

# Divisions within the Ranks? The Just War Tradition and the Use and Abuse of History

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Plato wrote in the *Republic* that quarrels between fellow countrymen are wont to be more virulent and nasty than those between external enemies.<sup>1</sup> Sigmund Freud (and latterly Michael Ignatieff and Toni Erskine) have similarly cautioned of the malice and excess that can attend conflicts that are fuelled not by antithetical oppositions, but by the “narcissism of minor difference.”<sup>2</sup> Bearing these warnings in mind, scholars of the ethics of war would be well advised to consider the implications of James Turner Johnson’s acute observation in his contribution to this special section of *Ethics & International Affairs* that their field of study is currently beset not so much by external opposition as by divisions within the ranks. The principal antagonism within the field, at least as I understand it, is the rift that has emerged between what I shall call historical and analytical approaches to the subject. Laying my cards on the table, the work that I have done in the past connects more clearly with the former than the latter. However, it has struck me, as it must have struck others, that the historical approach has in recent years come to assume a rather scuffed and unfashionable, even *outré*, appearance. It has been the subject of numerous curt dismissals, but has also, more interestingly, been tarnished by a few powerful critiques. This article will elucidate four of the most hard-hitting charges levied at the historical approach, and evaluate its continuing utility in light of them. The question then is:

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\*In case it is necessary to mention it, the title’s allusion to the writings of Nietzsche is purely incidental. The author wishes to thank Jenny Bagelman, Chris Brown, Daniel Brunstetter, Dan Bulley, Toni Erskine, James Turner Johnson, John Kelsay, Anthony Lang, and Jack Amoureux and Brent Steele for their generous and insightful comments on drafts of this paper. The comments of three anonymous reviewers proved hugely helpful in redrafting the paper for publication, and the editors’ guidance was invaluable.

Have the critics of this approach landed it a knock-out blow, or can the historical approach withstand the bricks and bats that have been hurled its way?

Readers of *Ethics & International Affairs* will require little explanation for why this question is important. The ethics of war is enjoying a rich moment in the sun, with a wealth of interesting work currently being undertaken within its rubric. Yet this field—I will call it *our* field—is arguably more divided than ever, with scholars of the historical and analytical approaches hardly engaging with one another. The result is that we seem to be faced with a fork in the way, where one path leads skywards toward abstract forms of theorizing, and the other doubles back over the pockmarked terrain of history. It is a propitious time, then, to ask whether that latter path is still viable. But of course this inquiry does not just relate narrowly to academic turf wars; it challenges us to reflect on a deeper level about the very fundamentals of what it actually means to think ethically about war. At stake, then, is the simple but perplexing question of how we should engage our subject.

In an effort to match the scope of this inquiry, this article will proceed via three principal steps. The first section will offer a primer on the historical approach and canvass some of the general opposition toward it. The second section will elaborate what appears to this participant-observer as the four most challenging critiques directed at the historical approach. Turning to the flip side of the argument, the third section will consider the possible ripostes and counters to these critiques, and offer a judgment on the preceding exchange. It will contend that while the historical approach has much to commend it, it is hampered by serious defects. Finally, I conclude by suggesting that these problems may, rather ironically, be resolved not by turning away from history but by embracing it all the more wholeheartedly. Viewed as a whole, then, this article is probably best understood not (following Michael Walzer) as “a moral argument with historical illustrations” but as a methodological argument *for* historical illustrations.<sup>3</sup>

## THE USE OF HISTORY: THE HISTORICAL APPROACH TO JUST WAR TRADITION

One of the hallmarks of modernity, Stephen Toulmin tells us, is its rather frosty relationship to history, understood as the study of the past. Ever since René Descartes compared historical inquiry to foreign travel, quipping that both broaden the mind but neither deepens it, a queue of notables has formed to

rubbish the idea that the study of the past may be a worthwhile endeavor in the present.<sup>4</sup> “History is more or less bunk,” Henry Ford told the *Chicago Tribune* in 1916. “We don’t want tradition. We want to live in the present, and the only history that is worth a tinker’s dam is the history we make today.” More recently, Tony Blair articulated similar sentiments during his prime ministerial tenure. “There has never been a time,” he proposed in 2003, “when, except in the most general sense, a study of history provides so little instruction for our present day.”<sup>5</sup> Such skepticism is particularly acute when it comes to war. As armies the world over habitually prepare for the previous rather than the next battle, historical inquiry is easily derided, not just as a useless indulgence but also as a dangerous distraction.

This historical skepticism penetrates sufficiently deep that it troubles mainstream accounts of the ethics of war. Its influence is apparent in Walzer’s *Just and Unjust Wars*, wherein he declares that his interest lies “not with the making of the moral world but with its present character.”<sup>6</sup> This formulation—latterly taken up by scholars associated with the analytical or Anglo-American approach to the ethics of war—conveys both a reluctance to delve into the historical development of the just war tradition and a preference for a more analytical treatment of the principles that it bestows upon us today. Jeff McMahan, for example, is explicit on this point. He is skeptical of the historical tradition, variously deriding it as a form of received wisdom or unquestioned orthodoxy, and dismissing its tenets as “obviously absurd.”<sup>7</sup> Uwe Steinhoff adopts a similar position.<sup>8</sup> And while Helen Frowe is less combative, she too gives short shrift to the historical tradition. As she explains in the introduction to *The Ethics of War and Peace*, her interest lies not in the past but in philosophy and ethics.<sup>9</sup> Other scholars have not been quite so forthright about their aversion to the historical tradition, but it is nonetheless conspicuous by its absence in their writing. In its place, these scholars practice a form of philosophical theorizing that values logical coherence and rigor at the expense of practical application, emphasizes individual morality ahead of the requirements of good government, and prescribes the use of right reason to both extrapolate ethical rules from first principles and apply them to real-world cases.

However, these theorists do not reject the value of history, per se. Many of them draw extensively upon case studies (“illustrations,” in Walzer’s idiom) of historical battles and wars to support their analyses. Rather, what these theorists object to is what they perceive as excessive deference to the authority of tradition, where tradition is understood as a very particular historical canon of thought on the ethics

of war—classic just war doctrine. Their objection, then, is in some senses a very Protestant one: they display antipathy to received practice and belief, and repudiate the idea that ethical analysis of war must, if it is to be valid, be developed exclusively via the historical tradition.

Although the analytical approach to the ethics of war is appealing in its own right, aspects of its rejection of historical tradition raise certain doubts. Foremost among these is the question of whether one really can, as Walzer proposes, divorce *just war past* from *just war present*, and study “practical morality” as if it were “detached from its foundations.”<sup>10</sup> Unconvinced, a significant but often overlooked group of just war theorists have contested this historical skepticism. Rejecting the analytical approach, they assert the fundamentally historical character of ethical inquiry into war. According to this perspective, the best way to acquire a deep understanding of the ethical categories invoked in relation to war is to study their formation and usage over time. By revealing the historical range and content of these categories, this form of inquiry both attunes us to their particularities and equips us to adapt them to contemporary circumstances.

#### *Four Themes of the Historical Approach*

The finer points of this approach are probably best introduced in relation to the major thematic commitments that underpin it. These commitments have been best articulated by James Turner Johnson and John Kelsay, but others, such as Gregory Reichberg, Alia Brahimi, Joseph Boyle, Nicholas Rengger, Alex Bellamy, and Mark Totten, have also made rich contributions to this literature. The first theme is the idea that the history of the just war tradition is worth studying because it gathers together the learning of previous generations and provides guidance for moral decision-making today. According to this perspective, the evolution of the tradition over time reveals a robust but adaptive framework that can be profitably extended to contemporary issues. In Johnson’s words, it represents “a fund of practical moral wisdom, based not in abstract speculation or theorization, but in reflection on actual problems encountered in war as these have presented themselves in different historical circumstances.”<sup>11</sup> By this reasoning, only a fool would neglect such a body of learning—a corpus that both Johnson and Kelsay describe as a storehouse of communal wisdom—when confronted by ethical dilemmas pertaining to modern war.<sup>12</sup> This, then, is a Burkean view that supposes that attention to historical experience, embodied in tradition, offers the best tutor for the practice of both warfare and moral reflection.

The second theme builds on the first by stressing the contextual quality of all moral rules, including those relating to war. Kelsay puts it succinctly when he states that the rules governing the use of force are the products of particular communities at particular moments in time. If we are to grasp the full meaning of these rules, he counsels, the trick is not to abstract away from them to generalizable norms, but to situate them within the evolving body of thought and practice that gave rise to them. For it is only through acquainting ourselves with the concrete forms these rules assumed in different historical milieus that we can acquire a full sense of their trajectory, dimension, and reference. This, in turn, equips us all the better to extend or adapt them to contemporary circumstances. A narrow and a broad point both follow from this. The narrow point is that this approach assumes that moral reflection on warfare ought to take the form of a continuing dialogue with past generations and their understandings of what comprises the right and the good in relation to warfare. The broad point is that by familiarizing ourselves with the historical origins and usage of the concepts and terms that comprise the dominant moral discourse pertaining to war, we gain a deeper appreciation not just of how that discourse has been produced but also of how it informs contemporary understandings of the ethics of warfare.

The full implications of this second theme are probably best illustrated by reference to the famous aphorism, attributed to the Greek historian Dionysius of Halycarnassus, that “History is philosophy teaching by examples.” This gnomic expression captures in a very concise way a set of interpretative principles that emphasize the close relation between context and moral reasoning. Whereas there is a tendency in the modern world to extrapolate abstract universal principles from human experience, Dionysius counsels that we should strive instead to treat historic episodes and phenomena as singularities that refuse assimilation into generalized patterns or laws of behavior. This presupposes that if we wish to truly understand a moral argument, we must first grapple with the exigencies of the context from which it sprung, and then situate the argument within that frame. This is, in other words, a horizon-expanding exercise that sensitizes us to both the real diversity of imaginaries that prevailed at different historical junctures and the manner by which they conditioned moral argumentation and discourse. Extending this logic a little further, it also encourages us to reflect upon the contextual character of our own moral discourse, and to develop a clearer conception of the assumptions, conceits, and methods that have heretofore delimited our efforts at understanding.

The third theme of the historical approach emphasizes the possibility that the history of the just war tradition can be deployed to discipline contemporary usage of just war ideas. This program is pressed home by Brahimī in *Jihad and Just War in the War on Terror*. In this book, Brahimī's declared aim is to engage critically with the ideas and arguments offered by the various protagonists in the "war on terror" by examining them against their earlier usage in the traditions that they invoke.<sup>13</sup> Her sharp critique of the Bush administration's doctrine of preemption furnishes a telling example of just how effective this approach can be.<sup>14</sup> Kelsay and Johnson also endorse it. Kelsay contends that a good grasp of the history of the just war tradition can expose the poverty of much of the current discourse by revealing those instances where it "elides or obfuscates options developed by our forebears."<sup>15</sup> Johnson is more assertive, claiming that contemporary forms of just war reasoning "should be tested by reference to the broader, inclusive conception of just war found in the historical consensus out of which, in various ways, the variety of contemporary just war discourses have come."<sup>16</sup> In each case the assumption is that the historical tradition supplies both the site and the material for an internal critique of current forms of just war reasoning.

This leads to the fourth and final theme, which is that the conversation with past generations advocated by Johnson, Kelsay, and Brahimī ought to fulfill a critical function by highlighting the parochialism of our own reflections on war and introducing us to other, possibly forgotten, ways of thinking about the issues raised by military conflict. Johnson expresses this point quite clearly in his early work when he states that a deep historical perspective on the ethics of war will have a relativizing effect, exposing the tendentious, time- and culture-bound character of contemporary just war thought.<sup>17</sup> But it is Kelsay who puts it most artfully, quoting a passage from C. S. Lewis to bolster his own claim that historical study acquaints us with ways of thinking that are "different from our own":

Most of all, perhaps, we need intimate knowledge of the past. Not that the past has any magic about it, but because we cannot study the future, and yet need something to set against the present, to remind us that the basic assumptions have been quite different in different periods and that much which seems certain to the uneducated is merely temporary fashion. A man who has lived in many places is not likely to be deceived by the errors of his native village: the scholar has lived in many times and is therefore in some degree immune from the great cataract of nonsense that pours from the press and microphone of his own age.<sup>18</sup>

Thus framed, historical study serves to remind us that no matter how natural present arrangements may appear, they are the product of particular historical circumstances, and are therefore subject to revision. As such, a historical approach is essential to any effort to think critically about the ethics of war.

Viewed in concert, the four themes we have just examined impress upon us that the study of history has the power to illuminate the contingencies of our intellectual heritage, thereby providing us with a keener sense of the limitations, and ultimately the mutability, of the institutions it gave rise to and that endure to the present day. We have, then, a clear expression of the hopes and principles that appear to underlie the writings of those who practice a historical approach to the ethics of war: namely, that the study of the past can provide us with a commanding vantage on the present, enabling us to look beyond the limited confines of local beliefs and current arrangements.

## THE ABUSE OF HISTORY: THE CASE AGAINST THE HISTORICAL APPROACH

The historical approach is vulnerable to four primary lines of critique. The first is the notion that a reliance on history is indicative of a conservative approach, one that is unduly impressed by established authorities and familiar ideas. The second is the related concern that deference to the historical record will perpetuate or at least encourage, rather than treat or transcend, humanity's propensity to regard military force as a solution to political problems. The third is the refrain that the study of the remote past is an ivory tower pursuit that has little connection to the real world. The fourth critique relates not to the integrity of the approach per se, but to certain tendencies evident in the manner by which its proponents have applied it. The sharpness of these critiques is an indicator of the strength of the challenge posed by historical skepticism.

*“A Nightmare from Which We Cannot Awake”<sup>19</sup>*

To talk about the ethics of war in the terms of a particular historical tradition such as that of just war is, of course, to fall back upon the wisdom of a preselected canon of great texts, extending from Augustine to Grotius and beyond. This is a conservative predilection. To talk about the ethics of war in these terms, as if it were an inheritance drawn directly from the great and the good of previous generations, may be perceived as a form of subservience to the experience of the past.

For instance, why hark all the way back to Thomas Aquinas, or some other such long-dead figure, we might ask, when looking for an answer to a contemporary problem, such as how to think about the ethics of drone warfare? Critics would suggest that the venerability of these figures in the literature is not derived from their relevance or prescience, but instead reflects the naive belief that their ideas must be worthy of attention simply because they have endured the test of time.

This is not to gainsay the *attraction* of the historical approach. There are many reasons why one might find it an appealing way to think about the ethics of war. In this light, Hayden White describes history as a “refuge” for those who wish to find “the familiar in the strange,” while John Tosh labels it a superior form of nostalgia for those who are so inclined.<sup>20</sup> There is certainly evidence of a wistful yearning for a putative golden age in some of the wider contemporary literature on warfare: the work of John Keegan and Victor Davis Hanson springs to mind here, as does William James’ essay, “The Moral Equivalent of War.”<sup>21</sup> It is also arguably apparent in Jean Bethke Elshtain’s celebrations of Saint Augustine and Johnson’s repeated invocations of the “classic just war doctrine” of the late Middle Ages.<sup>22</sup>

However, while some may find in the past a welcome respite from the rapidly changing world in which we now live, attention to historical traditions imposes certain constraints and limitations. Sheldon Wolin observes that it can have a dulling effect on political thought, reducing it to an exercise in repetition and recycling.<sup>23</sup> Charles Taylor similarly warns that although attention to the past may yield a sense of comfort, it can also lock us into old habits.<sup>24</sup> Their point is the Joycean one that history too often functions as a substitute for imagination, discounting creativity and committing us to established or time-honored ways of thinking about things. By telling the story of the present in terms of the past from which it is derived, the current order is validated rather than challenged, and we become trapped in a circular, enclosing logic whereby past and present are mutually constitutive. This is not progress, or learning, only reproduction.

This critique is supported by the tendency of many contemporary just war theorists to respond to the moral dilemmas raised by modern war with exegetical accounts of what classical just war thinkers had to say on supposedly analogous topics. So, for instance, instead of treating the case for anticipatory war against Iraq directly, a number of just war theorists have over the past decade indulged in vigorous debates about the finer points of the right to preemption as intimated



by such figures as Aquinas and Grotius. At issue here is the disciplining effect of the historical approach to the ethics of war, whereby all questions are routed through traditional channels, with the result that new ideas are circumvented while familiar patterns of thought are sustained and perpetuated.

*“As Instructive as an Abattoir”*<sup>25</sup>

The second critique is that proponents of the historical approach are misguided insofar as they search for answers in all the wrong places. They trawl through the writings of our forebears in the hope, expectation even, that they will find within these pages ready-made solutions to present-day ethical dilemmas. The operative idea appears to be that, rather than taking our problems on their own terms and thinking through them for ourselves, we should adopt a more deferential approach, and yield to the instruction of our illustrious predecessors. The problem here, of course, is that these illustrious predecessors are the same tragic figures that Immanuel Kant denigrated as “sorry comforters” who enabled rather than restrained the brutality of war.<sup>26</sup> If, then, we are in the routine of looking to the teachings of these particular notables for inspiration, we will necessarily remain in thrall to what Daniel Pick has called the “war machine.”<sup>27</sup>

It is possible to imagine that the Nobel Laureate Seamus Heaney had something of this nature in mind when he opined that it is “difficult at times to repress the thought that history is about as instructive as an abattoir.” After all, what is history, if not a catalog of one bloody battle after another? And isn’t it the case, as the critics would suggest, that the study of these battles more naturally offers lessons regarding how to win wars rather than avoid them? Meanwhile, any attempt to render the learning of our forefathers applicable to the modern world must tackle two distinct but related problems. First, such an enterprise is liable to distract the contemporary scholar away from the important matters of the day by forcing him or her to contend with the complexities of a bygone era. As Mark Evans cautions, scholars who gravitate toward the historical approach are wont to lose sight of the forest for the trees as they seek to account for past events that are “typically messy, conflicting, and confusing.”<sup>28</sup> Second, the source-material that they seek to draw upon is likely to be freighted with outmoded prejudices and values. Augustine, for example, sanctioned the use of force for religious reasons against the Donatists, Francisco de Vitoria maintained the distinction between barbarians and civilized peoples in respect to the rules of war, while Grotius was happy to slant the laws of

war to favor the causes he preferred. In all three cases, the rich fund of learning that Johnson and others would direct us to for guidance does not offer any escape from the endless cycle of warfare and violence; it, too, is in the trenches, so to speak. Accordingly, if we accept the folk advice that it is foolish to keep doing the same thing and expect different results, it must also be wrongheaded to assume that devoting oneself to Augustine and company will offer anything besides a sense of the inescapability of violent conflict.

One might even go so far as to say, as Ken Booth and Andrew Fiala do, that the authority—that is, the prestige that attaches itself to these historical figures—lends the enterprise of war an unwarranted sheen of respectability or even legitimacy. As Fiala cautions, the just war tradition all too frequently functions not to reduce and limit violence but to furnish a simple, ready-made argument in favor of war.<sup>29</sup> Viewed in this light, it becomes easier to understand how (recalling McMahan's comment) the patently absurd tenets of the historical just war tradition have come to be vaunted as received wisdom. Part of the beauty of the analytical approach, then, is that by encouraging us to stand back and subject historical articulations of the just war idea to the rigors of logical testing, it offers a way to avoid precisely this form of seduction by the prestigious but ultimately ruinous example of our predecessors.

*“A School Whose Doors Are Shut”<sup>30</sup>*

If the first two critiques suggest that there is something entrapping about the historical approach, the third supposes that it is not likely to be of very much use to anyone other than those interested in the history of ideas. We are drawn, then, to Sir Geoffrey Elton's grumpy observation that intellectual history of this kind is, by its very nature, “removed from real life” and liable to “lose contact with reality.”<sup>31</sup> If one is engaged in frippery, Elton would remind us, one is not only guilty of indulging boutique academic fancies; there are also opportunity costs to be accounted for. For example, if one is busy researching the intricacies of Grotius's *Rights of War and Peace*, one is precluded from doing other, presumably more useful things, such as contributing to debates about how to respond to the tumult of the Arab Spring and North Korean saber-rattling. Constantin Fasolt puts it beautifully when he writes that history “teaches human beings in a school whose doors are shut. . . . Outside the world is surging. Inside, history demands attention.”<sup>32</sup> The advent of new technologies, the realities of globalization, and so on mean that the words of our forefathers often have very little application today. Why,

then, turn the clock back in this way, when such a move would constitute a turning away from issues that urgently demand our attention?

Adding weight to these concerns, the body of work produced by purveyors of the historical approach must appear dense and very far from the interests of the casual reader. All too frequently, so the argument goes, the reader's attention is snared by a title that advertises a concern with some matter of grave and urgent importance, only for the reader to discover that he or she has to wade through page after page of dusty exegesis that betrays little if any obvious connection to the stated topic. Evidence of this occurrence is easily found. Consider, for example, a recent round of exchanges between Jean Bethke Elshtain and her critics. Nicholas Rengger and others published a series of essays that were critical of Elshtain's 2003 book, *Just War Against Terror*, and her apparent faith that U.S. military firepower should be deployed as a force for good in the world. Elshtain responded with a stout defense of her position. What is of interest here, however, is the ground that was contested. Though ostensibly a debate about the merits of the so-called war on terror and the use of force to spread human rights, these exchanges ultimately came to resemble a narrow examination of the finer points of Book 19 of Augustine's *City of God*.<sup>33</sup> Though interesting in its own right, this debate can also be caricatured as an example of the historical approach's tendency toward scholastic navel-gazing. And it could no doubt be cited as evidence for the disconnected quality of much of the work conducted by scholars who practice a narrowly historical approach to the ethics of war.

*"The Abridgement of Tradition into Ideology"*<sup>34</sup>

The criticisms surveyed thus far alert us to a further set of problems that dog the way the historical approach has typically been applied to the ethics of war. There are two principal deficiencies at play here, and both are products of (bad) habit, rather than integral to the approach itself. The first is the manner by which the history of the ethics of war is frequently disclosed via, and reduced to, a singular developmental narrative (that is then presented as *the* narrative). This is the familiar story we noted earlier: the chronicle by which the origin of just war is dated back to Augustine; tracked through the Middle Ages of Gratian and Aquinas; brought forward to the formal structure it assumed in Hugo Grotius's early modern legal theory; leading finally, after a period of quiet, to its revival by rights theorists in the twentieth century. What is perhaps most striking about the various treatments of this narrative is their sameness. The difference from one to the

next is usually little more than a slight change of emphasis or enhanced level of detail. The second, related deficiency is that this narrative is more often than not presented as an essential point of entry for anyone wishing to think ethically about war. If one wishes to think historically about the ethics of war, in other words, this necessarily involves engaging with this well-trodden narrative, or, as it is put in the literature, stepping into this particular historical stream. Bringing these points together, then, one *must* engage with the narrative—and not any narrative, but *this* one.

The result of all this is a lapse into a form of conservatism that fosters a tightly constricted field that both repeats and reproduces itself at the expense of fresh thinking. The proof of this is ready to hand: historical accounts of the just war tradition have assumed an increasingly circumscribed complexion, circling again and again over the same congested terrain, producing a progressively introspective discourse. While this may represent rich fodder for exegetical debates, it also has the retrograde effect of channeling just war thought into ever tighter and more esoteric spirals, restricting it in terms of scope, accessibility, and critical bite.

The underlying error at work here is that scholars practicing a historical approach to the ethics of war have overlooked the constructed or mythopoeic character of the just war tradition, and then compounded this error by treating it as if it were an actual historical practice. In other words, they have reified what is merely an interpretative category that enables scholars to produce a rationalized history of the ethics of war, and treated it as a pre-constituted discursive framework that thinkers from the past self-consciously contributed to and which contemporary theorists must engage. These scholars, captured by their own myths, and forgetful of the act of abridgement that they have effected, have then gone on to seal off the tradition they have just created by arguing about where its boundaries properly lie and what historical thinkers fall within and beyond them. The result is the claustrophobic narrative just described. This is the point at which, to borrow J. G. A. Pocock's phrase, "the abridgment of tradition into ideology" occurs. Adding to the problem, this narrative, along with the ideology that it supports, bears a strong—some would say exclusive—relation to the history of Christian reflection on war. As such, questions have been raised about the cross-cultural appeal of the tradition. Some skeptics have suggested that the close association of the just war tradition with the development of Christian political theology limits its range of applicability beyond the Christian world.<sup>35</sup>

## A QUALIFIED DEFENSE AND A PROPOSAL FOR REFORM

Is the historical approach to the ethics of war completely without merit? Or does it have enough about it to rise above the charges leveled at it by its detractors? This section seeks a judgment on the matter. It contends that while many of the criticisms directed at the historical approach hit the mark regarding the particular form the approach takes vis-à-vis the ethics of war, they fail to trouble the key tenets of historical study in its general form. That is, these criticisms expose serious deficiencies not in the integrity of the historical approach itself but in the particular way that this approach has been applied to the ethics of war and the just war tradition. Going beyond this observation, this section concludes with a concrete proposal for how we might more fully realize the potential of the historical approach when studying the ethics of war. Ironically, this comprises a more wholehearted embrace of history rather than a retreat from it.

### *A Qualified Defense of the Historical Approach . . .*

The sneaking suspicion remains, however, that the criticisms of the historical approach to the ethics of war just canvassed are somewhat exaggerated or over-egged, as they speak only to the way that the historical approach has typically been applied (or, rather, misapplied) to the ethics of war, and more specifically to the just war tradition. But they do not negate the underlying principles, or indeed the potential, of the historical approach more generally. By making this case, I hope to pave the way for a reappraisal of the historical approach to the ethics of war and a proposal for how we might tweak it to evade some of the perils identified by its critics.

Readers will recall that the first critique supposed that the historical approach is constrained by conservatism, that is, an attraction to the familiar and a propensity to reproduce authority rather than challenge it. But practicing historians have denounced as a misconception the view that historians seek refuge in the past because it appears comfortable or safe. Herbert Butterfield claims that the aim of the historian is not a quest for sanctuary, but “the elucidation of the unlikeness between past and present.”<sup>36</sup> Historians, he elaborates, are interested in the past precisely because it is different from what we know today. Its charm lies in its strangeness. Similarly, Richard Evans inverts White’s line of attack to contend that the main purpose of the modern historian is not to seek familiarity in the strange, but to uncover the strange in the familiar. History, on this view,

necessarily involves the pursuit of complexity and the appreciation of difference. It is, Evans adds, a solvent rather than a creator of myths.<sup>37</sup> What then about the assertion that recourse to history serves only to buttress established authority, never challenging it? This overlooks the fact that, although history is often equated with continuity, it can also be invoked in the service of rupture and revolution. In these instances, it can supply a critical perspective on the present that enables us to call into question those aspects of the world that are variously justified to us as natural, necessary, inevitable, or incontrovertible. And it does all of this by serving us with a perspective from which we can view our own practices and assumptions as with fresh eyes—a perspective that encourages us to question parochial prejudices and expand our horizons. Without such a perspective, we would suffer from a reduced awareness of the possibilities inherent in the present, and understate future prospects for change and reform.

The argument that the historical approach is unduly in thrall to the past is equally overblown. Proponents of this critique allege that the historical approach entails the contrivance of an imaginary dialogue with the great and the good of previous generations, from whom we then extrapolate counsel on how to handle present-day dilemmas. But this is a very slanted description of the historical approach. The aim behind the historical approach is not to glean ready-made lessons from our forebears, nor to channel their theories so that they speak more directly to contemporary concerns. Rather, it is to use the diverse range of how these great thinkers conceived of and responded to the problems of their day as a backdrop against which to set (and understand) the issues we confront today. This, then, is a subtle horizon-expanding exercise rather than an act of deference to those who have gone before us. As such, it is a crucial step toward identifying what is novel and unique about the issues we face today. And also a crucial step, one might add, toward both escaping the shadows cast by our forefathers and the ideas they bequeathed to us, and learning how to think through these issues for ourselves.

What of the third argument that the historical approach signifies a love of the past for its own sake, an antiquarian indulgence that has no practical or political merit? This position supposes that the study of the past, which is by definition remote, does not have any lessons to teach us, and cannot have any practical bearing on today's world. Yet, as Tosh points out, the value of the past "lies precisely in what is different from our world." By giving us another vantage point, he writes, history "enables us to look at our own circumstances with sharper vision, alert to

the possibility that they might have been different, and that they will probably turn out differently in the future.” So history functions not as a mirror held up to the present but as “a set of counter-images” that place the present in its proper perspective and remind us of its inherent contingency. Seen in this light, he continues, “history is not a dead weight to the present, but an intimation of possibilities.”<sup>38</sup> As such, while history may not have too many neatly packaged lessons to deliver, it can impart something far more valuable, namely, the critical sensibility that is the key to properly understanding *and addressing* the structures and choices that confront us today.

The fourth and final critique is, however, more troubling. It supposes that the proclivity of those practicing the historical approach to the ethics of war has been to reduce the just war tradition to a single narrative, and to represent this narrative as the necessary point of entry for *all* scholars seeking to engage the subject. This critique is not so easy to bat away as the more general critiques that preceded it. Properly speaking, it pertains not to the integrity or potential of the historical approach per se, but to the manner of its application vis-à-vis the just war tradition. As such, it can be rectified or corrected for, and the remainder of this section proposes how this might be achieved.

... *and a Proposal for Its Reform*

The defects that have dogged the manner by which the historical approach to the ethics of war has been applied can be resolved, I propose, not by turning away from history but by embracing it all the more wholeheartedly. This means two things in practice. First, it requires a refusal to countenance excessive abridgement and stock narratives without due scrutiny. Second, it commits us to treat the just war tradition not as a self-contained, pre-packaged canon but as an open-textured practice, the margins of which are continually rewritten by its proponents. What I am talking about here, in other words, is a readiness to engage the historical just war tradition, and take it seriously, without calcifying it.

In order to achieve this end, scholars wishing to adopt the historical approach must be willing to call into question the commonplaces and rote assumptions that we encounter in the field. Primarily, we must be willing to step outside of the dominant narratives that govern the way we think about the just war tradition as a historical practice, and ask whether they discipline our inquiries in a useful way or curtail them unnecessarily. So, the call issued here for *more history* is decidedly not a plea for more work on the already well-trodden Augustine-



to-Grotius narrative path. Though interesting, it is likely to yield diminishing returns; whatever novelty it produces in the future will probably comprise little more than minutiae and footnotes. Rather, the invitation here is for scholars to use their historical imagination to *get beneath* and around the conventional accounts via which the historical development of the just war tradition is typically disclosed. In a sense, there is nothing especially daring about this. Historians have, to some degree, always argued the necessity of this kind of work. Butterfield, for instance, was very clear that “history would be forever unsatisfying if it did not cast a wider net for truth,” while Christopher Hill enjoined that history should be rewritten in every generation so that we might learn to ask new questions of the past and thereby better equip ourselves to confront the ever-changing present.<sup>39</sup> Nonetheless, this spirit has rarely been applied to the study of the just war tradition.

There are, however, myriad ways that this can be done. For illustrative purposes, a brief overview of how I aim to realize this potential in my own work might be useful. I propose to get beneath and even challenge the conventional accounts of the just war tradition by examining its precursors in the pre-Christian world of ancient Greece and Rome. Scholars of the tradition have long acknowledged its debts to antiquity. For example, Brian Orend, Bellamy, Brahim, Johnson, and others all allude to the role played by Aristotle and Cicero in priming the soil from which the tradition emerged. Nonetheless, there has as yet been no systematic treatment of Greco-Roman ideas of just war.<sup>40</sup> My current project is designed to fill that gap.

The aim behind this undertaking is not merely to “add ancients and stir,” so to speak. Equally, it is not to insist that there is a coherent ancient just war doctrine waiting to be discovered or retrospectively cobbled together. Nor is it to revive particular ways of doing things from the ancient world in the hope that they supply a previously overlooked balm to the moral dilemmas of modern warfare. Rather, the aim is to survey the diversity of Greco-Roman articulations of just war so as to deepen, but also to cast some critical light upon, our historical understanding of the just war tradition. By looking beyond Augustine and incorporating perspectives from the ancient world into the stories we tell about the just war tradition, we may call into question its assumed roots in early Christian political theology, and, by extension, the identity and character endowed to it via this foundational narrative. If this aim is met, we will find ourselves armed with a much richer counterpoint not just on the history of the tradition itself but also on the power of historical narratives to both inform and delimit our ethical analysis.



The challenge for those who wish to build upon the work of Johnson, Kelsay, and others is to chart a course that, on the one hand, realizes the potential of historical knowledge to guard against what Hugh Lloyd-Jones calls “that insularity in time which restricts the uneducated and those who write to please them,” while steering clear, on the other hand, of the perils of conservatism, recidivism, and self-indulgence that have been described by critics of the approach.<sup>41</sup> We can all agree that this is a difficult road, but I hope we can agree that it is a viable and potentially very rewarding one, too.

## CONCLUSION

Winston Churchill once observed that the Balkan states have produced more history than they could ever consume.<sup>42</sup> The implication here is that, taken in excess, history may be bad for you. Echoes of this assumption can be found in the contemporary literature on the ethics of war, wherein the just war tradition is often casually dismissed as a patrimony to be escaped rather than a store of learning to be engaged. To be fair to those who make this claim, advocates of the historical approach to the ethics of war have not always helped their own cause. They have sometimes provoked rather than assuaged the doubts of detractors by adhering tightly to an entrenched narrative that fosters an introspective conservatism and suffocates innovative thinking. Yet, when we peer deeper into the matter, we find grounds for believing that a fully realized application of the historical approach would seek to critique this narrative rather than reaffirm it. More history, then, would not be bad for us, but would instead offer an antidote to its own apparent failings vis-à-vis the ethics of war, and would validate the critical potential of the historical approach more generally. This article has argued that the present limitations evident in the historical approach to the ethics of war may be overcome by thinking outside, and therefore challenging, the dominant narrative by which the just war tradition is typically disclosed.

There is still more to be said, though. While this article has refused to concede that the historical approach to the ethics of war is a spent docket, the reader will note that it has not turned the tables on its critics and challenged the validity of the analytical approach. This is not because I wish to duck a fight. Rather, it is because I am yet to be convinced that these ostensibly rival approaches are necessarily incompatible. The premise that one can divorce just war past from just war present and engage them discretely, though often invoked, has, to my mind, yet to

be demonstrated satisfactorily. Meanwhile, the work of such scholars as Larry May, Michael Gross, and David Fisher suggests that the two can indeed be harnessed in yoke.<sup>43</sup> What I trust this article has also done, however subtly, is encourage the reader to think a little deeper about the simplistic divide that scholars have increasingly assumed between historical and analytical approaches to the ethics of war. In so doing, it has hopefully challenged scholars and other interested parties to reconsider, on a fundamental level, what it means to think ethically about war and how we should engage this task.

#### NOTES

- <sup>1</sup> Plato, *The Republic*, trans. by G. M. A. Grube (London: Pan, 1981), Book V, 470–71c, p. 150.
- <sup>2</sup> Sigmund Freud, *Pelican Freud Library, Volume 7: On Sexuality* (London: Pelican, 1977), p. 272; Michael Ignatieff, *The Warrior's Honour: Ethnic War and the Modern Conscience* (Toronto: Penguin, 1999), p. 48; and Toni Erskine, *Embedded Cosmopolitanism: Duties to Strangers and Enemies in a World of 'Dislocated Communities'* (Oxford: Oxford University Press, 2008), p. 215.
- <sup>3</sup> Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1992).
- <sup>4</sup> Stephen Toulmin, *Cosmopolis: The Hidden Agenda of Modernity* (Chicago: University of Chicago Press, 1990), p. 33.
- <sup>5</sup> Tony Blair, "Prime Minister Addresses US Congress, 17 July 2003" (speech, Washington, D.C., July 17, 2003); [news.bbc.co.uk/1/hi/uk\\_politics/3076253.stm](http://news.bbc.co.uk/1/hi/uk_politics/3076253.stm). The unwitting irony is that this statement is of course a deeply historical one.
- <sup>6</sup> Walzer, *Just and Unjust Wars*, p. xxviii.
- <sup>7</sup> Jeff McMahan, *Killing in War* (Oxford: Oxford University Press, 2009), p. vii.
- <sup>8</sup> Uwe Steinhoff, *On the Ethics of War and Terrorism* (Oxford: Oxford University Press, 2007).
- <sup>9</sup> Helen Frowe, *The Ethics of War and Peace: An Introduction* (London: Routledge, 2011), p. 2.
- <sup>10</sup> Walzer, *Just and Unjust Wars*, p. xxix.
- <sup>11</sup> James Turner Johnson, *Can Modern War Be Just?* (New Haven, Conn.: Yale University Press, 1984), p. 15.
- <sup>12</sup> John Kelsay, "James Turner Johnson, Just War Tradition, and Forms of Practical Reasoning," *Journal of Military Ethics* 8, no. 3 (September 2009), p. 183; and James Turner Johnson, "Historical Tradition and Moral Judgment: The Case of Just War Tradition," *Journal of Religion* 64, no. 3 (July 1984), p. 316.
- <sup>13</sup> Alia Brahimi, *Jihad and Just War in the War on Terror* (Oxford: Oxford University Press, 2010), pp. 2–3.
- <sup>14</sup> *Ibid.*, ch. 2.
- <sup>15</sup> John Kelsay, "Just War, Jihad, and the Study of Comparative Ethics," *Ethics & International Affairs* 24, no. 3 (September 2010), p. 230.
- <sup>16</sup> James Turner Johnson, *Ethics and the Use of Force: Just War in Historical Perspective* (Burlington, Vt.: Ashgate, 2011), p. 2.
- <sup>17</sup> James Turner Johnson, *Just War Tradition and the Restraint of War* (Princeton, N.J.: Princeton University Press, 1981), p. 10.
- <sup>18</sup> Kelsay, "Just War, Jihad, and the Study of Comparative Ethics," p. 231. The quote is from C. S. Lewis, *The Weight of Glory and Other Addresses* (New York: Macmillan, 1949), pp. 50–51.
- <sup>19</sup> James Joyce, *A Portrait of the Artist as a Young Man* (New York: Viking Press, 1964), p. 28.
- <sup>20</sup> White is cited in Richard J. Evans, *In Defence of History* (London: Granta Books, 1997), p. 148.
- <sup>21</sup> John Keegan, *A History of Warfare* (London: Pimlico, 1993); Victor Davis Hanson, *The Western Way of War: Infantry Battle in Classical Greece* (Berkeley, Calif.: University of California Press, 2009). James's essay, which was originally published in 1906, is available at [www.constitution.org/wj/meow.htm](http://www.constitution.org/wj/meow.htm).
- <sup>22</sup> Jean Bethke Elshtain, *Just War Against Terror: The Burden of American Power in a Violent World* (New York: Basic Books, 2004), pp. 50–58; Jean Bethke Elshtain, *Augustine and the Limits of Politics* (Notre Dame, Ind.: University of Notre Dame Press, 1998), pp. 1–18; and James Turner Johnson, *Ideology, Reason, and the Limitation of War: Religious and Secular Concepts* (Princeton, N.J.: Princeton University Press, 1975), p. 8.

- <sup>23</sup> Sheldon S. Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought* (Boston: Little Brown and Company, 1960), p. 22.
- <sup>24</sup> Charles Taylor, "Philosophy and its History," in Richard Rorty, Jerome B. Schneewind, and Quentin Skinner, eds., *Philosophy in History: Essays on the Historiography of Philosophy* (Cambridge: Cambridge University Press, 1984), p. 17.
- <sup>25</sup> Seamus Heaney, "Crediting Poetry" (Nobel Lecture, Oslo Hall, Oslo, Norway, December 7, 1995); [nobelprize.org/nobel\\_prizes/literature/laureates/1995/heaney-lecture.html](http://nobelprize.org/nobel_prizes/literature/laureates/1995/heaney-lecture.html).
- <sup>26</sup> Immanuel Kant, "Perpetual Peace: A Philosophical Sketch," in Hans Reiss, ed., *Kant: Political Writings*, 2nd ed. (Cambridge: Cambridge University Press, 1991), p. 103.
- <sup>27</sup> Daniel Pick, *The War Machine: The Rationalisation of Slaughter in the Modern Age* (New Haven, Conn.: Yale University Press, 1996).
- <sup>28</sup> Mark Evans, "'Just Peace': An Elusive Ideal," in Eric Patterson, ed., *Ethics Beyond War's End* (Washington, D.C.: Georgetown University Press, 2012), p. 203.
- <sup>29</sup> Andrew Fiala, *The Just War Myth: The Moral Illusions of War* (Lanham, Md.: Rowman & Littlefield, 2008), p. 27. Also see Ken Booth, "Ten Flaws of Just Wars," *International Journal of Human Rights* 4, no. 3 (2000), pp. 314–24.
- <sup>30</sup> Constantin Fasolt, *The Limits of History* (Chicago: University of Chicago Press, 2004), p. xiv.
- <sup>31</sup> G. R. Elton, *Return to Essentials: Some Reflections on the Present State of Historical Study* (Cambridge: Cambridge University Press, 1991), p. 60 and 27. Discussed in Quentin Skinner, *Visions of Politics, Volume I: Regarding Method* (Cambridge: Cambridge University Press, 2002), p. 14.
- <sup>32</sup> Fasolt, *Limits of History*, p. xiv.
- <sup>33</sup> Anthony Burke, "Against the New Internationalism," *Ethics & International Affairs* 19, no. 2 (Summer 2005), pp. 73–90; Nicholas J. Rengger, "Just a War Against Terror? Jean Elshtain's Burden and American Power," *International Affairs* 80, no. 1 (2004), pp. 107–116; Cian O'Driscoll, "Jean Bethke Elshtain's Just War Against Terror: A Tale of Two Cities?" *International Relations* 21, no. 4 (December 2007), pp. 485–92; and Jean Bethke Elshtain, "A Response," *International Relations* 21, no. 4 (December 2007), pp. 504–506.
- <sup>34</sup> J. G. A. Pocock, *Political Thought and History: Essays on Theory and Method* (Cambridge: Cambridge University Press, 2009), p. 193.
- <sup>35</sup> David Fisher and Brian Wicker, "Introduction: A Clash of Civilizations?" in David Fisher and Brian Wicker, eds., *Just War on Terror? A Christian and Muslim Response* (Farnham, U.K.: Ashgate, 2010), p. 5.
- <sup>36</sup> Herbert Butterfield, *The Whig Interpretation of History* (New York: W. W. Norton, 1965), p. 9.
- <sup>37</sup> Evans, *In Defence of History*, pp. 148–51.
- <sup>38</sup> John Tosh, *Why History Matters* (Basingstoke, UK: Palgrave Macmillan, 2008), pp. 28–29.
- <sup>39</sup> Butterfield, *The Whig Interpretation of History*, p. 95; and Christopher Hill, *The World Turned Upside Down: Radical Ideas During the English Revolution* (London: Penguin, 1991), p. 15.
- <sup>40</sup> Johnson, *Just War Tradition and the Restraint of War*, p. xxiv; Alex J. Bellamy, *Just Wars: From Cicero to Iraq* (Cambridge: Polity, 2006), p. 29; Brian Orend, *The Morality of War* (Ontario: Broadview Press, 2006), p. 12; Brahimi, *Jihad and Just War in the War on Terror*, p. 19; Ian Clark, *Waging War: A Philosophical Introduction* (Oxford: Clarendon Press, 1988), pp. 18–19; Gregory M. Raymond, "The Greco-Roman Roots of the Western Just War Tradition," in Howard M. Hensel, ed., *The Prism of Just War: Asian and Western Perspectives of the Legitimate Use of Military Force* (Aldershot, U.K.: Ashgate, 2010); and Richard Sorabji, "Just War from Ancient Origins to the Conquistadors Debate and its Modern Relevance," in Richard Sorabji and David Rodin, eds., *The Ethics of War: Shared Problems in Different Traditions* (Aldershot, U.K.: Ashgate, 2006), pp. 13–29.
- <sup>41</sup> Hugh Lloyd-Jones, *The Justice of Zeus* (Berkeley, Calif.: University of California Press, 1971), p. 156.
- <sup>42</sup> Quoted in Margaret MacMillan, *The Use and Abuse of History* (London: Profile, 2010), p. 89.
- <sup>43</sup> Larry May, *War Crimes and Just War* (Cambridge: Cambridge University Press, 2007); Michael Gross, *Moral Dilemmas of Modern War: Torture, Assassination, and Blackmail in an Age of Asymmetric Conflict* (Cambridge: Cambridge University Press, 2010); and David Fisher, *Morality and War: Can War be Just in the Twenty-First Century?* (Oxford: Oxford University Press, 2011).