

Review article

Just a war against terror? Jean Bethke Elshtain's burden and American power

NICHOLAS RENGGER*

Just war against terror: ethics and the burden of American power in a violent world. By Jean Bethke Elshtain. New York: Basic Books. 2003. 208pp. £13.55. ISBN 046501 9102.

This book is something of a puzzle. Over the past two decades Jean Elshtain has fashioned a body of work that glitters like few others in contemporary American political theory. Broad in range, fiercely articulate and unique in tone, she has contributed to a bewilderingly wide spectrum of topics: the public/private dichotomy;¹ the character and role of the history of political thought;² the importance of the family in social and political thought;³ the character, obligations and requirements of democratic politics; the intertwining of the ethical and the political in international politics;⁴ and, most recently, the centrality of religion in people's lives and in political life.⁵ One prominent theme that has recurred in her writing and teaching over the years has been a concern for the various manifestations of what she often terms 'civic virtue', and especially for the particular manifestation of it that occurs in connection with war. Indeed, along with perhaps Michael Walzer and James Turner Johnson,⁶ Elshtain has become one of the best-known contemporary advocates of the just war tradition. In her prize-winning *Women and war*, in her edited volume on just war theory and in her book on Augustine, as well as in many essays in many different places, Elshtain has sought to ram home the message that the world in

* I am grateful to Chris Brown, Ian Hall, Caroline Kennedy-Pipe, Oliver Richmond and Caroline Soper for their comments on this article.

¹ See *Public man/private woman* (Oxford: Martin Robertson, 1981).

² Most especially in *Meditations on modern political thought* (Philadelphia: Pennsylvania State University Press, 1992; first publ. 1986); though see also her *Augustine and the limits of politics* (Notre Dame: University of Notre Dame Press, 1995) and *Jane Adams and the dream of American democracy* (New York: Basic Books, 2001).

³ *Promises to keep: decline and renewal of marriage in America* (Totowa, NJ: Rowman & Littlefield, 1996).

⁴ See especially (in addition to the books and articles on the just war tradition discussed below) *New wine in old bottles: international politics and ethical discourse* (Notre Dame: University of Notre Dame Press, 1998).

⁵ See e.g. *Who are we? Critical reflections and hopeful possibilities* (Grand Rapids, MI: Erdmans, 2000).

⁶ See, most importantly, Walzer, *Just and unjust wars* (Harmondsworth: Penguin, 1977; 3rd edn, with new preface, 2000).

which we live is often a hard world, as well as sometimes a wonderful one. What we need, therefore, are ways of acting in such a world that are compatible with our deepest ethical beliefs but can also stand with the reality of that world; if we forget that crucial linkage and seek either to collapse politics into ethics or to proclaim that ethics has no role in politics, then we forget the essence of politics itself.

Given these concerns, it is no surprise that Elshtain should have sought to elaborate her own view of how to understand the attacks on the United States of September 2001 and what would constitute a legitimate response to them; and, indeed, much of the book under review does just this. However, it also does two other things, the cumulative effect of which is to weaken what I take to be the main argument of the book—that there is such a thing as a legitimate use of force in world politics and that the US response to the September 11 attacks is an example of this. Hence the puzzle.

The argument(s)

To begin with, then, what does Elshtain try to do in the book? Her introduction is called ‘Politics is not the nursery’—a retort of Hannah Arendt’s, she tells us (p. 2),⁷ to those humanists and liberals who fail to understand the reality of social and political evil—and in it she states quite clearly why she has written the book, closing with a characteristically powerful rhetorical sally.

I wrote this book because I have been provoked by much of what has been written and said about terrorism and our response to it; because September 11 2001 reminded me of what it means to be an American citizen; because I come from a small people, Volga Germans, who would have been murdered or exiled ... had they remained in Russia rather than making the wrenching journey to America ...; because I am a woman who believes women must have scope to exercise their educated powers to the fullest; because I am a believer who believes that other believers have the same rights that I do ... because I also believe that with our rights come responsibilities, including the responsibility to reflect on the use of force and whether it can ever be used to promote justice; and because I share the commitment ... to a robust culture of democratic argument ... An image that crowds out many others in my mind is that of tens of thousands fleeing New York City by foot. As I watched and wept, I recalled something I had said many times in my classes on war: ‘Americans don’t have living memories of what it means to flee a city in flames. Americans have not been horrified by refugees fleeing burning cities.’ No more. Now we know. (p. 7)

Having thus eloquently set out her stall, Elshtain proceeds to discuss ‘what happened on September 11’ (chapter 1), what is at stake in it (chapter 2), the character of the just war (chapter 3) and whether the ‘war against terror’ announced by President Bush after September 11 is, in fact, a just war (chapter 4).

⁷ This and all subsequent page numbers in the text refer to the book under review.

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These four chapters form a continuous argument and are in my view by far the strongest part of the book. I shall return to them below.

However, at this point, Elshtain veers off on to a rather different tack. Chapter 5 (entitled 'The academy responds to terror') considers some academic responses to September 11, including her own in the form of a letter entitled 'What we're fighting for' (included as an appendix), partly drafted by her and signed by 60 'intellectuals', policy-makers and the like, and various reactions to it. Chapter 6 ('Taking terrorists at their word') asks why many western commentators do not seem to be able to take the 'terrorists' at their word. Chapter 7 ('Where is the legacy of Niebuhr and Tillich?') explores the response to an earlier 'dark time' of the theologians Reinhold Niebuhr and Paul Tillich; this is followed by chapter 8 ('The pulpit responds to terror'), in which various contemporary religious responses to September 11 are shown to be sadly lacking in the fine-grained but realistic sensibilities of a Niebuhr or a Tillich. These four chapters are largely polemical engagements with a range of equally polemical, though obviously divergent, positions in the debate over the origins, implications and consequences of September 11.

At this point, Elshtain seems to change tack again. Chapter 9, 'The problem with peace', itself veers off into a discussion of Islamic justifications of war-fighting and of what she terms 'the crisis within Islam'; and chapter 10 ('Encountering Islamic fundamentalism') offers a thumbnail sketch of a 'fundamentalist Islam' which, she says, 'threatens the sleep of the world wherever it is established' (p. 139).

Then, finally and somewhat abruptly, we seem to rejoin the argument of the first four chapters. Chapter 11 ('States and self defence in a dangerous time') is concerned, she tells us, with two related questions: how a democratic society is to defend itself, and whether force can be an instrument of justice; and this leads on to the twelfth and final chapter ('American power and responsibility'), which is also concerned with two questions: Why are states so durable and so central to democracy? And can democratic societies successfully defend themselves against wanton aggression in ways that are ethically justifiable (p. 161)?

I should say at once that the book has many of the virtues we have come to expect from Elshtain. Her individual voice is as unmistakable as ever: a combination of genuine (and lightly worn) erudition, a passion for the everyday, a powerful moral sense and an occasionally playful invocation of the quotidian (to use one of her own favoured terms). Moreover, much of what I will call the 'just war' part of the book is a very powerful and useful restatement of that tradition. However, there is much else in the book that I do not recall being present, at least not in the same way, in her previous work, and much of this tends to diminish the power of that earlier argument. This may be best explained by dividing the book up into two parts that I will call the 'just war' and 'defending America' sections respectively. I will deal with them in reverse order.

'Defending America'

Essentially, and without denying that there are characteristically interesting discussions of other things in them, chapters 5–10 of the book are concerned not with 'defending America' from the very real attacks it faced on September 11 2001, but with defending Elshtain's *conception* of America and its role from attacks on it by others, especially from some within the United States itself. The range of targets here is really bewilderingly wide, so it is not surprising that Elshtain's favoured ammunition appears to be grapeshot. The predictable result is a very messy set of not altogether related debates, some important in their own right, others (to my mind at least) much less so; and even in the ones that are more important, it is not really clear what purpose is served by such obsessive engagement. Of course, a good deal of her criticism is well aimed, even if many of her adversaries are hardly worthy opponents. I treasure especially her account of the 'open letter to George Bush' of 8 February 2002 penned by the deliciously named Father Dear, who insists that the President

stop immediately the Bombing of Afghanistan ... stop your preparations for other wars ... , cut the Pentagon's budget drastically ... lift the sanctions on Iraq, end military aid to Israel ... lift the entire third world debt, dismantle everyone of our nuclear weapons and weapons of mass destruction, abandon your star wars missile shield plans, join the world court and international law and close our own terrorist training camps. (p. 114)⁸

I think we could all agree that this is, as Sir Humphrey Appleby might have put it, an impressively courageous list. Reading it, I was reminded of the mysterious representative of the US government in the film *Sneakers*, who responds to a similar request that he deliver peace on earth and goodwill towards men by saying, 'We're the US government, we don't do that sort of thing.'

Much of Elshtain's fire is reserved for what she sees as illicit, and often partially masked, anti-Americanism, and again she certainly scores some good points. In chapter 10, for example, she refers to some European respondents to 'What we're fighting for' as claiming that 'as scholars and intellectuals, we are betraying our calling in supporting the actions of the American government' (p. 148),⁹ and then goes on to discuss the contention of Jean Baudrillard, the 'famous French intellectual and philosopher' (p. 148), that 'we' all wanted to attack the US since it has 'roused all the world's innate violence and thus (without knowing it) the terrorist imagination that dwells in all of us' (p. 148).¹⁰ It is hard not to sympathize with Elshtain's reaction to this, and she has a point when she refers to the extent to which European criticism of the United States seems to be fuelled at least as much by envy or resentment as by principle, though one

⁸ Reverend John Dear SJ, 'An open letter to George W. Bush', *Promotio iustitiae* (Rome, CP 6139).

⁹ The German statement, together with the response from the signatories of 'What we're fighting for' and, indeed, the original document, can be found at iav@worldnet.att.net.

¹⁰ The reference is to Baudrillard's essay 'L'Esprit du terrorisme', included in Stanley Hauerwas and Frank Lentricchia, eds, *Dissent from the homeland* (Durham, NC: Duke University Press, 2002), pp. 405–17.

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might add, with Robert Cooper, that the reaction seems also to have a good deal to do with differing political and cultural trajectories between Europe and the United States.¹¹ However, such reactions say nothing about the possibility of the legitimate use of force, when and how such a choice might be exercised, and whether the United States reaction to September 11 is a good example of it. Since the primary purpose of her book, I take it, is to make this case, why bother with the detritus of arguments that don't address it?

One answer to this challenge is that beneath the surface of many of her polemics seems to be a concern to establish the legitimate use of notions of 'special' responsibility, of which more below. Many of her opponents share this concern, of course; but, like the European intellectuals dismissed in chapter 10, for the most part they express it in terms of the 'responsibility of intellectuals'. Perhaps Elshtain's most significant engagement in this respect is her critique of the late Edward Said, whom she takes firmly to task in chapter 6. Said had criticized the signatories to 'What we're fighting for' both for refusing to note the 'hundreds of thousands killed ... by Israel with US support, or the hundreds of thousands killed by US maintained sanctions against the innocent civilians of Iraq' (p. 87),¹² and for aligning themselves so flagrantly with ... power'. The result of this alignment, he suggests, 'augurs a new and degraded era in the production of intellectual discourse ... [in which] intellectuals will be militantly unreflective and uncritical' (p. 88). Elshtain's response is first of all to query Said's figures, second to argue that, by failing to mention the direct responsibility of Saddam Hussein, Said is guilty of a 'gross distortion',¹³ and third, to point out that Said's arguments seem to imply (without defence) that intellectuals must always be oppositionists 'unless, presumably, they are for the causes that Said supports' (p. 88), a view which Elshtain clearly regards as ridiculous.

Of course Professor Said, who was no slouch in the intellectual jousting stakes himself, could hardly have complained about being so engaged. But from the outside, it is far from clear that this exchange adds much by way of light to an environment already far too full of heat. Those well informed on the specifics could no doubt argue about the numbers of Palestinians killed by Israel with or without American collusion, or the numbers that died as a result of the sanctions regime in Iraq; but to dwell on the numbers in the present context seems rather beside the point. If the loss of life in either case was *unjust*, I would have thought both Elshtain and Said would have wanted to condemn it, whether the number was one or one million; and if there were justifications, then the interest lies in what the justifications might be said to be. Yet there seems little direct engagement on that ticklish subject from either side in this context.

As for the point about the alignment of the authors of 'What we're fighting for' with 'power', Elshtain is surely right to say that, on Said's own argument,

¹¹ See Robert Cooper, *The breaking of nations* (London: Atlantic Books, 2003).

¹² Elshtain is quoting Edward Said, 'Thoughts about America', *Al-Ahram* weekly online, no. 565, 28 Feb.–6 March 2002, pp. 1–4.

¹³ Elshtain is here quoting, with approval, the judgement of Professor Sir Lawrence Freedman, in 'Blaming America', *Prospect*, Dec. 2001, pp. 34–7.

an ‘intellectual’ cannot just be an oppositionist; but then there is the question of what an ‘intellectual’ *should* do; which raises the question of what one considers an ‘intellectual’ to be. Professor Said, of course, devoted a whole set of Reith lectures to this subject,¹⁴ and the words of praise on the back of Professor Elshtain’s book by various assembled luminaries speak of her as ‘one of this country’s leading public intellectuals’; but neither, alas, gives a clear answer. I would have thought that the reason for paying attention to either of them was simply (and only) the scholarly excellence of books like *Culture and imperialism* or *Women and war*, and in this respect they are no more than (and no less than) academics, plying their trade. In this respect, they presumably subscribe to the logic of the academy, which is necessarily subversive—in the academy—of all orthodoxies and received opinions, but which has no independent logic outside it. What Professors Said and Elshtain have chosen to do, or write, or say, *as citizens* is, of course, entirely up to them, but in that context there is no special reason for treating either of them any differently from any other citizen; their distinction as scholars should carry no weight outside the academy, and any pretence to the contrary is simply an appeal to authority, which in the context is merely inappropriate. ‘Intellectuals’—if this is what they have been and are—have no ‘special’ responsibility beyond the responsibilities they might carry as citizens, scholars or whatever.

Yet Elshtain herself does not want to abandon the notion of ‘special responsibilities’; rather, she wants to develop it in a very different way. To display its real significance, let me turn to the second aspect of the book.

‘Just war’

The first four chapters of Elshtain’s book, in contrast to the middle five, make a sober and powerful case (a) that the attack on the United States on September 11 2001 was an unjustified attack; (b) that the attack was perpetrated by those who threaten not merely innocent life (though that is bad enough) but also the values and standards on which American, and more generally western, societies are based; (c) that there is a moral case for the idea of a just use of force in general terms; and (d) that the post-September 11 war effort has been, in terms of both traditional parts of the just war (i.e. the *ad bellum* and *in bello* criteria), such a just use of force. One should remember, of course, that while the book was published at around the time of the American attack on Iraq, Elshtain’s concern is with the specifics of the ‘war on terror’ up to and including the removal of the Taliban and with continuing military operations in that context, not with Iraq.¹⁵

There are, of course, aspects of her argument with which one might quibble. Much of the discussion of terrorism in chapter 1, for example, is bedevilled by

¹⁴ *Representations of the intellectual: the 1993 Reith Lectures* (London: Vintage, 1996).

¹⁵ Though in a discussion hosted in May 2003 by the Marty Center at the Chicago Divinity School, where she teaches, Elshtain indicated that she did think the attack on Iraq could be justified as well. For the full text, plus commentary, see <http://marty-center.uchicago.edu/webforum/052003/commentary.shtml>.

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the endless problems of defining what exactly ‘terrorism’ is, when surely for her purposes it would be better simply to refer to ‘unjustified violence’. In chapter 3 she frames her discussion of the just war in strongly Augustinian terms and, in a characteristic and bravura passage, illustrates the central aspects of the Augustinian position on the use of force by a wonderful interpretation of John Ford’s classic Western, *The Man Who Shot Liberty Valance*. But in her discussion of the justice of the war on terror in chapter 4 she uses the conventional post-medieval language of the just war tradition, in terms of the specific criteria for both *jus ad bellum* and *jus in bello*. There are, I think, good reasons for supposing that an Augustinian just war is an altogether messier affair, and also that the manner in which the distinctions came to be made in the early modern and modern periods—i.e. largely in a juristic way, rather than in the manner of the casuistry of the medieval and Renaissance tradition—is more problematic than Elshtain supposes.¹⁶ Moreover, even if one accepts that there is such a thing as a just use of force and that the general tenor of the campaign against Al-Qaeda and the Taliban is an example of it, that does not commit one in general terms to accepting the ‘war on terror’ as such (as opposed to specific parts of it) as just. Nonetheless, the case she makes is a powerful one, as far as it goes.

The problem is that Elshtain wants it to go much further than it does. Here the key chapters are the last two, chapters 11 and 12. Here Elshtain tries to argue not merely that there is such a thing as a just use of force and that we have in the campaign in Afghanistan an example of it, but also that that campaign is a specific example of a special responsibility generated by great power and current circumstances, which puts together ‘warmaking, peacekeeping and justice’ (p. 158). This claim is supported by a number of additional arguments. The first, derived again from Hannah Arendt, is that states are central to democratic life in that they provide an environment that creates vibrant civil societies that are, in turn, connected to one another. Thus, ‘states in which there is a democratic deficit are denuded of a flourishing civil society’ (p. 161). This weakens the otherwise pronounced tendency—Elshtain accepts that it is clearly not a certain progression—in international relations towards the evolution of more democratic rights-based communities. Rights are, however, robust only if they become part of the ‘statutory armamentarium of states’ (p. 162). The much vaunted power and roles of NGOs, she argues, are *dependent upon* a culture of strong rights-protecting states and not a substitute for it. At the end of the Second World War, Arendt had insisted that human dignity needed a new guarantee,¹⁷

¹⁶ There is obviously a good deal that could be said here, but, equally obviously, no space here to say it. For an expanded discussion on the problematic transition from casuistic to juridical ways of characterizing the just war, see Nicholas Rengger, ‘On the just war tradition in the twenty-first century’, *International Affairs* 78: 2, April 2002. For Elshtain’s own discussion of Augustine on the just war, see her *Augustine and the limits of politics*, ch. 5. For a rather different view, which I largely share, see R. W. Dyson, *Normative theories of society and government in five medieval thinkers* (Lewiston, NY: Edwin Mellen, 2003).

¹⁷ Arendt’s original claim is made in the first edition of *The origins of totalitarianism* (New York: Harcourt, Brace, Jovanovich, 1951). For an essay that argues a similar case to Elshtain’s, but in more detail, see Jeffery Isaac, *Democracy in dark times* (Ithaca, NY: Cornell University Press, 1998), ch. 4.

and rights are that guarantee, Elshtain argues; but she then asks: Who will be the guarantor?

Her answer is stark and unambiguous. ‘There is no state except the United States with the power and (we hope) the will to play this role’ (p. 168). For Elshtain, true international justice is defined as the ‘equal claim of all persons to [have] coercive force deployed on their behalf if they are victims of one of the many horrors attendant upon radical political instability’ (p. 168); and in this less than ideal world, without an international body that could act as guarantor (and we *are* without it), then

the one candidate to guarantee this principle is the United States, for two reasons: equal regard is the foundation of our own polity and we are the only superpower ... As the world’s superpower, America bears the responsibility to help guarantee ... international stability, whether much of the world wants it or not. This does not mean that we can or should rush around imposing solutions everywhere. It does mean that we are obliged to evaluate all cries for justice and relief from people who are being preyed upon whether by non state enforcers (like terrorists) or by state sponsored enforcers. We, the powerful, must respond to attacks against persons who cannot defend themselves because they, like us, are human beings, hence equal in regard to us, and because they, like us, are members of states, or would be states, whose primary obligation is to protect the lives of those who inhabit their polities. (pp. 168, 169–70)

Elshtain ends her book with an epilogue that again deploys many of her characteristic strengths, citing four women activists for human rights from around the globe and then remembering the victims of September 11, with a commentary on the *New York Times*’ ‘portraits of grief—obituaries of those who lost their lives in the attacks. ‘This was a vital and important tribute,’ she tells us, ‘reminding us that the overwhelming number of deaths that day were particular human lives being snuffed out. These obituaries told us just how fragile we are and reminded us of what we need government for at the most rudimentary level’ (p. 180). She closes with a powerful invocation of civic affection, perhaps the most constant theme in all her writing: ‘we must stop those who would harm us and go about our business, meeting and greeting one another, for [she quotes Auden] “we must love one another or die”. September 11th showed us that we are bound by civic affection. All else about that terrible day must pale with the passage of time. But that remains’ (p. 181).

As the above shows, Elshtain is never less than eloquent; her writing clearly expresses the very real emotion she herself obviously feels about the attacks and their aftermath. Her writing here, as always, is characterized by an emotional directness that is one of its greatest strengths. But in the power of her witness—and I use that Christian term as a compliment to her—it is easy to forget the problem with her argument. As the Augustine of whom she is such a great admirer would have told her, as she herself as interpreter of that self-same Augustine knows very well, any instance of the use of force, however just, runs the risk of bringing all kinds of strife in its train. In her book on Augustine,

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Elshtain had emphasized that he was a firm believer in limits: 'In this world of discontinuities, of profound yearnings, of sometimes terrible necessities,' she says, 'a human being can yet strive to maintain or create an order that approximates justice, to prevent the worse from happening *and to resist the seductive lure of imperial grandiosity*' (emphasis added).¹⁸

Yet surely there is more than a touch of 'imperial grandiosity' in her belief that the United States is the only guarantor of human dignity in the contemporary world and that it is the special responsibility of the United States, both because of its political character and because of the temper of the times, to act as the 'indispensable nation'. 'We, the powerful', as she puts it, have first, perhaps, to examine the sources of our own power rather than merely assuming that it is 'ours' to deploy in the service of justice as we wish. As Augustine recognized very well, part of the 'seductive lure' of 'imperial grandiosity' is the belief that we can do great good with our great power; but the reality is likely to be that, as always, power will tend to corrupt.

Elshtain likes to use forms of popular culture to make her point, so let me suggest that the appropriate text here is *The Lord of the Rings*. Why will Gandalf not even touch the ring of power? Because such things always appeal to the good in their victims initially: 'The way of the ring to my heart is through pity, pity for weakness and the desire of strength to do good ... [but] over me the ring would gain a power still greater and more deadly.'¹⁹ Galadriel says the same thing. The emphasis on limits that Elshtain so celebrates in Augustine, that so characterizes her work in general, speaks against any such ambition for the United States not because it is in itself false, but simply because it is impossible. Just wars, if there are any, will be limited wars, and there will be few of them, because, by and large, human beings do not handle power well. To cast any state in the role of saviour, however great its power and however great the necessity, is to look for something that simply isn't there. We can agree that the United States was right to strike back at those that had attacked it, agree also that such a response, inasmuch as it was limited and proportional, was just. But there, I suggest, we must stop. For so long as the 'war on terror' continues, it needs to be constantly assessed and evaluated, for permanent war is very unlikely to be a just war in any sense, and actions taken now may well damage what was won before.

Elshtain's argument, by conflating a powerful case for the just war with some entertaining but largely irrelevant criticisms of some of the wilder claims made in the general debates on the role of America after September 11, and with an idealistic assumption of both the moral validity and the possibility of permanent state action, runs the risk of collapse. And that, given the power of her central argument, is a pity. Elshtain's burden seems to be that she wants to find a moral use for American power as such, but while one need not deny that there can be

¹⁸ Augustine and the limits of politics, p. 111.

¹⁹ J. R. R. Tolkien, *The Lord of the Rings* (London: HarperCollins, 1991; first publ. 1954), p. 75.

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such uses, a wise Augustinian would suggest that such uses both will and should be limited and rare. To make the United States as a polity the permanent agent of the global common good is to put far too much weight on far too narrow a foundation. This is not anti-Americanism—it would be too great a burden for any power, ever—but recognition of both the impermanence of power and the fragility of virtue. To try to do otherwise is to take up the ring of power. And the only beneficiary of that, as we know, would be Sauron.