote such a policy, with the use of WMD as a last resort.

> With modern Japan's uniquely pacifist constitution and public distaste for conflict, pacifist rhetoric dominates but there is little awareness of the implications of this position. While the use of force is to be avoided if at all possible, there is at least a vague recognition that there are certain extreme situations which might necessitate the employment of force, but debate on what might concretely constitute such situations is generally avoided, in fulfillment of the desire to maintain a 'pacifist' position. However, the public justification of earlier expansionist campaigns in Japan's military history, and the current efforts of politicians to sanction increased participation in foreign military deployments, suggest that this pacifism is not 'absolute' or permanent.

Consternation over the development of nuclear weapons prompted a reassessment of the basic concept of just war, with leading figures in some traditions discounting the assumption that war may be justifiable. This was evident in a speech by Pope John XXIII in 1963, claiming that "in this age which boasts of its atomic power, it no longer makes sense to maintain that war is a fit instrument with which to repair the violation of justice."

In Judaism, surrender is advocated over mass killing, but despite this Israel has developed nuclear weapons for its self-preservation, ostensibly as preventative weapons. While Judaic law would prohibit their use even as a response to a nuclear attack, some scholars have questioned the consistency of any argument that advocates a country allowing its own destruction. The IDF 'purity of arms' code affirms the principle of proportional use of force; however in recent years several IDF generals have asserted that the situation of Israel demands 'the greater aim' to be prioritized over proportionality.

While Osama bin Laden proclaims his 'duty' to obtain nuclear weapons in a 'Jihad' against perceived crusaders, the absolute prohibition of such weapons in Islam exposes this statement as an exploitative distortion of the tradition's teachings.

Limiting the duration of war is another important concept in the religious traditions; for example, Islam teaches that fighting must end once the enemy stops attacking. Protestant Christianity requires restraint to be shown after victory, and peace and mercy offered to those who surrender during war; most traditions similarly teach that prisoners should be ransomed during war, or released after the war. Other restrictions on the conduct of soldiers are more stringent, including the prohibition in Shi'ite Islam of cursing the enemy.

Despite these restrictions, in several religions there is some degree of permission for reciprocity in the methods of warfare employed. Unjust methods may provide an advantage to the enemy, and the moral value of victory is often seen to be paramount, assuming the war is fought for just reasons. In Judaism, some level of reciprocity is permitted, but only within the limits of proportionality. Several Qur'anic verses also allow reciprocity, although forgiveness is upheld as a morally preferable response.

Distinctions and Rewards

In all the leading religious traditions, there is an evident emphasis on the inherent good of individual nonviolence and forgiveness, often teaching that individuals should not cause harm to others, and should accept any threat or harm passively. However, when considering groups, the traditions justify violent action for the protection of the group and the religion itself. This may imply a greater inherent moral value of the community, which thus deserves greater protection than the individual. It affirms that the suffering of an individual does not merit a violent response, while the survival of a community—and even the religion itself—can justify violence. This moral distinction, while it could be seen as a form of utilitarianism, is arguably rooted in the aim of ensuring the continued propagation of the religion and its teachings.

A noteworthy common element is the difference in approach towards those within the tradition in question, compared with the approach towards

those outside the tradition. Although religions provide some protections to outsiders, the attitudes towards them are very different compared to the attitudes towards their own; teachings often permit or in some cases even encourage violence against 'the infidel', while preaching peacefulness at home. Even so, a special form of mutual respect among religions may also be observed. For example, in Islam, 'neutral men of science and religion' are singled out for special protection during war.

Another common feature of the major traditions is the rewards promised to individuals for conducting war in the manner prescribed. In Hindu religious thought, in accordance with the laws of *dharmayuddha*, a warrior who kills not out of personal enmity but as per his duty goes to Heaven after death. In Eastern Orthodoxy, the church has high respect for the Christian virtues of soldiers who follow the precepts of a just war, and rewards them by canonizing them as saints. However, violations of the teachings regarding the use of force are handled differently by the religious traditions. In Shi'ite Islam, compensation payments and the concept of "an eye for an eye" punishment are advocated for those who contravene the teachings on war, contrasting with the Christian principle of forgiveness and redemption.

Realizing Consensus through Cross-Cultural Dialogue

From their origins in scriptures with shared core principles regarding the use of force, religious teachings regarding war have frequently undergone political manipulations to suit historical circumstances. These have varied between and within the religious traditions, from relatively extreme pacifism to extreme realism. However, through interactions with other traditions, and emerging international structures, norms and laws, they have all come to acknowledge to some degree, that such positions must be reconsidered. Whether manifested in a realist acceptance of the power structures and international laws that now regulate state behaviour, or a humanist realization that we must sometimes resort to force to protect the vulnerable, there has been a moderating convergence from the polarized interpretations historically evident. Attitudes towards the use of force are more corresponding than contradicting among religions, and share a general understanding aimed at promoting restraint.

When we detach exploitative interpretations of religious teachings from their true spirit, we observe that a central strand of shared principles regarding the use of force has continued to exist since their origins. The relatively recent convergence of prevailing thought between religions, despite strong divergent opinions within each tradition, shows that there are possibilities for cross-cultural agreement and international co-operation regarding the use of force. It suggests that the general principles of the ethics of war are cross-cultural and secular. It also demonstrates the impact of international actors such as the League of Nations and later the United Nations, NGOs and civil society in achieving consensus and promoting norms limiting the resort to war, the methods and the targets of force. Dialogue between and within these actors and religious traditions must continue to play an important role in international efforts to meet contemporary challenges such as WMD, asymmetric warfare, terrorism and the need for humanitarian intervention.

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