Graduate Theses and Dissertations   Graduate School

3-31-2004

From Just War To Just Peace: Re-Visioning Just War Theory From A Feminist Perspective

Naomi Malone
University of South Florida

Follow this and additional works at: https://scholarcommons.usf.edu/etd

Part of the American Studies Commons

From Just War To Just Peace: Re-Visioning Just War Theory From

A Feminist Perspective

by

Naomi Malone

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts
Department of Political Science
College of Arts and Sciences
University of South Florida

Major Professor: Susan Stoudinger Northcutt, Ph.D.
Member: Carolyn DiPalma, Ph.D.
Member: Michael Gibbons, Ph.D.

Date of Approval:
March 31, 2004

Table of Contents

List of Tables

From Just War To Just Peace: Re-Visioning Just War Theory From A Feminist Perspective

Naomi Malone

ABSTRACT

This paper studies the history of just war theory and critiques it from various feminist perspectives. Using a definition of war as inseparable from the system within which it is embedded, the paper contends that just war theory has been incorporated into the realist paradigm that predominates current political thought, making it susceptible to manipulation. Most importantly, this usurpation has shifted just war theory's focus from *jus ad bellum* to *jus in bello* considerations, seriously weakening its deterrent effects on war. The paper proposes its replacement with a just peace theory, discussing several existing frameworks and explaining the important part women are playing to achieve its principles. It concludes that although just war principles might still be helpful as a framework for limiting the worst excesses of war, current applications do not adequately meet the presumption against war and for peaceful settlement of disputes that the theory's originators envisioned. Just peace theory is an active theory that promotes practices leading to the reduction of violence in all arenas and at all levels, from fights in the schoolyard to ethnic conflicts and beyond, offering concrete examples that can strengthen the last resort criteria of just war theory.

Introduction

But the real and lasting victories are those of peace, and not of war.

-Ralph Waldo Emerson, *Worship*

Traditional just war doctrine is enjoying a revival of interest in the wake of transforming global interrelationships and drastic improvements in military technology. In spite of optimism in some quarters that globalization and the expansion of liberal democracy is the answer for world peace, events such as the genocide in Rwanda, the attacks on the World Trade Center, as well as longstanding conflicts such as the Israeli-Palestinian conflict and the simmering Indian-Pakistani standoff over Kashmir indicate that there are deeper issues at work when it comes to war and peace. The increasing disparity between rich and poor nations; ethnic, cultural and religious tensions; and nuclear proliferation are just some of the many issues that ensure that war and violence will continue to play a predominant role in international relations within the near future.

What is the definition of war? The Blackwell Dictionary of Political Science defines war as "armed conflict between organized groups with objectives they deem to be irreconcilable." This paper uses Joshua Goldstein's definition of war as "lethal intergroup violence" and the war system within which wars exist as: "the interrelated way that societies organize themselves to participate in potential and actual wars. In this perspective, war is less a series of events than a system with continuity through time. This system includes, for example, military spending

and attitudes about war, in addition to standing military forces and actual fighting."[1]

There are three main strands of western philosophical thought about war: pacifism, realism and just war theory. Not all pacifists necessarily disagree with the use of just war theory as a basis for evaluating the necessity for war, but they believe that the only conclusion that can be made from this analysis is that the war cannot be justified and that all conflicts can be resolved through arbitration rather than violence. Realists, on the other hand, are profoundly skeptical of using moral precepts in any foreign policy issues, war included. Its proponents argue that power and national security are the only motivating factors in interstate relations and thus prompt any decisions regarding war.   In contrast to both of these viewpoints, just war theory attempts to restrict wars between states by subjecting those in authority to certain precepts concerning their commencement, conduct and termination.

The value of just war theory lies in its ability not to describe the world as it is, but to provide a framework for debating the justice of particular wars. Thus, theorists and leaders have shaped and supplemented its principles to adapt to the requirements of their particular societies and times. The first chapter concentrates on the historical literature of just war theory, showing that just war theory is written exclusively by and for men.

---

[1] Goldstein, Joshua. How Gender Shapes the War System and Vice Versa. Cambridge: Cambridge University Press. 2001. War and Gender. Joshua Goldstein. 16 March 2003 <http://www.warandgender.com/wgch1.htm>

Its secular beginnings in ancient Rome and Greece influenced the early Christian apologist Saint Augustine to reconcile Christian pacifism with Rome's need to defend its borders against encroaching invaders. Later, as the Roman Empire splintered into factions that progressively coalesced into states, theorists supplemented or reinterpreted its doctrines to justify wars between themselves. Gradually, the theory returned to its secular roots as the Enlightenment eroded the invincibility of the Church, eventually becoming embedded in international laws of war originally designed by the Dutch jurist Grotius and Christian scholastics such as Francisco Suarez and Francisco Vitoria. Finally, a European system of states based upon the principles of state sovereignty and international law arose from the ashes of the Thirty Years War and culminated in the "Peace of Westphalia.". During the 19th and early 20th centuries, this combination of the codification of war with the ascendancy of state sovereignty led to a significant shift of the doctrine's emphasis from the original *jus ad bellum* (just cause) questions to those of *jus in bello* (just methods during war), allowing the theory to flourish even as Western nations use self-interested reasons to justify their positions. This overlying theme continues to emphasize "balance –of–power" as the world shaping principle, subjugating just war theory to the role of apologist. As Nicholas Rengger indicates "many of the arguments surrounding deterrence policy during the Cold War, military interventions (or lack of them) from the 1960's to the 1990's and the "war against terrorism" now are couched in the language that would be broadly familiar to those theologians, philosophers and

jurists who largely created the just war tradition, even if the context of the debates has changed beyond recognition."[2]

Modern secular literature purporting to represent non-realist views includes Michael Walzer's works, among them his influential *Just and Unjust Wars* and Brian Orend's book which stresses not only the two dimensions usually described as just war theory (*jus ad bellum* and *jus in bello*) but the equally important principle of *jus post bellum* (just end to war.) These works accentuate a legalistic paradigm based on universal human rights. In contrast, there is still a strong religious strand of just war thought that continues to emphasize the original casuistical tradition, especially found in the American Catholic Bishops' *The Challenge of Peace*.

The references cited in Brian Orend's recent book *War and International Justice: A Kantian Perspective* include only two books that include feminist viewpoints on the topic, both edited by Jean Bethke Elshtain. This paucity reflects both the current "maleness" of the topic and the lack of feminist writers who either have addressed the issue or have been allowed to publish their thoughts in mainstream journals. According to Goldstein, this exclusion mirrors the inherent inhospitability of the fields of political science and international relations to issues about women and gender. He contends that feminist works written about war and peace are written primarily *by* women and that these feminist contributions are seldom found in mainstream journals.

---

[2] Rengger, Nicholas. "On The Just War Tradition In The Twenty-First Century." International Affairs 78.2 (2002): 353.

Within this feminist literature, Jean Bethke Elshtain's works on just war theory continue to create a postmodern as well as religious space within the larger just war debate. Sara Ruddick and Carol Cohn are some other feminists who specifically address just war theory.

There is also a body of feminist work on war and peace that sheds light on many other feminist perspectives on war and violence: "From Lourdes Baneria's and Rebecca Blank's (1989) feminist empiricist discussion of "Women and the Economics of Military Spending" to Elshtain's (1987) postmodernist explorations of gendered war narratives; from Judith Stiehm's (1989) empirical research on women in the U.S. military to the epistemologically varied essays that form Adrienne Harris' and Ynestra King's (1989) volume on how feminists think about peace and the parallel volume edited by Sharon MacDonald, Pat Holden, and Shirley Ardener (1988) on images of women in war and peace, we find a stream of efforts to consider who owns, is constituted by, accepts, challenges, and rejects IR's wars and peaces."[3]   According to Jacqui True, these represent "very contradictory and overlapping positions, discourses and practices."[4] Nonetheless, this diversity does not preclude the possibility of a feminist debate on just war theory. Feminist ethics derives much of its vitality from such diversity.

The chapter analyzes just war from these broad perspectives found in "the three epistemologies commonly referred to in the feminist IR literature as feminist

---

[3] Christine Sylvester, "Feminist Theory and Gender Studies in International Relations", International Studies Notes, 16/17, (Fall 1991/Winter 1992) 3/1:32-38 Feminist Theory and Gender Studies. International Studies Association. 23 June, 2002.
<http://csf.colorado.edu/isa/ftgs/femir.html >

[4] True, Jacqui, "Feminism", Theories of International Relations, eds. S. Burchill and A. Linklater, New York: St. Martin's Press, 1995, 1996, 212.

empiricism, feminist standpoint and feminist postmodernism."[5] Feminist

empiricists argue that the male-centric framework within which research is done

in political science and international relations makes value-free and objective

knowledge impossible. Judith Stiehm's empirical research on women in the U.S.

Military, *Arms and the Enlisted Woman* is representative of this viewpoint.

Feminist standpoint theorists believe that people's perceptions of society differ

because they have different outlooks. Borrowing from Marxism, feminist

standpoint theorists contend that women have access to knowledge unavailable

to mainstream society because of their marginalization. They attempt to take

account of the standpoints of a diversity of women's viewpoints, as well as those

of other marginalized groups. According to Christine Sylvester, this viewpoint

argues "that women's biology and-or habitual social assignments as mothers and

caretakers position women against the violence of war as a means of settling

disputes (e.g. Brock-Utne, 1985; Ruddick, 1989), and help them to develop a

politically viable standpoint on wars, peaces, insecurities, and militaristic tamings

in our lives (Reardon, 1985; Enloe, 1983)."[6] Feminist postmodernists, on the

other hand, are skeptical about universal categories such as "women" and

"science", seeking forms of knowledge and truth that show the fractured nature of

identities, allowing them to discover and resolve existing injustices.[7]

---

[5] True, 213.

[6] Sylvester.

[7] These definitions are based on several different sources, primarily True, 214,215 and Sylvester, Christine. Feminist Theory and International Relations in a Postmodern Era. Cambridge: Cambridge University Press, 1994.10,11.

There is a general consensus that women value peace more than men, and several statistical studies do point to the fact that they are more actively involved in peace movements than men are.[8] However, the issue runs much deeper than whether women are by nature more "peacable" than men: Virginia Sapiro and Pamela Conover's analysis of American surveys (dealing with hypothetical security policies as well as concrete questions about the use of military force and its consequences) shows that "when we moved from the abstract to the concrete—from hypothetical wars to the Gulf War—the distance separating women and men grew, and on every measure, women reacted more negatively."[9] Some feminists try to distance themselves from such studies by arguing that they only emphasize differences between masculine and feminine characteristics, shifting the focus away from the goal of incorporating women's contributions into mainstream decision-making about war and peace. However, others call attention to the difference concluding that "feminist perspectives on peace, security, and conflict resolution challenge a traditional understanding of peace processes as the expression and ratification of *power over*, such as when one side forces the other to accept the terms of cease-fire, emphasizing instead an

---

[8] Peach, Lucinda. "An Alternative to Pacifism? Feminism and Just-War Theory," 1994. Bringing Peace Home.: Feminism, Violence and Nature. Eds. K.J. Warren and D.L. Cady. Bloomington and Indianapolis: Indiana University Press, 1996. 193.

[9] Eichenberg, R.C. "Gender Differences in Public Attitudes toward the Use of Force by the United States, 1990-2003". International Security 28.1 (2003):110-41.

understanding of peace as a process of negotiation and conflict resolution where both sides come out as winners."[10]

This paper's discussion of feminist ethics integrates these various discourses into an analysis and critique of just war that illuminates the gendered nature of war and the war system within which it is embedded, making the case that just war theory's efficacy is currently compromised by its containment within the realist paradigm.

The next chapter proposes the theory of just peace, a holistic theoretical and practical framework based on the belief that war is not episodic but endemic within the fabric of our societies. Rather than repudiating the existing world system, this belief offers the hope that wars can be prevented from within by creating modes of negotiation and reconciliation practices to reduce and eventually end the necessity for violence.

This paper contends that just war theory's usurpation by realism downplays the important principle of "last resort", placing war over and above negotiation and conflict resolution as a viable method for securing peace. It acknowledges that just war theory can provide a structure for analyzing certain wars in very specific ways. However, an analysis solely within this framework cannot offer a comprehensive picture because it does not take into consideration the wider social and cultural aspects within which the war takes place. Also, its rhetoric is frequently co-opted to achieve political and social ends (both selfish

---

[10] Rabrenovic, Gordana and Laura Roskos. "Introduction: Civil Society, Feminism, and the Gendered Politics of War and Peace." National Women's Studies Association Journal 13.2 (2001):43.

and altruistic) that may not be just. In addition, there is a continued shift of emphasis from *jus ad bellum* to *jus in bello* principles, making it easier for governments to justify wars as long as they are perceived to be complying with international rules of law. For example:

> The United States and it allies practice a new style of legal warfare-what Schmitt called "Bellum Americanum"-that hinges on precision-guided bombs, standardized targeting, accepted levels and types of collateral damage, and high bomber flight altitudes. Once considered obstacles to the war effort, military lawyers have been integrated into strategic and tactical decisions, and even accompany troops into battle. Never has the conduct of war been so legalistic.[11]

The paper concludes that although just war principles can serve as a framework for limiting the worst excesses of war, current applications do not adequately meet the presumption against war and peaceful settlement of disputes that the theory's originators envisioned. On the other hand, far from being a mere synthesis of just war theory and pacifism, just peace is an active theory that promotes practices leading to the reduction of violence in all arenas and at all levels, from fights in the schoolyard to ethnic conflicts and beyond. These practices offer just war theory concrete examples of actions that are available as "last resorts", creating the possibility that just war theorists' debates will again emphasize the principles used to decide whether a war should be fought rather than whether a war that has already begun is fought justly.

---

[11] Rengger, 356.

The History of Just War Theory

Greek and Roman Sources

> An unjust peace is better than a just war. —Marcus Tullius Cicero

Thucydides' history of the Peloponnesian War, particularly his description of the Melian Dialogue, suggests that the Greeks approached war from a realist perspective. In his narrative, the Athenian delegates sent to secure Melian support in their war respond to the Melian's desire to remain neutral by proclaiming: "Our opinion of the gods and our knowledge of men lead us to conclude that it is a general and necessary law of nature to rule wherever one can. This is not a law that we made ourselves, nor were we the first to act upon it when it was made. We found it already in existence, and we shall leave it to exist for ever among those who come after us. We are merely acting in accordance with it, and we know that you or anybody else with the same power as ours would be acting in precisely the same way." [12]

However, several Greek philosophers disagreed with that point of view, exclaiming that Athens did not fight unjust wars. One of these was Isocrates, who in his correspondence with the Cypriot prince Nicocles exhorted him to make no unjust wars, honor all treaties and refrain from the desire to rule all men. Further, in direct contrast to the Athenian delegation's reply to the Melians,

---

[12] Thucydides' The Peloponnesian War, Book 5, Chapter 7, translated by Rex Warner. London: Penguin, 1955. Quoted in Luard, Evan. Basic Texts in International Relations. New York: St. Martin's Press, 1992 120-126.

Isocrates declared that the foreign policy of Athens followed the principle "It is not just for the strong to rule the weak."[13] Another dissenting voice was Demosthenes, who praised the justness of the Athenians (in the aftermath of their defeat in the Peloponnesian Wars) by arguing that Athens was defending all of the Greeks against Sparta.[14] Of course, this rhetoric did not include wars against the "barbarian" states outside of the Panhellenic arena, as noted by Doyne Dawson: "Since there was considered little possibility of a reasonable communication with foreigners, the only way to settle disputes with them was by battle. And the only norm in such battle was what benefited the city-state and its needs. All particular actions or general practices in battle were judged solely by how expedient they were toward military and thus civic success."[15]

This ability to separate the Greeks from the "others/barbarians" allowed them to make a distinction between the morality of wars fought amongst themselves and those fought with "barbarians". For example, Plato in his *Republic* proposed a new code of warfare in which all wars between the Greek city-states would be civil wars, with the stipulation that the defeated could not be enslaved or subjected to occupation or dishonored whereas wars with barbarians

---

[13] References to Isocrates are cited from Dawson, Doyne. The Origins of Western Warfare. Boulder, Colorado: Westview Press, 1996. 66. The quote is taken from Isocrate's On the Peace, a pamphlet written about 355 B.C. to curb the Athenians' imperial ambitions. In To Nicocles, Isocrates further advises the prince to "be polemikos, "warlike," in always being prepared for war, but eirenikos, "peacable," in never going to war without a just cause."

[14] Dawson. 68.

[15] LaCroix, W.L. War and International Ethics : Tradition and Today. Lanham, New York & London: University Press of America,1988. 31. The Greeks believed that foreigners were inferior, making it possible for them to reconcile their taking of the vanquished as slaves.

were to be fought with utmost ruthlessness.[16] Aristotle expressed this idea in his

Politics, Book VII, 14, 1333b39-1334a2: "Neither should men study war with a

view to the enslavement of those who do not deserve to be enslaved; but first of

all they should provide against their own enslavement, and in the second place

obtain empire for the good of the governed, and not for the sake of exercising a

general despotism, and in the third place they should seek to be masters only

over those who deserve to be slaves."[17]

Ironically, Aristotle's pupil Alexander the Great created a Hellenistic

empire that not only spread Greek culture and influence to the "barbarians" but

had the unforeseen effect of lessening the sharp distinctions drawn between

them by the earlier philosophers. This more cosmopolitan view was reflected in

the philosophical movement known as Stoicism, which had many supporters in

the Greco-Roman world, including the early Christian theologians. The basis of

Stoicism was that nature and the universe were governed by the laws of reason.

It significantly influenced the thought of Marcus Tullius Cicero, a great Roman

statesman and orator (106-43 B.C.), whose writings on war ethics had an

enormous impact on future just war theories. He argued that the Stoic idea of a

universal natural order should be the source of all human laws and communities.

In one of his clearest statements on this concept, he wrote, "that law was neither

a thing contrived by the genius of man, nor established by any decree of the

---

[16]Dawson, 71. Dawson notes that Plato hoped this would make the Greeks unite in slave raids against barbarian territories, bringing more peace and cooperation between the city-states.

[17] Aristotle. The Politics and The Constitution of Athens. trans. Jonathan Barnes, ed. Stephen Everson Cambridge: Cambridge University Press, 1996. 188.

people, but a certain eternal principle, which governs the entire universe."[18] He

applied this principle to war between states in his treatise *On Duties*: "Then, too,

in the case of a state in its external relations, the rights of war must be strictly

observed. For since there are two ways of settling a dispute: first, by discussion;

second; by physical force; and since the former is characteristic of man, the latter

of the brute, we must resort to force only in case we may not avail ourselves of

discussion. The only excuse, therefore, for going to war is that we may live in

peace unharmed; and when the victory is won, we should spare those who have

not been blood-thirsty and barbarous in their warfare." [19]

This statement, among others, laid the groundwork for subsequent

formulations of the two basic tenets of just war theory: *jus ad bellum* (just

cause) and *jus in bello* (just conduct.) Two important principles of *jus ad*

bellum that he espoused were that just wars could only be waged by

those with the right authority (such as states) and that a formal declaration

of war was required: "As for war, humane laws touching it are drawn up in

the fetial code of the Roman People under all the guarantees of religion;

and from this it may be gathered that no war is just, unless it is entered

---

[18] The Treatises of M.T. Cicero, trans. C.D. Yonge. London: George Bell and sons, 1876. 431, quoted in Holmes, Robert L. On War and Morality. Princeton, New Jersey: Princeton University Press, 1989. 154.

[19] Cicero, Marcus Tullius. De Officiis, trans. Walter Miller. Loeb Edition. Cambridge: Harvard University Press, 1913, Book I.34. The Stoic Legacy to the Renaissance. 5 January 2002. <www.stoics.com >

upon after an official demand for satisfaction has been submitted or

warning has been given and a formal declaration made." [20]

Christian Reflections on Just War

The purpose of all wars is peace. —Saint Augustine of Hippo

The gradual decline of paganism in the Roman Empire through the fourth

century coincided with the elevation of Christians to positions of power. However,

after Constantine's acceptance of Christianity as the state religion, Rome began

its long and ultimately unsuccessful struggle to stem the tide of aggression by the

Huns, Vandals and Goths along its borders. The Empire's decline led many of its

citizens to return to paganism, proclaiming that Christianity's ascendancy had

angered Rome's gods. As the situation became more perilous the early Christian

pacifist motive gave way to the realization that it would be necessary to take up

arms to defend against the never ending onslaught.

Saint Augustine, considered my many to be the father of modern just war

theory, took on the monumental task of reconciling the peaceful precepts of

Jesus to the political realities of his era: "Like Plato and Cicero, Augustine saw

war as a fact of life. Unlike them, he never saw it as an honorable, let alone

glorious activity. Nor was Augustine's just war theory simply a Christianization of

Cicero's natural law thinking…..Augustine struggled to synthesize the rigorous

---

[20] Cicero, Book I.36.

14

demands of Christian love with a keen understanding of political realities and a pessimistic view of human nature."[21]

After becoming Bishop of Hippo in North Africa, Augustine strove to find answers to this dilemma in the Scriptures. His deep-seated pessimism about human nature stemmed from his belief in the fall of Adam and Eve, which he assumed was the cause of all war and created in him a worldview that was inhabited by the saved and the damned. The latter inhabited the "City of Man" whereas the saved lived in the "City of God." Developing Cicero's concept of just war, Augustine set down the first condition that the sole right to wage war must be given by the proper authority. His second condition was that war must be fought with the intention of re-establishing a just peace: "Even wicked men wage war to maintain the peace of their own circle, and wish that if possible all men belonged to them, that all men and things might serve but one head, and might either through love or fear yield themselves to peace with him."[22] His major break from Cicero and the Greek philosophers was his repudiation of glory as a proper justification for war. He saw warfare as the greatest of all evils, asking "Why allege to me the mere names and words of "glory" and "victory"? Tear off the disguise of wild delusion, and look at the naked deeds; weigh them naked, judge them naked."[23]

---

[21] Adenay, Bernard T. Just War, Political Realism, and Faith. Metuchen, N.J. & London: The American Theological Library Association, 1988.

[22] Augustine, The City of God, Marcus Dods, trans., Great Books of the Western World, vol. 18. Chicago: Encyclopedia Britannica, 1957, Bk. XII, Ch. 22, 357. Quoted in Adeney, p. 30.

[23] Augustine, III, Ch. 13, 174.

Secular Revisions

> I saw in the whole Christian world a license of fighting at which even barbarous nations might blush. Wars were begun on trifling pretexts or none at all, and carried on without any reference of law, Divine or human."
> --Hugo Grotius

The disintegration of Rome into warring factions led to a period of centuries during which just war theory was largely ignored. Later theorists, most importantly Thomas Aquinas, Hugo Grotius and Francisco di Vitoria built on Augustine's model to develop a set of rules and regulations that promoted the proper conduct of war, leading to a clearer delineation between *jus ad bellum* and *jus in bello* principles. This latter set of principles added another facet to the theory by requiring that the agents of war be held responsible for their actions.[24] The rules of just cause remained basically the same during this period: having just cause, being declared by the right authority, and having peace as the goal. However, the *jus in bello* principle of discrimination, concerning who were the legitimate targets of war, became an important part of the tradition during this time.

Although Aquinas was a religious thinker, he began the process of secularizing just war doctrine by revitalizing Aristotle's thoughts in his seminal work *Summa Theologica* to create the theological system upon which the modern Catholic Church is based. Here, he defined natural law as something that could be discerned without divine inspiration, stating that "the rule and measure of human acts is the reason, which is the first principle of human acts."

---

[24] Mosely, Alex. "Just War Theory", The Internet Encyclopedia of Philosophy, 2001 15 June 2002. <http://www.utm.edu/ research/iep/j/justwar.htm >

[25] He used this law to refine Augustine's precepts for just war by using reason alone. Also, the "doctrine of double effect", a rule of conduct that proved valuable in later just war thinking, was often attributed to Aquinas because of his argument that "Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention."[26] Simply put, the doctrine maintained that it may be permissible to perform a good act with the knowledge that bad consequences will ensue, but that it is always wrong intentionally to do a bad act for the sake of good consequences that will ensue. Later theologians, particularly the Jesuit priest Jean Pierre Gury, developed this principle, making it applicable to a host of moral and theological issues. However, it was Francisco de Vitoria in the 16th century who first applied it to the *jus in bello* question of how to treat non-combatants in war. In his lecture *De indis*, he considered the problem of violence committed by the conquistadors against Indians during their conquest of Peru. He concluded that the Indians had rights equal to the Spaniards and could not be treated as inferior beings that could be exploited and enslaved. This led to the creation of *jus gentium*, or the law of nations, establishing international norms of behavior among nations based on natural law. In response to the misery brought about by improvements in military technology combined with the voracious power struggles between monarchs during the Renaissance, de Vitoria, along with fellow Scholastic Francisco

---

[25] Thomas Aquinas, Summa Theologica First Part of the Second Part, Q. 90, trans. Fathers of the English Dominican Province, (Benziger Bros. Edition, 1947) 15 June 2002. http://www.ccel.org/a/aquinas/summa/FS/FS090.html#FSQ90OUTP1

[26] Aquinas, Second Part of the Second Part, Q. 67.

Suarez, added further conditions for just war: first, that the means employed in the fighting of war should be proportionate to the ends; second that all peaceful alternatives should be exhausted; and third, that there should a reasonable hope of victory. There are opposing camps on the issue of who was the "father of international law", Vitoria or Hugo Grotius. Most secular writers side with Grotius, the author of the famous treatise *De Jure Belli ac Pacis (On the Rights of War and Peace).* Here, he attempted to ground just war precepts on natural law rather than Christian doctrine, recognizing two alternatives to divine law: the law of nature and the law of nations. Influenced by Aquinas, Grotius' law of nature was derived from universal truths understood through human reason. The law of nations was derived from customary practices and relationships between states in the real world.[27]

Just War Theory in the Twentieth Century

> War is so awful that it makes us cynical about the possibility of restraint, and then it is so much worse that it makes us indignant at the absence of restraint. Our cynicism testifies to the defectiveness of the war convention, and our indignation to its reality and strength.   — Michael Walzer

Just war theory was further codified into international law when two documents were issued in the wake of World War II: the Nuremburg and United Nations Charters. The first charter established the conditions constituting unjust acts in the course of war. [28] The United Nations Charter, especially Article 51,

---

[27] Roosevelt, Grace. "A Brief History of the Quest for Peace: Pacifism and Just War Theory in Europe from the 16th to the 20th Centuries." Global Policy Forum. 23 June 2003. <http://www.globalpolicy.org/resource/unhist/jinx1.htm >

[28] Nuremberg Trial Proceedings Vol 1. Avalon Project. Yale Law School. 9 March 2003. < http://www.yale.edu/lawweb /avalon/imt/proc/discrep.htm >

declared the right of sovereign nations to self-defense. However, it was largely

ignored as a theory until the mid-twentieth century, when it became a

cornerstone for arguments against the nuclear arms race and the Vietnam War.

In response to the threat of nuclear war during the height of the Cold War, The

United States Catholic Conference issued *The Challenge of Peace: God's*

Promise and Our Response in 1983*,* a comprehensive evaluation of just war

doctrine condemning the use of nuclear weapons and laying out plans for

shaping a peaceful world. Its just war criteria are shown in Table 1.

Table 1: Just War Criteria

*jus ad bellum***: why and when recourse to war is permissible**

1.	Just Cause	War is permissible only to confront a 'real and certain danger' To preserve innocent life, to preserve conditions necessary for decent human existence and to secure basic human rights.
2.	Competent Authority	War must be declared by those with responsibility for public order, not by private groups or individuals.
3.	Comparative Justice	Do the rights and values involved justify killing? In other words, which side is sufficiently 'right' in the dispute, and are the values at stake critical enough o override the presumption against war?
4.	Right Intention	This has two parts. In just cause, war can be intended only for the reasons set forth in just cause. During the conflict, it includes the pursuit of peace and reconciliation and avoiding unnecessarily destructive acts or unreasonable conditions.
5.	Last resort	All peaceful alternatives must be exhausted. Here the Bishops stress the importance of the United Nations as a governing body that can help alleviate some of the problems inherent in these criteria.
6.	Probability of Success	The purpose of these criteria, although difficult to apply, is to prevent irrational resort to force or hopeless resistance when the outcome of either will clearly be disproportionate or futile.
7	Proportionality	The damage to be inflicted and the costs incurred must be proportionate to the good expected by taking up arms.

*jus in bello***: how the war should be conducted**

1.	Discrimination	Requirement to avoid killing non-combatants, a criterion that is becoming harder to comply with.
2.	Proportionality	Each action must be judged according to the level of force required, with the least possible force used to achieve victory.

However, modern just war theory owes a great debt to *Just and Unjust Wars*, Michael Walzer's attempt to establish a constructivist (as opposed to realist) secular and modern version of just war based on linking states' rights to individual rights rather than the rights of princes as earthly representatives of God's authority:

> The rights of states rest on the consent of their members. But this is consent of a special sort. State rights are not constituted through a series of transfers from individual men and women to the sovereign . . . what actually happens . . . [is that] over a long period of time, shared experiences and cooperative activity of many different kinds shape a common life . . . most states do stand guard over the community of their citizens, at least to some degree: that is why we assume the justice of their defensive wars.[29]

Through this linkage, Walzer sets up a "legalist paradigm" of six principles that must be shared by states in the international arena:

1. There exists an international society of sovereign states.
2. This international society has laws that establishes the right of its members – above all, the rights of territorial integrity and political sovereignty
3. Any use of force or imminent threat of force by one state against the political sovereignty of another constitutes aggression and is a criminal act.
4. Aggression justifies two kinds of violent response: a war of self-defense by the victim and a war of law enforcement by the victim and any other member of international society.
5. Nothing but aggression can justify war.
6. Once the aggressor state has been militarily repulsed, it can also be punished.[30]

However, he argues that in some cases, any or all of these principles may need to be violated, even advocating the use of "pre-emptive" attacks in

---

29 Michael Walzer. Just and Unjust Wars: A Moral Argument with Historical Illustrations, Second edition, New York: Basic Books, 1992. 53–4.
30 Walzer.,61–2.

situations where there is a manifest intent to injure, proof of preparation that

shows the intent to be a danger, or a general situation in which the risk of defeat

is greatly increased if war is delayed. One example is the Israeli strike on Egypt,

June 5, 1967 during the Six-Day War, just after Egypt had declared its intention

of extermination. [31]

He also revises earlier discussions of the "doctrine of double effect" by

offering three conditions that must be met to reconcile effects (such as the killing

of non-combatants) emanating from actions made with just intent.   First, the

direct effect must be morally acceptable (for example, the desired result is the

destruction of a legitimate military target.) Second, the actor's intention must be

good, and the bad effect not intentional. In this case, the actor should not use

the bad effect as a means to the ends. For example, it is wrong to target civilians

for the purpose of weakening an enemy's resolve. Third, the good effect must be

sufficiently good to justify the bad effect.   Here again, he advocates the violation

of one of the principles, namely the second condition, by proposing his

controversial notion of "supreme emergency", in which unjust means may be

justified in rare cases, using the example of Britain's carpet bombing of Dresden

as justifiable because of the need to combat the "abominable evil" of the Hitler

regime. Nonetheless, he concludes that this conduct must be eschewed when

the aim is reached, with immediate reinstatement of the just war criteria that were

violated. In his review of Walzer's book, Gilbert Meilaender describes how

Britain resolved this dilemma after World War II:

---

31 Walzer. 81.

After the bombing of German cities had succeeded and the war had been won, Britain needed to find a way to reinstate the moral rules it had—in the moment of supreme emergency—overridden. Walzer interprets the dishonoring of Arthur Harris as such a reinstatement. Harris had directed the British Bomber Command's campaign of terror against German cities. He had, it is perhaps not too strong to say, been good enough to be on the right side but not too good to do what was needed in Britain's time of peril.

After the war he expected his reward: public honor. He received none, however, and finally left Britain and returned to his native Rhodesia. By dishonoring him, Britain dissociated itself from what had been done—it reinstated the moral code. We may, Walzer grants, feel that this is not quite fair to Harris, but it may be the best a people can manage.[32]

Brian Orend incorporates Walzer's human rights approach to launch a fresh interpretation of just war theory based on the works of Immanuel Kant. The importance of this thesis lies in its emphasis on an aspect of just war that is virtually ignored by most other theorists: the *jus post bellum* principles applying to the end process of creating a just peace. He divides this final component into short term and long term principles. The short term principles deal with the termination of conflicts as they relate to specific wars. The long term principles have a more ambitious agenda, the progressive elimination of war in general. This dichotomy represents the inherent tension between what Orend believes are the two necessary ingredients for the complete just war theory that the Kantian method provides: a comprehensive theoretical framework and a set of principles

---

[32] Meilaender, Gilbert. 2000. Michael Walzer: Just and Unjust Wars (1977). First Things, 101 (2000):52-53. Online. Internet. 9 March 2003. Available http://www.firstthings.com/ftissues/ft0003/articles/ walzer.html

for practical application. Table 2 completes the picture of just war theory as it

stands today. [33]

Table 2: Just War Criteria (addition)

jus post bellum: when and how war is concluded	
1. Just Cause for termination	A state has just cause to seek termination of the just war in question if there has been a reasonable vindication of those rights whose violation grounded the resort to war in the first place.
2. Right Intention	A state must intend to carry out the process of war termination only in terms of those principles contained in the other *jus post bellum* rules. Revenge is strictly ruled out as an animating force. Furthermore, the just state in question must commit itself to symmetry and equal application with regard to the investigation and prosecution of any *jus in bello* war crimes.
3. Public declaration and legitimate authority	The terms of the peace must be publicly proclaimed by a legitimate authority.
4. Discrimination	In setting the terms of the peace, the just and victorious state is to differentiate between the political and military leaders, the soldiers and the civilian population within the aggressor regime.
5. Proportionality	Terms of peace are proportional to reasonable rights vindication and do not violate the human rights of the populace, thereby negating the concept of unconditional surrender.

---

[33] Orend, Brian. War and International Justice: A Kantian Perspective. Waterloo & Ontario, anada: Wilfrid Laurier University Press, 2000. 269-70.

Feminist Analysis of Just War

Introduction

Where are the women? —Cynthia Enloe

A commentary written by journalist Cynthia Peters in the online magazine ZNET evokes the frustration that feminists feel about the roles that women are designated to play in wartime. To illustrate this point, she quotes the headline of a satirical piece in Onion Magazine: "Not Knowing What Else to Do, Woman Bakes American Flag Cake." Continuing with the story, she quotes: "Having already donated blood, mailed a check to the Red Cross, and sent a letter of thanks to the New York Fire Department, she settled on the red, white, and blue creation as her next response to the terror."[34]

Lucinda Peach describes a possible reason for this frustration: "Women remain largely absent from ethical and policy debates regarding when to go to war, how to fight a war, and whether resorting to war is morally justifiable."[35] One explanation for this absence is that the making, waging and concluding of wars has traditionally been male-centric. As the previous chapter shows, just war theory follows this tradition by being almost exclusively written by and for men. Within the time between the two Gulf wars with Iraq, there have been very few

---

[34] Peters, Cynthia. "Women's Patriotic Role," ZNET. (2001).. 23 March 2003. <https://www.zmag.org.>

[35] Peach, Lucinda. "An Alternative to Pacifism? Feminism and Just-War Theory," Bringing Peace Home.: Feminism, Violence and Nature, ed. K.J. Warren and D.L. Cady, Bloomington and Indianapolis: Indiana University Press, 1996. 196.

feminist voices to be heard in these mainstream debates, with the exception of

Jean Bethke Elshtain, who has written several books on various theoretical and

specific aspects of this topic. However, it is possible to construct a feminist

vision of just war and peace by examining the variety of feminist based

approaches to ethics that have developed in response to the underrating of

women's moral experience. The first section of this chapter provides an

historical overview of feminist moral approaches, concentrating primarily on

those issues related to war and peace. The second section delineates feminist

critiques of contemporary applications of just war theory. The chapter concludes

that contemporary just war theory lacks the depth and breadth necessary to

confront issues such as intra- and non-state forms of violence.

Feminist Ethics

> Feminist ethics is born of women's refusals to endure with grace the arrogance,
> indifference, hostility, and damage of oppressively sexist environments.
> —Claudia Card

Despite the fractured nature of the "feminist critique" of ethics[36], all of the

various discourses ultimately "attempt to revise, reformulate, or rethink those

aspects of traditional western ethics that depreciate or devalue women's moral

experience" to "create a gender-equal ethics, a moral theory that generates non-

---

[36] For example, the acknowledgment that feminist scholarship is a "site of active political struggle" in a "fractured and heavily contested discourse" found in R.B.J. Walker. 1992. "Gender and Critique in the Theory of International Relations," in V. Spike Peterson (ed.), Gendered States: Feminist (Re)Visions of International Relations Theory Boulder, CO, & London p. 179.

sexist moral principles, policies, and practices." [37]   These discourses are most often divided into three broad categories:

Feminist Empiricism

Feminist empiricists argue that gender-biased science only creates "bad epistemology," arguing that once these biases are eliminated (by throwing more women and other minorities into the mix), a value-neutral epistemology will ensue to liberate knowledge. This argument coincides with liberal feminism, which contends that gender equality can be gained by winning equal access to the educational and political rights enjoyed by men within the existing system. There are several critiques of liberal feminism worth noting. First, other feminists argue that this position accepts male values as human values and assumes that women can and should aspire to be like men. Another critique closely related to the first is that "male" standards are valued higher than those associated with women, such as interdependence and caring.   A third critique cites its emphasis of individual rights over the common good. However, this feminist viewpoint remains popular with many women and women's organizations that work to promote gender equality throughout the world. Due to their efforts, more and more women are inhabiting spaces that were formerly the exclusive enclaves of men and demanding equal positions of respect (as evidenced by the growing participation of women in politics and the military in the United States.) Liberal feminists usually reject the idea that women are more peaceful than men by

---

[37] Tong, Rosemarie, "Feminist Ethics", The Stanford Encyclopedia of Philosophy (Fall 2002 Edition), Edward N. Zalta (ed.), 23 March 2003. < http://plato.stanford.edu/entries/feminism-ethics/ >

nature and argue that to effect change; they need to demand an equal voice and role in international decision-making positions, including roles in the military.

Standpoint Feminism

Standpoint feminists assert that knowledge is socially constructed. They view women's marginal position in society as a potential advantage rather than merely as an oppressive situation for women. They argue from the Marxist position that a socially oppressed class has valuable knowledge that is unavailable to the privileged class by the mere fact that it *is* oppressed, and therefore attempts to incorporate the standpoints of other marginalized groups in its quest for knowledge. One argument for the value of this theory is that "knowledge which emerges from women's experiences 'on the margins' of world politics is actually more neutral and critical because it is not complicit with, or blinded by, existing institutions and power relations."[38] Most standpoint feminists view war from the perspective that exclusion from power leads women to be more peaceable than men because they must bargain from a position of weakness.

Within standpoint, the "ethics of care" approach is the predominant theory that speaks to the issues of war and peace. This theory was born when Carol Gilligan published a very influential book in 1982 called *In a Different Voice,* where she described her experiments on how men and women react to various hypothetical situations. This book was prompted by her professor Lawrence Kohlberg's contention that there were six stages of moral development ,

---

[38] True, Jacqui. "Feminism." Theories of International Relation., eds. Burchill, S. and A. Linklater. New York: St. Martin's Press, 1995,1996. 215.

concluding that only men could reach the highest stage of an "impartial, universalist, and principled perspective: the ethics of justice.[39] In reply, her book proposed that Kohlberg's results were mistaken because they were based on "male-biased" methodology that did not take into account the possibility of different kinds of ethical behaviour. Rather, her study revealed that men and women have fundamentally different approaches to morality: women focus more on 'care' and men on 'justice'. Women base their morality on relationships and responsibility, whereas men focus on the traditional western ethics of rationalism, Kantianism, and liberalism.

Nel Noddings expanded on Gilligan's "ethics of care", using an approach emphasizing particular others as the objects of care:

> To act as one-caring ... is to act with special regard for the particular person in a concrete situation ... she acts in a nonrule-bound fashion in behalf of the cared for ... [An ethic of care] does not attempt to reduce the need for human judgment with a series of "Thou shalts" and "Thou shalt nots". Rather, it recognizes and calls forth human judgment across a wide range of fact and feeling, and it allows for situations and conditions in which judgment (in the impersonal, logical sense) may properly be put aside in favor of faith and commitment.[40]

Along this vein, maternal feminists such as Sara Ruddick, Virginia Held, and Caroline Whitbeck, commemorate the feminine characteristics of mothering and parenting, arguing that "the experience of mothering, of caring for others could serve as an important ethical model for civic participation as well as a

---

[39]Hutchings, Kimberly. "Ethics, Feminism, and International Affairs." eds. Coicaud, Jean-Marc and Daniel Warner. Ethics and International Affairs. New York: United Nations University Press, 2001. 200.

[40] Noddings, Nell. *Caring: A Feminine Approach to Ethics and Moral Education*. Berkely: University of California Press, 1984, 24-5.

corrective to citizenship based on military service."[41] Developing this proposal,

Ruddick makes the case that mothering and war are incompatible:

> When maternal thinking takes upon itself the critical perspective of
> a feminist standpoint, it reveals a contradiction between mothering
> and war. Mothering begins in birth and promises life; military
> thinking justifies organized, deliberate deaths. A mother preserves
> the bodies, nurtures the psychic growth and disciplines the
> conscience of children; although the military trains its soldiers to
> survive the situations it puts them in, it also deliberately endangers
> their bodies, minds and consciences in the name of victory and
> abstract causes.[42]

Feminists and non-feminists alike criticize these approaches for their

emphasis on the specific relationships engendered by individual human

relationships, arguing that they don't translate into a general model that can be

used to describe other types of relationships such as those between communities

and groups. Ruddick herself concedes that she might be "over-idealizing

mothers, unnecessarily excluding men and nonbiological mothers from maternal

work, and underemphasizing the differences that exist among mothers, some of

whom find themselves "mothering" under extremely oppressive circumstances."[43]

Other critics argue that this stress on personal relationships creates a "partialist"

approach in the ethics of care that must be integrated with the universal and

rational ethics related to the "justice" orientation: "This means that unless

exponents of a personal ethics of care wanted to take the hard-nosed view that

---

[41] True, 215.

[42] Hutchings, 202.

[43] Tong, Rosemarie, "Feminist Ethics", The Stanford Encyclopedia of Philosophy (Fall 2002 Edition), Edward N. Zalta (ed.), 2 March 2003. < http://plato.stanford.edu/archives/fall2002/entries/feminism-ethics/. >

we never have any moral duties and responsibilities to those with whom we have no personal relationships, they would still need to devise and defend some ethical principles to govern our relationship with strangers. . . . An adequate ethics needs impartiality as well as care."[44]   Nonetheless, standpoint feminists' emphasis on particularity and personal experience creates the ability to identify with and take responsibility for the suffering of others, as seen in growing movements such as Women in Black, begun in 1988 by Israeli women empathizing with the plight of Palestinian women by protesting against Israel's occupation of the West Bank and Gaza. Also, their emphasis on the necessity of incorporating multiple "standpoints" allows for ethical consideration of the diverse perspectives of parties to any dispute or conflict.[45]

Postmodern Feminism

   "Postmodern feminism" is not easily definable, incorporating so many diverging viewpoints as to make the term almost meaningless as well as unfashionable in some circles. However, this paper characterizes it as a reaction against the scientific method that disputes the definition of reality from objective/subjective or empirical/normative stances.   Rather, many of these feminists view reality as structured by discourse representing relations of power and domination, agreeing that the male/female dichotomy is a main categorizing force in our society. They criticize the structure of this society and the dominant patriarchal order within which women and other marginalized people are

---

[44] Kuhse, Helga. Caring: Nurses, Women and Ethics. Maldon, MA: Blackwell, 1997.137-38.

[45] Hutchings. 204.

perceived as the Other. Furthermore, they perceive any attempts to label their

viewpoints as essentialist fallacies.

> As postmodern feminists see it, all attempts to provide a single explanation for women's oppression not only will fail but should also fail. They will fail because there is no one entity, "Woman," upon whom a label may be fixed. Women are individuals, each with a unique story to tell about a particular self. Moreover, any single explanation for "Woman's" oppression should fail from a feminist point of view, for it would be yet another instance of so-call "phallogocentric" thought: that is, the kind of "male thinking" that insists on telling as absolute truth one and only one story about reality. Women must, in the estimation of postmortem feminists reveal their differences to each other so that they can better resist the patriarchal tendency to center, congeal, and cement thought into a rigid "truth" that always was, is, and forever will be.[46]

Although not known as a "postmodern" feminist, Jean Bethke Elshtain uses a

Foucauldian linguistic constructivism to examine the traditional roles played by

women and men in war, concluding that they are socially constructed by the

dominant historical narratives about the male "Just Warrior"/ hero who fights for

the greater good and the female "Beautiful Soul" who plays the maternal support

figure in need of male protection.

> To take up war-as-discourse compels us to recognize the powerful sway of received narratives and reminds us that the concepts through which we think about war, peace, and politics get repeated endlessly, shaping debates, constraining consideration of alternatives, often reassuring us that things cannot really be much different than they are. As we nod an automatic "yes" when we hear the truism (though we may despair of the truth it tells) that "there have always been war," we acknowledge tacitly that "there have always been war stories," for wars are deeded to us as texts. We cannot identify "war itself" as an entity apart from a tradition

---

[46] Tong.

that includes poems, epics, myths, official histories, and first-person accounts, as well as articulated theories.[47]

Elshtain's war-as-discourse analysis precludes the supposition that there is a link between women and peace, proposing instead that women's attitudes about war and peace can differ substantially depending on such factors as time periods and cultures.[48] She suggests that this linkage belies the fact that peace feminists are usually greatly outnumbered by the majority of women who support the wars that their nations wage, citing the example of women in the suffragist movement who rushed to support the war effort at the outbreak of the First World War while others handed out white feathers as symbols of cowardice to young men not in uniform. [49]

In *Gender and 'Postmodern' War,* Robin Schott proposes that "postmodern understandings of persons, states, and politics …render an event based conception of war inadequate, especially insofar as gender is taken into account."[50]

---

[47] Elshtain, Jean Bethke. Women and War. Chicago and London: The University of Chicago Press, 1987. 32. One example of this use of narrative to compel the perpetuation of the Just Warrior\Beautiful Soul motifs is the story of Aida Lafuente, a young woman who fought on the side of the insurrectionists in the Spanish revolution of 1934. Following the revolt, pro-revolutionist poets, writers and politicians made her a symbol of womanhood and purity to counteract the uncomfortable image of a woman warrior. (Bunk, Brian. "Revolutionary Warrior and Gendered Icon: Aida Lafuente and the Spanish Revolution of 1934." Journal of Women's History, 15.2 (2003): 99-122.

[48] Berkham, Joyce.. "Feminism, War and Peace Politics: The Case of World War I." eds. Elshtain, J.B. and S. Tobias.. Women, Militarism & War: Essays in History, Politics, and Social Theory. Maryland: Rowman and Littlefield Publishers, Inc., 1990. 141.

[49] Elshtain, Women and War. 140.

[50] Cuomo, Chris. "War is Not Just An Event: Reflections on the Significance of Everyday Violence." *Hypatia* 11.4 (1996): < http://gw.softlineweb.com.proxy.usf.edu/record.asp?msel_from=0&msel_to=9&preview=&move= &returnPage=list.asp&articleID=114302&recNum=1 >

Feminist Critiques of Just War Theory

> But history, real solemn history, I cannot be interested in... I read it a little as a duty, but it tells me nothing that does not either vex or weary me. The quarrels of popes and kings, with wars or pestilences, in every page; the men all so good for nothing, and hardly any women at all--it is very tiresome. —Jane Austen's Catherine Morland in *Northanger Abbey*

What are the criticisms that feminists have about just war theory? Although few feminist scholars explicitly focus on this topic (Elshtain, Cohn & Ruddick in particular), others address similar issues within the broader scope of war and peace. Lucinda Peach groups these criticisms around several concerns: "its close relationship with realism, its failure to insist that all criteria have been satisfied in accordance with rigorous standards, especially in relation to attempting nonviolent alternatives; its tendency to abstract and to dichotomize reality in accordance with gendered distinctions; and the priority it accords to the state and to state authority vis-à-vis the individual."[51] All of these are legitimate concerns, but she misses one very important criticism of just war theory: it addresses war as a discrete event rather than a continuing presence in modern culture.

Realism

Realists concentrate on states and their power relationships as the most important aspect of world politics. Hans Morgenthau, a primary architect of this theory, assumed that "statesmen think and act in terms of interest defined as power," creating a world system with an "astounding continuity in foreign power which makes American, British, or Russian foreign policy appear as an

---

[51] Peach, 195.

intelligible, rational continuum, by and large consistent within itself, regardless of the different motives, preferences, and intellectual and moral qualities of successive statesmen."[52] Sara Ruddick and Carol Cohn, identifying themselves anti-war feminists, believe that those who practice this type of politics view war as an inescapable part of this system. They further declare that although just war theorists use normative methods to analyze the justice of wars, their theory resides within the parameters of this realist assumption of war's inevitability, therefore accepting war as a practice. Cohn and Ruddick, on the other hand, reject war as a practice (while distinguishing themselves from pacifists by acknowledging those among them who continue to support particular military campaigns.)[53]

However, Elshtain distinguishes the spirit of just war theory as "a way of thinking that refuses to separate politics from ethics" [54], from the realist world where "no children are ever born, and nobody ever dies…There are states, and they are what is."[55] She argues that just war thinking is not inextricably linked to the realist paradigm, transcending the use of its rhetoric by realist states to

---

[52] Hans Morgenthau, Politics among Nations, 5,6, quoted in Women, Gender, and World Politics: Perspectives, Policies, and Prospects, eds. P.R. Beckman and F. D'Amico. Westport, Connecticut & London: Bergin & Garvey, 1994. 17.

[53] Cohn and Ruddick refer to these feminists as temporary anti-militarists because although they support military action, they "oppose war as a practice, mourn the suffering of all of wars' victims, and, in the midst of war, imagine the details of a future culture of peace." Cohn, Carol & Sara Ruddick. "A Feminist Ethical Perspective on Weapons of Mass Destruction." to be published in Ethics and Weapons of Mass Destruction, Steven Lee and Sohail Hashmi, eds., under review at Cambridge University Press. 14 February 2004.
<http://www.ksg.harvard.edu/wappp/research/working/cohn_ruddick.pdf >

[54] Elshtain, Jean Bethke. "Just War and Humanitarian Intervention." Ideas, 8.2 (2002): 4.

[55] Elshtain. Women and War. 91.

legitimize their struggles for power, asserting that "traditional just-war theory is not problematic so much because it is itself realist as because it is anachronistic and no longer able to provide meaningful limits to war in a world governed by realist assumptions."[56] For her, Michael Walzer's argument that in the face of "immeasurable evil" (i.e. Nazism), a "supreme emergency" exists allowing the use of unjust means to achieve victory is a clear example of how realists violate the principles of just war for their own purposes.[57] On the other hand, she maintains that "when a wound as grievous as that of September 11 has been inflicted on a body politic, it would be the height of moral irresponsibility… were the relevant governments to fail to respond" by applying just war theory to exercise armed force in a responsible and limited manner.[58]

Failure to Consider Alternatives to War

Just war theory clearly states that a governing authority must reasonably exhaust all other diplomatic and non-military options for securing peace before resorting to force. However, The United States Bishops' treatise *The Challenge of Peace* is the only document on just war that attempts to fully delineate nonviolent alternatives to war and escalation of conflicts. It is an impassioned reaction and statement against the use of

nuclear weapons, and one of the first appeals for just peacemaking as an alternative to war:

---

[56] Peach, 196.

[57] Peach. 196.

[58] Elshtain, Jean Bethke. "Luther's Lamb: When and How to Fight a Just War." Common Knowledge, 8.2 (2002): 304-309.

We are the first generation since Genesis with the power to virtually destroy God's creation. We cannot remain silent in the face of such danger. Peacemaking is not an optional commitment. It is a requirement of our faith. We are called to be peacemakers, not by some movement of the moment, but by our Lord Jesus.[59]

For Walzer, these statements prove his contention that a last resort could turn into "an endlessly receding possibility, invoked mostly by people who would prefer never to resist aggression with force. After all, there is always something else to do, another diplomatic note, another meeting."[60] To feminists, this position underscores the fact that "last resort" criteria are seldom fully considered before hostilities are instigated. According to Elshtain, "the American public seems at this point so inured to the rather routine use of American bombing in foreign policy situations that these actions scarcely register on the radar screen most of the time."[61]

Abstract Thought/Dichotomized Thinking

Feminist analyses "specifically reveal how abstraction in the application of just war theory has resulted in (1) a neglect of the horrors of war and its effects on individual bodies;(2) a perception of the enemy as "Other"; and (3) a fixation on principles of justice and rights rather than the needs and interests of specific persons in particular conflicts."[62]

---

[59] The Challenge of Peace: God's Promise and Our Response. (1983) Washington, D.C.: USCC, par. 333.

[60] Michael Waltzer, "Perplexed", New Republic (1991): 14 quoted in Peach, 197.

[61] Elshtain, Just War and Humanitarian Intervention, p. 20.

[62] Peach, 198.

For instance, a feminist former RAF officer in the Persian Gulf conflict illustrates the moment in which she recognized the duality in which the suffering of individuals was viewed:

> Around one week into the "conflict" proper, by which time we had lost several crews from our base during bombing raids, I heard the voices of some downed aircrew on CNN—two of whom were my colleagues. I was overjoyed that they had survived. Later, as I watched the video footage of their battered faces, and the news teams discussed the Iraqi breaking of the Geneva Convention through beating up downed aircrew, I realized how utterly stupid the whole thing was. We had been "bombing the shit" out of Iraq for days. There were obviously many Iraqis being killed. But beating up captured aircrew who had just bombed you was "barbaric" and "against the rules."[63]

This dichotomy is also apparent in the American media's coverage of September 11's victims as opposed to the civilian victims of the war in Afghanistan. When the New York Times put a human face to the thousands who perished in the Twin Towers by featuring vignettes with pictures and mini-biographies listing the victims' interests and families, they created an ineradicable image by visualizing the personal aspects of the loss. Howard Zinn was deeply moved by those intimate glimpses of the real people lost in the tragedy, speculating "what if all those Americans who declare their support for Bush's "war on terrorism" could see, instead of those elusive symbols--Osama bin Laden, Al Qaeda--the real human beings who have died under our bombs?"[64]

---

[63] Roper, Lynne. 2001. "Feminism is NOT Pacifism: A Personal View of the Politics of War." Feminist Media Studies, 2(1): 150-51.

[64] Zinn, Howard. 2002. "The Others." *The Nation* 19 March 2003. <http://www.thenation.com/doc.mhtml?i=20020211&s=zinn>

Ira Chernus relates how President Eisenhower's administration exploited this good/evil rhetoric in its foreign policy:

> Everything had to be woven into the system (as loosely articulated as it was) and circumscribed within its absolute demarcations between truth and falsehood, right and wrong. Therefore all realities had to be dichotomized; everything had to be treated only in relation to its absolute opposite. Dichotomizing and polarizing were the only path he could see leading to clarity. In political terms, freedom, capitalism, and "the American way" could be meaningful only if pitted against their absolute opposites. Hence the need to construct discursively an imminent foreign and domestic "Red menace," so that the nation could be called to make a decisive choice between the opposites.[65]

Feminists argue that just war theory stresses the notions of just/unjust and good/evil wars, reinforcing the ability to abstract the enemy as the "Other", making their annihilation much more palatable. Further, standpoint feminists argue that its emphasis on rights and justice promotes separation rather than connection, leading to the likelihood of more, not less recourse to aggression. If, for example, the victor's terms of justice in the wake of the war are perceived as unduly harsh by the vanquished, will the end of war bring a true peace? "Typically", Cohn and Ruddick state, "'peace' includes official ongoing "punishment"—retribution, reparations, domination, and deprivation."[66] This is evident in Orend's *jus post bellum* principles, which emphasize rights vindication and the question of punishment over mediation and reconciliation. Issues such

---

[65] Chernus, Ira. 2002. General Eisenhower: Ideology and Discourse. East Lansing: Michigan State University Press. 291.

[66] Cohn, Carol & Sara Ruddick. "A Feminist Ethical Perspective on Weapons of Mass Destruction." to be published in Ethics and Weapons of Mass Destruction, Steven Lee and Sohail Hashmi, eds., under review at Cambridge University Press. 14 February 2004. <http://www.ksg.harvard.edu/wappp/research/working/cohn_ruddick.pdf >

as war crimes trials are more comfortable within this framework than discussions of creating a just peace.[67]

Suppression of Individual Rights by the State

Just war theory requires that a war must be endorsed by a person or entity that has the proper authority to do so, privileging the rights of the state over the rights of individuals in the name of the "common good". Government reactions to catastrophic events such as September 11, including the passing of legislation, (i.e. Patriot Act I) or the detention of certain individuals based on their ethnicity (Japanese internments during World War II) within the atmosphere of war allows what Sara Ruddick calls just war's "unquestioning obedience as a virtue."[68] Further, just war theorists since the Peace of Westphalia have focused on the sovereign state as the only actor, that is, the actor that plays the critical role in matters of war, ignoring the growing number of non-state actors in the international arena. In relation to feminist theory, especially the ethics of care, this emphasis on states over individuals fails to recognize the importance of interpersonal a well as interstate relations.

War as Event

According to Barbara Ehrenreich, those who study war empirically as a recurrent event speak of its "epidemicity"—its tendency to spread in a manner corresponding to an infectious disease. In other words, as Dutch social scientist

---

[67] An example of this mind-set is Kellogg, Davida. 2002. "Jus Post Bellum: The Importance of War Crimes Trials." *Parameters*, Autumn, 87-99.

[68] Peach. 201.

Henk Houweling observes, "one of the causes of war is war itself".[69]

Analogously, many feminists refuse to regard war as a series of discrete events (threat followed by invasion, battle, then ceasefire), considering it instead as a systematic expression of the society within which it resides, so that "in contrast to much just war theory, it …[does] not separate war from either the preparations made for it (preparations taken in the widest possible, including the social costs of maintaining large standing armies and the machinery of deterrence), or from its long term physical, psychological, socio-economic, environmental, and gendered effects.[70] In fact, ethical approaches such as just war theory that "do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses."[71]

Conclusion

In the just war scenario, there are only two sides, the aggressor and the victim, the victor and the vanquished. However, the real world also contains an entire set of people who aren't on either side, neither aggressor nor victim, with little or no stake in who wins or loses. According to the anthropologist William Ury, this group is the "Third Side" that can step in to resolve or lessen tensions

---

[69] Ehrenreich, Barbara. 2003. "The Roots of War." The Progressive 67(4): 14.

[70] Cohn, Carol & Sara Ruddick. "A Feminist Ethical Perspective on Weapons of Mass Destruction." to be published in Ethics and Weapons of Mass Destruction, Steven Lee and Sohail Hashmi, eds., under review at Cambridge University Press. 14 February 2004. <http://www.ksg.harvard.edu/wappp/research/working/cohn_ruddick.pdf >

[71] Cuomo, Chris. "War is Not Just An Event: Reflections on the Significance of Everyday Violence." *Hypatia* 11.4 (1996): < http://gw.softlineweb.com.proxy.usf.edu/record.asp?msel_from=0&msel_to=9&preview=&move=&returnPage=list.asp&articleID=114302&recNum=1 >

and conflicts.[72] His assertion that peace is the norm rather than war introduces

the next chapter's discussion of just peace.

---

[72] Ury, William L. The Third Side: Why We Fight and How We Can Stop. New York: Penguin Books, 2000.

Just Peace Theory

"The third side is a kind of social immune system that prevents the spread of the virus of violence."—William Ury

Introduction

William Ury questions the Hobbesian outlook that only a strong government can restrain human nature's tendency to war and violence. Drawing on the works of Frans de Waal (*Primate Behavior and Human Aggression,* which questions the myth that humans are innately aggressive) and R. Brian Ferguson (*The History of War: Fact vs. Fiction,* which uses archeological evidence to prove that most of human history was peaceful rather than warlike), he asks how our ancestors were able to resolve conflict so successfully for so long? He formulated his answer while performing fieldwork among tribes like the Bushmen of Kalahari, observing the way in which family, friends and the extended community intervened to resolve issues between contending parties. He realized that conflicts never take place in a vacuum, strictly between two adversaries. "In a nutshell," Ury explains, "the third side is composed of people from the community using a certain kind of power, the power of peers, from a certain perspective, which is a perspective of common ground; supporting a certain process, which is the process of dialogue and nonviolence; and aiming for a certain product, which

is a triple win--a solution that's good for the community and good for both of the parties." [73]

Ury recognizes that conflict is natural and advocates positive interaction rather than mere opposition from outside, providing concrete practices for "third siders" to play in bringing resolution to conflicts. Ury's ten roles that "third siders" can play are:

1. Provider: helping people meet their frustrated needs

2. Teacher: instilling skills or attitudes to defuse tensions

3. Bridge Builder: fostering good relationships across potential lines of conflict

4. Mediator: helping people reconcile their opposite interests

5. Arbiter: delineating the disputed rights

6. Equalizer: balancing the power between clashing parties

7. Healer: repairing injured relationships and defusing wounded emotions

8. Witness: taking heed and note of early warning signs of dispute

9. Referee: establishing objective rules for conflict

10. Peace Keeper: stepping in to separate the fighting parties, even physically.[74]

How can "third-siders" work to prevent conflicts before they happen? They can be providers, teachers and bridge-builders. How do they contain wars

---

[73] Ury, William. *Must We Fight? From the Battlefield to the Schoolyard-A New Perspective on Violent Conflict & Its Prevention.* New York: John Wiley & Sons, 2001. 38
[74] Ury. *Must We Fight.*

while they are happening? They witness, referee, and act as peacekeepers. How can they resolve conflicts? They can mediate, arbitrate, equalize and heal. As Ury notes, "No one third-side role is sufficient to stop violence. The roles constitute a series of protective safety nets. If one doesn't catch the conflict and stop it from escalating, another will. Together, these roles constitute a systemic approach to what is, after all, a systemic problem."[75] A similar set of principles and roles are found in the ten principles espoused in the book *Just Peacekeeping* (included in Appendix A).

Feminist Just Peace

Unlike William Ury's ten roles or Glen Stassen's Ten Principles of Peacemaking, there are no written "feminist principles of just peace".

Liberal feminists prefer to work within the prevailing patriarchical system to win equal rights and access for marginalized groups. In keeping with this stance, most embrace just war theory, with certain reservations. Elshtain is a strong advocate for using just war principles as long as they are not couched in realist terms. She appeals for a return to emphasis on the *jus ad bellum* principles founded by Saint Augustine. Neta Crawford is not quite as enamored, stating that "each conflict demands its own analysis, which must occur prior to and throughout a war", and although just war theory is a useful tool for this purpose, "it must be understood as only a crutch or partial palliative until the underlying pathologies can be understood, prevented and cured by more powerful

---

[75] Ury, William. "A Global Immune System." Andover Bulletin Online Winter 2002: 95.2 Andover University. 22 February 2004 < http://www.liu.edu/cwis/cwp/library/workshop/citmla.htm >

medicine."[76] What these voices bring to feminist just peace is a commitment to the use of strong principles before the initiation of hostilities. Most importantly, just war theory's principle of "last resort" can be resuscitated and placed within a visible and active just peace framework.

Ury's concept of just peace is not new to women, who have long played these "third-sider" roles within their societies. According to anti-militarist feminists (standpoint feminists among them), the problem lies in the fact that the contributions of women and other marginalized groups remain largely unrecognized at institutional and policy levels. However, because of this limited access to traditional avenues of power in decision making roles within governments and institutions, women have focused on grass roots organizing and non-governmental organizations as a means to power, managing to express their interests and concerns and placing feminist issues on national, regional and international arenas. The *Women and Armed Conflict List Archives*[77] provide a fascinating array of examples of such grass-root efforts from around the world. The views expressed in this archive "indicate that women and their organizations make use of innovative strategies for peace negotiation, peacemaking and peacebuilding….their main strategies suggest not only alternative means of

---

[76] Crawford, Neta. "Just War Theory and the U.S. Counterterror War." Harvard School of Public Health.   9 Apr 2004
http://www.hsph.harvard.edu/massviolence/readings/Just_War_Theory_&_Counterte.pdf

[77] Women and Armed Conflict List Archives, WomenWatch, United Namtions, October 1999-Februaty 2000. < http://www.sdnp.undp.org/ww/women-armdconf/thrd2.html >

doing politics and peacemaking, but also alternate understandings of politics and peacemaking."[78]

One cooperative effort to raise women's' public visibility and effect change is *Women Waging Peace*, a website launched in 1999 at Harvard's Kennedy School of Government which creates a network of women in multiple conflict areas around the world who are "all demonstrated leaders among women peace builders, are elected and appointed government officials; directors of non-governmental organizations (NGOs); lawyers, scholars, and educators; business, military, and religious leaders; representatives of multilateral organizations; and journalists."[79] This project allows peacemakers with a variety of skills and experiences to interact with each other, studying the work that they do in diverse conflict situations and roles and advocating the inclusion of women in local and international efforts to prevent, manage and resolve conflicts. Another avenue was made possible by The International Women's Conference in Beijing, China which played a large role in the creation of the International Criminal Court; the passing of UN Security Council Resolution 1325 on issues of women, security and peace on October 31, 2000; and peacekeeping in the Democratic Republic of the Congo and in East Timor.[80] The concerted effort of the transnational Women's Caucus for Gender Justice succeeded in their relentless determination

---

[78] Bates, Prue. "Women and Peacemaking." Development Bulletin, November 2000: 77.

[79] Women Waging Peace. About Us. 22 February 2004. < http://www.womenwagingpeace.net/ content/aboutus.asp >

[80] Stiehm, Judith. "Recent Efforts by Feminists to Advance Peace: Some Reports." *Signs* 28.4 (2003): 1231-2.

to bring charges of rape and sexual enslavement, issues traditionally relegated to the private sphere, against three Serbian men in the International Criminal Tribunal for the former Yugoslavia, an important milestone in the fight to bring recognition to these crimes as forms of violence and subjugation. [81]

An illustration of the power of witnessing and narrating truth is the Denshō Project, a digital archive of videotaped interviews, historic photographs and documents narrated by Japanese women and men of the Pacific Northwest that balances the "dominant narratives of regional history that minimize women's experiences and foreground ''heroic'' actions of white males."[82]

In one narrative, peace activist Aki Kurose states, "Always realize that not to get involved when you should get involved is an act of violence." [83]

Hannah Arendt defines power as the opposite of violence, stating that "where the one rules absolutely, the other is absent."[84] True power resides, moreover "where words are not empty and deeds are not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities."[85]

---

[81] Cooper, Sandi E. Peace as a Human Right: The Invasion of Women into the World of High International Politics. Journal of Women's History 14.2 (2002): 10.

[82] Nomura, Gail M. "Peace Empowers." Frontiers: A Journal of Women Studies 22.3 (2001): 76.

[83] Nomura, 89.

[84] Arendt, Hannah. On Violence. San Diego, New York & London: Harcourt Brace Jovanovich, 1969: 56.

[85] Arendt, Hannah. The Human Condition. Chicago & London: University of Chicago Press, 1958: 200.

This definition is the cornerstone of women's ways to just peace: acting cooperatively to effect change within existing systems and create new systems, witnessing and narrating their stories to reveal truth, and working to achieve equality for all marginalized groups by creating just and sustainable forms of economic development.

Conclusion

Just war theory is a reactive doctrine consisting of a set of guidelines that are meant to prevent unjust wars on a case by case basis. Unfortunately, as can be seen by its long history, it has had to undergo periodic adjustments to address evolving cultural and social systems and methods of war not previously imagined. The theory is now facing its deepest challenges, with a militarized world system that is armed to the teeth with ever more sophisticated and lethal weapons. Moreover, as can be seen with Walzer's justification of means that would be unjust in normal circumstances, political and military actors have moved away from the principles justifying entry into war to those that govern the process of war. The world is rapidly evolving from a system of states as primary actors to one that includes an interrelated assortment of local, regional, and non-governmental participants. At the same time that modern wars are fought with increasing savagery and destructiveness, just war theorists have primarily moved from philosophical to procedural rules about going to war, emphasizing international law, which is known to "confirm much more power than it denies."[86] Just peace, on the other hand, works within any human system because it has always regarded conflict from a holistic perspective, as something that exists in all levels and arenas of human existence. Feminists reject the dichotomized rhetoric inherent in current discussions of war that refuses to acknowledge the interrelationship between domestic, national and international violence. Just war

---

[86] Rengger, 358.

49

theory perpetuates dichotomized views of war because it does not define war as something that exists within the system that perpetuates the culture of violence. Rather, it looks at each war as a specific event, analyzing each on a case by case basis. This is a reactive theory that cannot deal with the underlying problems inherent in the surrounding system that are the causes of conflict.

This paper has shown that just peace is an active theory that promotes practices leading to the reduction of violence in all arenas and at all levels, from fights in the schoolyard to ethnic conflicts and beyond. It affirms the interrelationship between violence and the militarism prevalent in current society and provides principles that can be used by people who are in traditional roles of authority as well as those in non-traditional grassroots, community or organizational levels and in all situations where violence exists. Just war theory can certainly continue to play a role but should be one tool within the larger framework of just peace theory.

References

Adenay, Bernard T. *Just War, Political Realism, and Faith*. Metuchen, N.J. & London: The American Theological Library Association, 1988.

Allen, Beverly.. *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia.* Minneapolis and London: University of Minnesota Press, 1996.

Aquinas, Thomas. *Summa Theologica* First Part of the Second Part, Q. 90, trans. Fathers of the English Dominican Province, (Benziger Bros. Edition, 1947). 15 June 2002. < http://www.ccel.org/a/aquinas/summa/FS/FS090.html#FSQ90OUTP1 >

Arendt, Hannah. *The Human Condition*. Chicago & London: University of Chicago, 1958.

Arendt, Hannah. *On Violence.* San Diego, New York & London: Harcourt Brace Jovanovich, 1969.

Aristotle. *The Politics and The Constitution of Athens*. trans. Jonathan Barnes, ed. Stephen Everson Cambridge: Cambridge University Press, 1996.

Berkham, Joyce.. "Feminism, War and Peace Politics: The Case of World War I." Eds. Elshtain, J.B. and S. Tobias.. *Women, Militarism & War: Essays in History, Politics, and Social Theory*. Maryland: Rowman and Littlefield Publishers, Inc., 1990.

Cicero, Marcus Tullius. De Officiis, trans. Walter Miller. Loeb Edition. Cambridge: Harvard University Press, 1913, Book I.34. The Stoic Legacy to the Renaissance. 5 January 2002. < http://www.stoics.com/ >

Chernus, Ira. 2002. General Eisenhower: Ideology and Discourse. East Lansing: Michigan State University Press.

Cohn, Carol & Sara Ruddick. "A Feminist Ethical Perspective on Weapons of Mass Destruction." to be published in *Ethics and Weapons of Mass Destruction*, Eds. Steven Lee and Sohail Hashmi, under review at Cambridge University Press. 14 February 2004. < http://www.ksg.harvard.edu/wappp/research/working/cohn_ruddick.pdf >

Cooper, Sandi E. "Peace as a Human Right: The Invasion of Women into the World of High International Politics." *Journal of Women's History* 14.2 (2002): 9-25.

Cuomo, Chris. "War is Not Just An Event: Reflections on the Significance of Everyday Violence." *Hypatia* 11.4 (1996): <http://gw.softlineweb.com.proxy.usf.edu/record.asp?msel_from=0&msel_to=9&preview=&move=&returnPage=list.asp&articleID=114302&recNum=1

Dawson, Doyne. *The Origins of Western Warfare*. Boulder, Colorado: Westview Press, 1996.

Eichenberg, R.C. "Gender Differences in Public Attitudes toward the Use of Force by the United States, 1990-2003". *International Security* 28.1 (2003):110-41.

Ehrenreich, Barbara. 2003. "The Roots of War." The Progressive 67(4): 14.

Elshtain, Jean Bethke. *Women and War*. Chicago and London: The University of Chicago Press, 1987.

Elshtain, Jean Bethke. *Just War Theory*. Washington Square, New York: New York University Press. 1992.

Elshtain, Jean Bethke. "Just War and Humanitarian Intervention*." Ideas*, 8.2 (2002): 4.

Elshtain, Jean Bethke. "Luther's Lamb: When and How to Fight a Just War." *Common Knowledge*, 8.2 (2002): 304-309.

Goldstein, Joshua. 2001. *How Gender Shapes the War System and Vice Versa*. Cambridge: Cambridge University Press.   War and Gender. Ed. Joshua Goldstein. 16 March 2003 <http://www.warandgender.com/ >

Hutchings, Kimberly. "Ethics, Feminism, and International Affairs." Eds. Coicaud, Jean-Marc and Daniel Warner. *Ethics and International Affairs.* New York: United Nations University Press, 2001.

Kuhse, Helga. *Caring: Nurses, Women and Ethics.* Maldon, MA: Blackwell, 1997.

LaCroix, W.L. *War and International Ethics: Tradition and Today*. Lanham, New York & London: University Press of America, 1988.

Luard, Evan. *Basic Texts in International Relations*. New York: St. Martin's Press, 1992 .

Meilaender, Gilbert. 2000. Michael Walzer: Just and Unjust Wars (1977). *First Things*, 101 (2000):52-53. 9 March 2003. < http://www.firstthings.com/ftissues/ft0003/articles/ walzer.html>

Mosely, Alex. "Just War Theory", *The Internet Encyclopedia of Philosophy*, 2001 15 June 2002. < http://www.utm.edu/ research/iep/j/justwar.htm >

Nomura, Gail M. "Peace Empowers." *Frontiers: A Journal of Women Studies* 22.3 (2001): 75-92

Nuremberg Trial Proceedings Vol 1. Avalon Project. Yale Law School. 9 March 2003. < http://www.yale.edu/lawweb /avalon/imt/proc/discrep.htm >

Orend, Brian. *War and International Justice: A Kantian Perspective*. Waterloo & Ontario, Canada: Wilfrid Laurier University Press, 2000.

Peach, Lucinda. "An Alternative to Pacifism? Feminism and Just-War Theory," 1994. Bringing Peace Home.: Feminism, Violence and Nature. Eds. K.J. Warren and D.L. Cady. Bloomington and Indianapolis: Indiana University Press, 1996.

Peters, Cynthia. "Women's Patriotic Role," *ZNET*. (2001). 23 March 2003. < https://www.zmag.org >

Rabrenovic, Gordana and Laura Roskos. "Introduction: Civil Society, Feminism, and the Gendered Politics of War and Peace." *National Women's Studies Association Journal* 13.2 (2001):40-54.

Rengger, Nicholas. "On The Just War Tradition In The Twenty-First Century." *International Affairs* 78.2 (2002): 353-363.

Roosevelt, Grace. "A Brief History of the Quest for Peace: Pacifism and Just War Theory in Europe from the 16th to the 20th Centuries." Global Policy Forum. 23 June 2003. <http://www.globalpolicy.org/resource/unhist/jinx1.htm >

Roper, Lynne. 2001. "Feminism is NOT Pacifism: A Personal View of the Politics of War." Feminist Media Studies, 2(1): 150-51.

Stiehm, Judith. "Recent Efforts by Feminists to Advance Peace: Some Reports." *Signs* 28.4 (2003): 1231-2.

Sylvester, Christine. "Feminist Theory and Gender Studies in International Relations", *International Studies Notes, 16/17, (*Fall 1991/Winter 1992*) 3/1:32-38 Feminist Theory and Gender Studies. International Studies Association. 23 June 2002. <http://csf.colorado.edu/isa/ftgs/index.html >

Tong, Rosemarie, "Feminist Ethics", *The Stanford Encyclopedia of Philosophy (Fall 2002 Edition)*, Edward N. Zalta (ed.), 23 March 2003. <http://plato.stanford.edu/archives/ fall2002/entries/feminism-ethics/>

True, Jacqui. "Feminism." *Theories of International Relations,* Eds. S. Burchill and A. Linklater, New York: St. Martin's Press, 1995, 1996.

Walker, R.B.J. "Gender and Critique in the Theory of International Relations" Ed. V. Spike Peterson *Gendered States: Feminist (Re)Visions of International Relations Theory* Boulder: Lyn ne Rienner, 1992. 179-202.

Ury, William L. *The Third Side: Why We Fight and How We Can Stop*. New York: Penguin Books, 2000.

Ury, William. *Must We Fight? From the Battlefield to the Schoolyard-A New Perspective on Violent Conflict & Its Prevention*. New York: John Wiley & Sons, 2001.
Ury, William. "A Global Immune System." *Andover Bulletin Online* Winter 2002: 95.2 Andover University. 22 February 2004 < http://www.liu.edu/cwis/cwp/library/workshop/citmla.htm >
Walzer, Michael. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, Second edition, New York: Basic Books, 1992.1 Walzer.,61–2.
Women Waging Peace. *About Us.* 22 February 2004. < http://www.womenwagingpeace.net/ content/aboutus.asp >
Zinn, Howard. 2002. "The Others." *The Nation* 19 March 2003. <http://www.thenation.com/doc.mhtml?i=20020211&s=zinn >

Appendix A: Just Peacemaking: Ten Practices for Abolishing War

(Pilgrim Press: August, 1998)

Summary of the theory for the panel on Just Peacemaking Theory
at the annual meeting of the American Academy of Religion
Orlando, Florida, November, 1998

Part One: PEACEMAKING INITIATIVES

1. Support nonviolent direct action.

 Nonviolent Direct Action is spreading widely, ending dictatorship in the Philippines, ending rule by the Shah in Iran, bringing about nonviolent revolutions in Poland, East Germany, and Central Europe, transforming injustice into democratic change in human rights movements in Guatemala, Argentina, and elsewhere in Latin America, in South Africa.... Governments and people have the obligation to make room for and to support nonviolent direct action.

2. Take independent initiatives to reduce threat.

 Independent initiatives: 1) are independent of the slow process of negotiation; 2) decrease threat perception and distrust but do not leave the initiator weak; 3) are verifiable actions; 4) and carried out at the announced time regardless of the other side's bluster; 5) have their purpose clearly announced--to shift toward de-escalation and to invite reciprocation; 6) come in a series; initiatives should continue in order to keep inviting reciprocation. This new practice has been crucial in several recent breakthroughs.

3. Use cooperative conflict resolution.

1) Active partnership in developing solutions, not merely passive cooperation. 2) Adversaries listen to each other and experience each others' perspectives, including culture, spirituality, story, history and emotion. 3) Seek longterm solutions which help prevent future conflict. 4) Seek justice as a core component for sustainable peace.

 4. Acknowledge responsibility for conflict and injustice and seek repentance and forgiveness.

Abstract A (continued)

Until recently, it was widely agreed that nations would not express regret, acknowledge responsibility, or give forgiveness. But Germany since World War II, Japan and Korea, Clinton in Africa, the U.S. finally toward Japanese-Americans during World War II, the South African Truth and Reconciliation Commission, and other actions described by Shriver, *An Ethic for Enemies* and Wink, *When Powers Fall*, show a crucial new practice is emerging that can heal longstanding bitternesses.

Part Two: JUSTICE

5. Advance democracy, human rights, and religious liberty.

Extensive empirical evidence shows that the spreading of democracy and respect for human rights, including religious liberty, is widening the zones of peace. Democracies fought *no wars* against one another during the entire twentieth century. They had fewer civil wars. And they generally devoted lower shares of their national products to military expenditures, which decreases threats to other countries.

Ties of economic interdependence by trade and investment also decrease the incidence of war. Engagement in international organizations like the UN and regional institutions is a clear predictive factor that they will be much less likely to engage in war.

6. Foster just and sustainable economic development.

Sustainable development occurs where the needs of today are met without threatening the needs of tomorrow--where those who lack adequate material and economic resources gain access, and those who have learn to control resource use and prevent future exhaustion.

A key to economic development in East Asian countries, especially Korea and Taiwan, has been land reform that made wealth more equitable and thus created a sizable local market for developing firms. By contrast, Latin America lacks real land reform and equality, and therefore local consumers cannot afford to buy products produced by local industries.

Part Three: LOVE AND COMMUNITY

7. Work with emerging cooperative forces in the international system.

Four trends have so altered the conditions and practices of international

relations as to make it possible now, where it was not possible before, to form and sustain voluntary associations for peace and other valuable common purposes that are in fact working: the decline in the utility of war; the priority of trade and the economy over war; the strength of international exchanges, communications, transactions, and networks; and the gradual ascendancy of liberal representative democracy and a mixture of welfare-state and laissez-faire market economy. We should act so as to strengthen these trends and the international associations that they make possible.

8. Strengthen the United Nations and international efforts for cooperation and human rights.

Acting alone, states cannot solve problems of trade, debt, interest rates; of pollution, ozone depletion, acid rain, depletion of fish stocks, global warming; of migrations and refugees seeking asylum; of military security when weapons rapidly penetrate borders.

Therefore, collective action is increasingly necessary. U.S. citizens should press their government to pay its UN dues and to act in ways that strengthen the effectiveness of the United Nations, of regional organizations, and of multilateral peacemaking, peacekeeping, and peace building. They resolve conflicts, monitor, nurture, and even enforce truces. They meet human needs for food, hygiene, medicine, education, and economic interaction. Most wars now happen within states, not between states; therefore, collective action needs to include UN-approved humanitarian intervention in cases like the former Yugoslavia, Haiti, Somalia, and Rwanda "when a state's condition or behavior results in... grave and massive violations of human rights."

9. Reduce offensive weapons and weapons trade.

A key factor in the decrease of war between nations is that weapons have become so destructive that war is not worth the price. Reducing offensive weapons and shifting toward defensive force structures strengthens that equation. Banning chemical and biological weapons, and reducing strategic (long-range) nuclear warheads from 3,500 to 1,000 each, are key steps.

Arms imports by developing nations in 1995 dropped to one-quarter of their peak in 1988. But the power of money invested by arms manufacturers in politicians' campaigns is a major obstacle to reductions.

10. Encourage grassroots peacemaking groups and voluntary associations.

Abstract A (continued)

 The existence of a growing worldwide people's movement constitutes one more historical force that makes just peacemaking theory possible. They learn peacemaking practices and press governments to employ these practices; governments should protect such associations in law, and give them accurate information.

Each practice is recent in its widespread use, and is causing significant change. Together they exert strong influence, decreasing wars. Each is empirically happening and being effective in abolishing some wars. Each faces significant obstacles and blocking forces that are named in the chapters. We contend that just peacemaking practices are ethically obligatory for persons, groups, and governments to strengthen them and help overcome the blocking forces.