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Christian Peace Ethics:

Trends in the International (Anglophone) Debate

Zusammenfassung

In den letzten Jahren zeichnen sich drei Trends christlicher Friedensforschung in der anglophonen Welt ab: Erstens eine erneute Debatte über den Ort der aktiven Gewaltfreiheit und der Tradition des gerechten Kriegs in der katholischen Soziallehre, zweitens das Aufkommen einer opferorientierten Gerechtigkeit in der Bemühung um Versöhnung nach gewaltsamen Konflikten und drittens eine Hinwendung zu indigenen Friedenspraktiken zur Lösung lokaler Konflikte. Diese drei Trends spiegeln den über alle Disziplinen hinweg geführten Dialog christlicher Wissenschaftler_innen wider, die dafür arbeiten, in der heutigen Welt zu mehr Frieden und Gerechtigkeit zu gelangen.

Abstract

At least three trends mark the terrain of Christian peace studies in the Anglophone world in recent years: a renewed debate about the place of active nonviolence and the just war tradition in Catholic social teaching, the rise of restorative justice in efforts to reconcile after violence, and a turn toward indigenous peace practices for resolving local conflicts. These three trends reflect robust dialogue amongst Christian scholars, working across disciplines, to engender greater peace and justice in the world today.

1 Introduction

My hope is that I have cast a wide net in trying to discern trends and themes in peace studies literature, especially within Catholic and other Christian traditions, while also attending to the most obvious current debate amongst North American scholars in the field. I work in the U. S., and so I tend to be especially familiar with the North American context, but I also intentionally reach beyond my context to dialogue with scholars from other cultures, especially on the continent of Africa. Given my context, I have identified at least three trends in peace and justice literature, and attendant to these major trends, some further corollary issues. In the first section of the essay, I address what is perhaps the most heated discussion in Catholic peace studies literature today: the reemergence of a debate between those who would seemingly like to eschew the just war tradition, particularly in the social teachings of the

Catholic Church, and those who see its continuing value for both the institutional Church and for scholarly discourse. Second, I discuss the rise and renewal of the concept of restorative justice in peace studies literature, especially as it pertains to new understandings of forgiveness and reconciliation for societies transitioning from violent conflict to peace. Finally, I explore an intriguing turn toward local and indigenous practices of peacemaking and dispute resolution, especially as it is emerging in African and Middle Eastern contexts.

2 Pacifism, Nonviolence, and the Just War Tradition: Recent History and Current Conversations

A debate with considerable staying power in Christian ethics arises between advocates of the just war tradition (JWT)¹ as a tool for morally assessing warfare, and those who oppose this tradition and favor others. I divide my analysis of this first trend into three subsections. While I acknowledge that one could trace (and many have) the roots of this debate back to the earliest days of Christian history,² in the first subsection, I will describe the more recent history in the late 20th century scholarly debates about pacifism and the just war tradition. These debates were largely bi-polar, with pacifists of varying types coalescing on one side of a spectrum of approaches to war and peace³ in opposition to just war theorists who gathered toward the center of the spectrum and opposed pacifism. Next, I will trace the late 20th century conversations into the early 21st century, highlighting especially the constructive contribution

- 1 In this essay, I intentionally use the term “just war tradition” rather than “just war theory” because as those who work regularly with the just war tradition note, thinking through this tradition has not generated one monolithic theory, but rather multiple strands of thought which are always open to development and reconsideration as new circumstances emerge.
- 2 For an excellent resource describing the earliest conversations about war and peace in Christian communities see Cahill (1994). Moreover, the Niebuhr brothers, Reinhold and H. Richard, embodied a debate between pacifist and JWT approaches to conflict in the period before, during, and after World War II. See for example, H. Richard Niebuhr’s (1932) *The Grace of Doing Nothing* and Reinhold Niebuhr’s (1932) response *Must We Do Nothing?*
- 3 A spectrum of approaches to thinking about war and peace is a helpful device developed by Allman (2008), 18.

of the just peacemaking theory. These first two shorter subsections set the stage for the final and longest subsection, in which I discuss the contours of this conversation today, noting that it has grown more complex and multi-polar than its earlier instantiations.

2.1 The late 20th Century U. S. Debate

In the 1960s and 70s the U. S. population was divided along the lines of those who supported U. S. military engagement in Vietnam, and those who did not. Civilians opposed to the Vietnam war, often young people subject to the draft, organized mass protests demanding the withdrawal of U. S. troops, and accountability for crimes against Vietnamese civilians. As a proxy for Cold War tensions between the U. S. and the Soviet Union, public opinion on Vietnam often mirrored U. S. citizens' thinking about Cold War dynamics, specifically policies of nuclear proliferation and deterrence. Religious leaders and scholars from multiple disciplines entered into this conversation over several years. Pope John XXIII released *Pacem in Terris* (PT) during this time (1963). Paul Ramsey (1968) and Michael Walzer (1977) wrote texts that seemed to dissect each move in Vietnam and the Cold War writ large, scrutinizing their ethical validity in accord with just war principles. John Howard Yoder (1972) developed a Christology and ecclesiology that argued that Jesus was a pacifist, rejecting all forms of violence, and calling all Christian disciples to nonviolence and nonresistance in the face of war and violence. In doing so, Yoder helped to create a new generation of Christian theologians committed to Christian pacifism.⁴

The war in Vietnam gave birth to a generation of activists and scholars in the U. S. deeply skeptical of their government's capacity to wage war in accordance with any version Christian moral values, and comfortable criticizing its military excesses and sins. Despite prophetic voices in opposition to the Vietnam war, and the nuclear arms race, Cold War brinkmanship continued into the 1980s. During this time, scholarly evaluation of warfare continued to mirror debates in the

4 Among his students was Stanley Hauerwas. Hauerwas' *The Peaceable Kingdom: A Primer in Christian Ethics* (1983) continues to influence conversations about Christian pacifism, and the relationship of Christian communities to secular government and to policy debates.

general public: Was nuclear stockpiling for deterrent purposes an ethical option? How should Christian scholars evaluate, morally, the U. S. decision to drop atomic bombs on Hiroshima and Nagasaki? And to what degree should they press for total nuclear disarmament? These questions often generated heated ecumenical debates between scholars who argued that the JWT was the most appropriate framework for evaluating these ethical questions, and those committed to a pacifist approach to conflict.

Within the U. S. Catholic hierarchy, these concerns and questions found expression in the 1983 pastoral letter, *The Challenge of Peace: God's Promise and Our Response* (United States Conference of Catholic Bishops (USCCB) 1983). In this document, the U. S. bishops refused to settle the debate over approaches to conflict, and instead insisted that faithful Catholics could conscientiously consider warfare either from the perspective of the JWT, or with what the bishops referred to as a “pacifist option”. (USCCB 1983, 119) They averred moreover, that the JWT and pacifism hold much in common. Both the JWT and pacifism maintain a “presumption against the use of force as a means of settling disputes”. Both have deep “roots in the Christian theological tradition”, and both prohibit absolutely the practice of total warfare and its concomitant notion that war broaches no ethical restraints (USCCB 1983, 120–121). The bishops further noted that both positions can find “a common ground of agreement” in the practices of nonviolent resistance (USCCB 1983, 224). Finally, the bishops conducted a thorough moral analysis of the U. S. policy of nuclear weapons proliferation as a deterrent. They followed Pope John Paul II in recognizing the grave dangers of nuclear proliferation for the purposes of deterrence, and adopted a heavily qualified acceptance of it, so long as it remained “a step on the way toward progressive disarmament” (USCCB 1983, 188).

2.2 Just Peacemaking Theory

The seeming end of the Cold War in the late 1980s, coupled with the undeniably successful use of nonviolent methods in freedom struggles in South Africa, the Philippines, and Eastern Europe, opened space for new dialogue between Christian ethicists who advocated the JWT and those who espoused pacifism. They now collaborated upon the “common ground” of nonviolent practice and theory. The most fruitful of

these collaborations resulted in the just peacemaking theory (JPT). JPT emerged from several years of conversations amongst dozens of members of the U.S. professional organization, the Society of Christian Ethics. Scholars who developed the JPT view it as a “third paradigm” for approaching the ethics of war and peace. This new paradigm seeks to “take its place along with, but not [...] replace the established paradigms of pacifism and just war theory”. (Friesen u. a. 2004, 2) Structurally, JPT consists of ten practices that are grouped together insofar as they stand on three theological foundations: discipleship and peacemaking initiatives, justice, and love and community. The authors of the JPT utilize an inductive method, drawing from historical examples, to argue that the practices they identify, if continually pursued, will help to prevent war and violence and build a just peace.

The foundation of discipleship and peacebuilding initiatives emerges from what just peacemaking theorists refer to as an “embodied or incarnational Christology”. (Stassen 2008, 19) This Christology calls disciples to build peace actively, by enacting risky initiatives toward greater justice. “A positive theology of peace,” they argue, “is not simply reactive, but proactive [...] It sees peace not as something to be achieved merely by refraining from war, but by taking peacemaking initiatives. Peace, like war, must be waged. It must be waged courageously, persistently, creatively, with imagination, heart, and wisdom.” (Stassen 2008, 21) The practices which stand on this foundation are: support nonviolent direct action; take independent initiatives to reduce threat; use cooperative conflict resolution; and acknowledge responsibility for conflict and injustice and seek repentance and forgiveness.⁵

The second theological foundation for the JPT is justice. JPT scholars identify justice as perhaps the most central theme of the biblical text. Christian justice is based on “compassionate presence” in “solidarity with the marginalized” as exemplified by Jesus. The Reign of God is the goal of justice; thus justice transforms the world through “liberating power” that enables each person to “live a life of wholeness.” (Stassen 2008, 24) On the foundation of justice, JPT identifies the following practices: advance democracy, human rights, and interdependence; and foster just and sustainable economic development.

5 I will refrain from a detailed explanation of each of these practices here and instead point readers to the full text, in which a chapter is devoted to explaining each practice.

Finally, JPT stands on a theological foundation of love and community. JPT emphasizes a radical Christian conception of community that “includes enemies, outcasts, and the neglected” so as to resist structural forces that harm the marginalized and institutionalize violence (see Stassen 2008, 28). The practices that stand on this foundation are: work with emerging cooperative forces in the international system; strengthen the United Nations and international efforts for cooperation and human rights; reduce offensive weapons and weapons trade; and encourage grassroots peacemaking groups and voluntary associations.

For nearly two decades, Christian scholars in the U. S. and Africa have been pursuing research utilizing the JPT alongside their JWT or pacifist commitments. It has indeed reticulated many of the concerns of both self-identifying Christian pacifists, and self-identifying JWT adherents. Lisa Sowle Cahill, Glen Stassen, Ronald H. Stone, Jean Bethke Elshtain and others have engaged in constructive debate over the political realism of the JPT. Charles Kimball has assessed JPT in terms of Middle East conflicts, while Simeon Ilesanmi has done the same for its effectiveness in African contexts.⁶ Daniel P. Scheid (2012) has identified “dignified subsistence” as a necessary component of just peacemaking if it seeks to acknowledge the ecological costs of war. Mark Allman and Tobias Winright (2012) have identified the JPT practices as moral obligations in *jus ante bellum* – or prior to any consideration of the use of military force. In my own work on the ethics of revolution, I show how the practices of the JPT can be used as tools of liberation in contexts of tyranny. Among most U. S. Christian ethicists who study conflict and violence, there is an emerging consensus that the JPT does much of what it intended to do; it has developed a viable and critical third paradigm for thinking about war and peace, one that both advocates of pacifism and the JWT ought to utilize. The JPT has promoted a positive agenda for continually pursuing a just peace, and it has helped to “spell out what resorts must be tried before trying the last resort of war.” (Stassen 2008, 15)

It is notable that JPT is a contribution to the *praxis* of just peacemaking that resulted from dialogue amongst both committed pacifists and committed advocates of the JWT, and that it has been employed and

6 For the contributions of Cahill, Stassen, Stone, Kimball, and Ilesanmi to this conversation see the Annual Volume of the Society of Christian Ethics (2003) 32 (1) which is devoted to the topic of JPT.

expanded upon by people from both perspectives. JPT is not only an important development in the field of Christian peace studies, but a critical symbol and model of the creative power of dialogue and peace-making amongst people with divergent perspectives on the morality of warfare. Pacifists and JWT advocates have spilled much ink over whose perspectives are more faithful to the Christian values of love and justice without making much headway, but JPT unites Christian peace scholars and practitioners by focusing on working together toward a decidedly more just and peaceful world, where violence and warfare are viewed as non-normative for dispute resolution.

2.3 The Place of Nonviolence and the JWT in Catholic Teaching

This background serves as some context for the renewal of debates about the morality of the JWT, and emerging conversations about the centrality of nonviolence for Christian ethics about peace and war. That said, it is imperative to note that, especially in the wake of 9/11 and the so-called “War on Terror,” the intellectual terrain on these issues has become increasingly complex. I suggest that there are at least four distinct positions occupied by Christian scholars in conversations today about the ethics of war and peace. Position 1 espouses pacifism, and rejects the just war tradition. Position 2 espouses nonviolence, and rejects the just war tradition, while not necessarily identifying as pacifist. Here (as well as in position 3) nonviolence is sharply distinguished from any form of pacifism that would render the Christian *passive* in the face of evil or injustice. Instead, nonviolence is explicitly *active* nonviolence, embracing methods of nonviolent struggle and civil resistance.⁷ Position 3 rejects pacifism (at least in its most absolute forms), and espouses both nonviolence and the just war tradition. Adherents to this position usually see the just war tradition as including a presumption against the use of force, and believe that war is always a sign of human failure, and that it must only be used as a last resort. Position 4, finally, rejects pacifism and embraces a form of the just war tradition that rejects the idea of a presumption against the use of force, holding as absolute the three original *ad bellum* criteria

7 A sustained analysis of active nonviolence can be found in Walter Wink’s (2003) *Jesus and Nonviolence: A Third Way*.

of just cause, right intention, and legitimate authority, while relegating other *ad bellum* criteria such as last resort and macro-proportionality as well as all *in bello* criteria to the status of “prudential tests” rather than absolute requirements.⁸ Thus the current conversation about the ethics of war and peace, as it pertains to the status of the just war tradition, the centrality of nonviolence, and the status of pacifism, is multi-polar, and not simply reducible to the dynamics of the earlier bi-polar debate. Without a clear understanding of this multi-polarity, and the capacity to identify the positions both of oneself and one’s interlocutors, scholars in the field of peace studies will find themselves in endless, confusing debates that might leave us feeling isolated across our differences, misunderstood and mischaracterized.⁹ Worse, we may find it more difficult to work together, as the scholars who developed the JPT did, toward our common goal of a more just and peaceful world.

For the purposes of this literature review essay, I choose to focus on the conversation occurring, with some degree of urgency, between those who occupy positions two and three, described above. While disagreements between scholars occupying positions three and four have generated some literature and discussion over the past several years (most notably see Johnson 2001; Shadle 2012; Biggar 2014; Carnahan 2017), and while a strong strain of pacifism à la position one continues to challenge the other three (see for example, Michael Baxter 2004) the discussion between those who espouse nonviolence and reject the JWT, without necessarily identifying as pacifists (position 2), and those who espouse nonviolence and the JWT (position 3) have been particularly intense in recent months, and are in critical need of analysis and sustained attention. To begin this analysis, in this section of the essay, I proceed in four subsections. First, I describe the precipitating event for this renewed conversation: the Catholic Nonviolence Initiative conference, sponsored by

8 An example of a scholar who occupies this position is James Turner Johnson (2001), following his intellectual mentor Paul Ramsey. British theological ethicists Nigel Biggar (2014, 92–110) also rejects the idea of a presumption against warfare. See especially pages 7–10, and his treatment of the principle of double-effect.

9 Indeed, I would suggest that some of these confused and confusing conversations have already been occurring and are evidenced in the literature that has emerged thus far. My hope is that this essay can help those of us involved in these conversations in more accurately understanding ourselves and our interlocutors so that our dialogues can be more productive than they have sometimes been.

Pax Christi International and hosted at the Vatican under the auspices of the Pontifical Council for Justice and Peace. Of particular importance is the document issued by the Catholic Nonviolence Initiative (CNI) as a result of this conference titled: “An Appeal to the Catholic Church to recommit to the centrality of Gospel Nonviolence” (2017). After summarizing the Appeal, I make an effort to illustrate how it builds on the work of a few key scholars in peace and justice studies. I examine Maryann Cusimano Love’s (2010) criteria for a Just Peace ethic and Eli McCarthy’s (2012) virtue ethics for nonviolent peacemakers to en flesh some of what is only vaguely referenced in the Appeal. Next, I address the fact that scholars from both positions two and three above share a common concern about the centrality of nonviolence for Christian ethics and briefly illustrate how this is evidenced in recent literature on nonviolent political resistance. Finally, I describe the more contentious aspect of the emerging conversation in the Appeal’s call for the Catholic Church to “no longer use or teach the just war theory,” (à la position two), and the response of those scholars who occupy position three, who continue to view JWT as critically relevant for Catholic ethics on peace and justice.

2.3.1 The Catholic Nonviolence Initiative’s Appeal

In April 2016, over eighty scholars and practitioners of peace and justice in the Catholic tradition came to together in Rome for a conference sponsored by several organizations including Pax Christi International and the Pontifical Council for Justice and Peace.¹⁰ The conference, titled “Nonviolence and Just Peace: Contributing to the Catholic Understanding of and Commitment to Nonviolence,”¹¹ generated a document that has since been widely endorsed by lay and religious organizations and individuals.¹²

10 A text (Dennis 2018) detailing the work of the conference will soon be released in paperback.

11 For further information on the conference see <<https://nonviolencejustpeace.net/about>>, accessed July 05, 2018.

12 A list of organizations and individuals who have endorsed the document can be viewed here: <<https://nonviolencejustpeace.net/organizational-and-individual-endorsements-of-the-appeal>>, accessed July 05, 2018.

The document, “An Appeal to the Catholic Church to recommit to the centrality of Gospel Nonviolence” (CNI 2017) makes several important claims. It acknowledges the myriad forms of violence and concomitant suffering that plague the world today. Grounding itself in Jesus’ examples of nonviolent resistance, it highlights the creative potential and effective power of active nonviolence for transforming injustices and violent conflicts. Moreover, it calls on the institutional Catholic Church to commit resources to research, education, and training for active nonviolence. Appealing to Jesus’ example of radical love, the Appeal calls on the Catholic Church to embrace “Just Peace”. “A Just Peace approach,” the document states, “offers a vision and an ethic to build peace as well as to prevent, defuse, and to heal the damage of violent conflict. This ethic includes a commitment to human dignity and thriving relationships, with specific criteria, virtues, and practices to guide our actions. We recognize that peace requires justice and justice requires peacemaking.” (CNI 2017)

2.3.2 Fleshing Out the Appeal: “Criteria, Virtues, and Practices”

It is helpful to remember that the Appeal is not an academic document, but rather represents a consensus of the participants at the 2016 conference. As it is neither written by, nor intended for a purely academic audience, the definitions of “nonviolence,” and “Just Peace” as well as the specific “criteria, virtues, and practices” are left undeveloped in what is, after all, a fairly short and succinct document. That said, the work of developing and defining these concepts is being done by Christian scholars. An examination of the work of Maryann Cusimano Love and Eli McCarthy is particularly helpful in understanding what the signatories of the document might mean in referencing “criteria, virtues, and practices” of what they call “Just Peace”.

Maryann Cusimano Love is a political scientist who works interdisciplinarily with Catholic ethics. She proposes a “Just Peace ethic” fleshed out by criteria which protect and promote the dignity of the human person during processes of conflict transformation¹³ and peacebuilding

13 The term “conflict transformation” entered the peace studies lexicon through the work of John Paul Lederach (1996; 1997). Lederach has been enormously influential on the field of peace studies.

(see Love 2010, 78). Love argues that a Just Peace ethic ought to embrace a number of criteria, specifically just cause, right intention, participatory process, right-relationship, reconciliation, restoration, and sustainability (see 78–82). These criteria are not specified by the Appeal but seem to be one example of the type of criteria the writers of the Appeal have in mind.

The criterion of just cause for a Just Peace ethic, argues Love, is broadly construed to protect human dignity and promote the common good. This common good must be understood both locally – such that people can live in their communities without fear of violence – and also globally – such that nations are intentionally interconnected, and the common good is a world-project (See 78). Right intention in peacebuilding is connected to just cause. It requires those engaged in peacebuilding to examine their personal motives and “ferret out the various proffered rationales” (Love 2010, 78) for doing peacebuilding work from those that truly promote the just cause of human dignity and the common good.

Love’s Just Peace criterion of participatory process contrasts with that of “legitimate authority” from the JWT. A Just Peace ethic draws together whole communities of civilians and non-civilians, state and non-state actors and stakeholders. “To generate any consensus, legitimacy, credibility, ownership, and buy-in from the population at large, and to forestall a return to cycles of conflict, meaningful participatory processes must be pursued,” Love states, because “sustainable, positive peace cannot be imposed from the top down.” (79–80) Instead, all those who have the potential to engage in violent conflict must also be drawn into the process of peacebuilding.

Right relationship and reconciliation connect to one another in that within Love’s Just Peace ethic, “reconciliation refers to a variety of means to achieve right relationship.” (80) Here, Love’s understanding of right relationship is evocative of the Biblical concept of *shalom*. *Shalom* is the just peace that comes from living rightly in our communities with one another, God, and the Earth. Love points out that “in social science terms this means [nourishing] right relationships both vertically between elites and society and also horizontally among society more broadly.” (80)

Restoration and sustainability both function as criteria that insist upon lasting justice and peace. Restoration refers to the broad task of repairing societies. This includes the somewhat obviously necessary

repair of critical infrastructure, but also the less often considered work of healing individuals affected by violence physically, emotionally, and spiritually (see Love 2010, 81). Sustainability as a criterion of peacebuilding demands that the necessary material and personnel resources for peacebuilding be allocated appropriately, and that those involved in peacebuilding are prepared to remain committed over the long process (see Love 2010, 82).

The Appeal generated by the Catholic Nonviolence Initiative also refers to the importance of virtues for nonviolence. In this vein, Eli McCarthy has contributed to Christian peace studies by developing a virtue ethic of nonviolent peacemaking. He contrasts nonviolent peacemaking as a virtue, with nonviolent peacemaking as a mere conflict resolution strategy. This framework of virtue ethics enables McCarthy (2012) to advocate for nonviolent peacemaking as an element of human character, developed through certain practices, that connects to other relevant virtues. Specifically, McCarthy proposes that the cultivation of the virtue of nonviolence will also promote and necessitate virtues like prudence, humility, solidarity, hospitality, and mercy (see 88).

Each of these virtues, insofar as they point to particular aspects of an overall virtuous Christian character, emerges from a practice or set of practices.¹⁴ For example, humility will encourage “interreligious dialogue” and “conflict mediation” (McCarthy 2012, 89) while mercy might be developed through the practices of “unarmed civilian peacekeeping or third party nonviolent intervention” and “Truth and Reconciliation Commissions.” (McCarthy 2012, 91) In a mutually reinforcing manner then the virtue of nonviolent peacemaking shapes also the virtues of prudence, humility, solidarity, hospitality, and mercy. Moreover the virtue of nonviolent peacemaking foregrounds practices that promote and arise from those virtues, and more richly nourish a nonviolent peacemaking character.

Among the more interesting aspects of McCarthy’s proposal is that it is complex in a way that is both aesthetically pleasing and appropriate to the complexity of peacemaking in a violent world. By encouraging

14 Lisa Sowle Cahill (2016) also enumerates the practices of a just peace ethic: “Just peace would involve conflict-transforming practices such as direct nonviolent action, diplomatic initiatives, interreligious political organization in civil society, unarmed civilian peacekeeping, public rituals of repentance, and initiatives of reconciliation”.

Christians to engage in certain practices that will enable us to develop virtuous characters of nonviolent peacemaking, McCarthy is simultaneously encouraging us to build, via those practices, a more just and peaceful world. There is beauty in this proposal, as it aligns individual character development and individual praxis with outcomes of peace and justice in the communities in which those virtuous individuals live out their praxis.

2.3.3 Consensus on Nonviolence

Despite their disagreements, which I will describe below, on whether or not the JWT ought to continue to have a place in the official institutional teaching of the Catholic Church, scholars who occupy positions two and three described above univocally affirm the Appeal's insistence that Christians are called to be peacemakers and that nonviolence ought to be the central way that the Church and its members approach ethical questions about conflict, violence, and peace.

As evidenced in the Appeal itself, Christian scholars have heartily embraced new scholarship in the fields of political science and sociology that attests to the efficacy of nonviolent civil resistance for cultivating social transformation. Arguably the most well-known instance of this work is a study conducted by Erica Chenoweth, a scholar of international relations and political science, and Maria Stephan, currently the Director of the Program on Nonviolent Action at the United States Institute of Peace. Chenoweth and Stephan (2011) employ statistical analysis and case studies of nonviolent resistance around the globe and across several decades. They find that nonviolent resistance has been substantially more effective than violent force for engendering sustainable social transformation. Another study conducted by peace studies sociologist Sharon Erikson Nepstad (2011) analyzes nonviolent uprisings around the globe. Nepstad employs a taxonomic method, comparing successful and unsuccessful revolutions to promote nonviolent practices that seem to be most effective in liberating populations living under dictatorships.

With these studies of the effectiveness of nonviolence, Catholic scholars working in peace studies and related fields have strong interdisciplinary allies for promoting active nonviolence, and urging ordinary Christians to embrace nonviolence. Indeed, in the United States we have seen a

resurgence in recent months in the use of nonviolent direct action to resist unjust economic, social, and political structures.¹⁵

One example of surging nonviolent resistance in the U. S. is in response to racial injustice, especially as it has been manifest in extrajudicial police killings of unarmed black people. Michael Jaycox, a Catholic theological ethicist, has been studying this resistance as it is embodied in the Movement for Black Lives, often known as Black Lives Matter (BLM). In 2015, Jaycox conducted field research in Ferguson, Mo. Ferguson is a central site for BLM because it is the location where police officers shot and killed Michael Brown in August 2014. Brown's death at the hands of Officer Darren Wilson ignited waves of protest in Ferguson and across the United States that succeeded in drawing massive attention to the movement. Moreover, the protests caused the U. S. Department of Justice to conduct an investigation of Ferguson's police department that subsequently found it rife with racially discriminatory practices that harmed the majority of Ferguson's citizens.

During his time in Ferguson, Jaycox participated in acts of nonviolent resistance, including civil disobedience, in solidarity with BLM activists. Eventually, several activists consented to be interviewed by him. In the published work that has resulted from his experiences and interviews, Jaycox not only describes the questions he asked and the answers he received in dialogue with black activists, but he also interrogated his own whiteness, and whiteness as privileged social construct in the racialized U. S. landscape. Through participating in acts of civil disobedience and interviewing BLM activists, Jaycox discovered that among the socially oppressed, nonviolent direct action constitutes a powerful symbolic performance against the status quo and violence of white supremacy in U. S. institutions. While not at all denying the effectiveness of nonviolent direct action, Jaycox turns the camera from a focus on efficacy toward a less explored landscape: the way that nonviolence builds communities committed to widespread political participation of their members. (See Jaycox 2017)

15 There has been an upsurge of nonviolent resistance in the U. S. over the past five years in movements like "Occupy Wall Street," "Black Lives Matter," Native American "Water Protectors" who spent months resisting government and corporate forces building a gas pipeline through their lands, and recently the Women's March movement that has responded to the election of Donald Trump to the U. S. Presidency.

2.3.4 The Status of JWT in Catholic Teaching: An Urgent Conversation

Toward the close of the Appeal, its writers enumerate multiple tasks for the Church to take on as part of a turn toward what they refer to as a Just Peace approach. These range from continuing to develop Catholic social teaching on nonviolence, to integrating nonviolence into the sacramental and educational life of the Church at every level, to supporting non-violent activists, and finally to asking the Church “no longer to use or teach the ‘just war theory’”. It is this last request which has generated significant controversy among those who espouse nonviolence and reject the “just war theory” but do not necessarily embrace pacifism (position 2), and those who embrace both nonviolence and the enduring value of the JWT as a way of morally evaluating violent conflict (position 3). Before I review the various elements of this urgent conversation, however, it is necessary to offer three observations without which I do not think my analysis will be sufficiently clear to readers who are unfamiliar with these discussions.

First, it is not entirely clear how the Appeal understands just war ethics. This has at times led to contentious debate, and even accusations that some scholars do not know what “just war” refers to. (See Steinfels 2017) I respectfully suggest that such accusations have created more heat than light. Instead participants in this conversation should dialogue about the meaning of the terms they are using, and endeavor to adopt a common lexicon in their future writing for the sake of clarity.

Chief among these lexicographical problems is that the writers of the Appeal use exclusively the term “just war theory” while position three scholars most often use the term “just war tradition”. For position three, “just war tradition” emphasizes a lack of uniformity in thinking about war ethics even within just war scholarship. I raise this issue largely to note that the terminology in debates between position-two (who seem largely in support of the entirety of the Appeal), and position-three scholars (who seem in support of all of the Appeal except its rejection of what the Appeal calls “just war theory”) is not always the same and can leave onlookers wondering if scholars are indeed talking about the same thing when they use either the term “just war theory”, or, “just war tradition”, or, even an additional emerging term “just war thinking”.

A second concern about terminology involves the term “Just Peace” or “Just Peace approach”. While the Appeal does make an effort to define a “Just Peace approach” as one that “offers a vision and an ethic to build

peace as well as to prevent, defuse, and to heal the damage of violent conflict” involving “a commitment to human dignity and thriving relationships, with specific criteria, virtues, and practices to guide our action” (CNI 2017) it does not systematize this term or distinguish it from other concepts that also use the terminology of “just peace”.

In the Appeal, “Just Peace” appears to be a technical term referring to a uniform concept or “approach”. Nevertheless it is difficult to determine what this approach entails and how this is different from other variations or uses of the concept “just peace”. On the one hand, the Just Peace approach is not the same as the JPT, described above. But at the same time, Christian scholarship often refers to the general promotion of a just peace in the world. Here, just peace is usually rooted in the Biblical notion of *shalom* – the peace that comes from right relationships with God, others, and creation.¹⁶ The writers of the Appeal, however, seem to have a more formal notion in mind, and hence refer to a Just Peace approach. As I explained above, this approach resonates partially with the Just Peace ethic promoted by Love; but Love’s work does not seem to it encompass fully. Likewise, it resonates with McCarthy’s virtue ethic, but his ethic also does not encompass it fully. It seems likely that the development of the Just Peace approach is nascent, in which case those scholars suggesting this approach will continue to build its meaning.

Having highlighted these concerns I turn to the substance of the debates between those Catholic scholars who embrace the Appeal in its entirety, and those who embrace the vast majority of the Appeal, but not its exhortation that the Church no longer use or teach the just war theory. There are four major areas where position-two and position-three scholars seem to differ: 1) on the development and content of Catholic social teaching on war and peace and the place of the JWT and non-violence in that teaching; 2) on whether or not the JWT functions as a tool to restrain war; 3) on whether the JWT can be held responsible for a lack of imagination and creativity toward nonviolent solutions to geo-political problems; and 4) on the role of the institutional Church, the papacy, and the episcopacy in global politics pertaining to war and violence.

16 In fact JWT scholars typically argue that the only morally justifiable telos of defensive war is a just peace, which might make such scholars wonder why a Just Peace approach would not include an embrace of the JWT, rather than a repudiation of it.

2.3.5 The Development of CST regarding Peace and War

Catholic ethicists in the U. S. differ when it comes to the place of the JWT and nonviolence in Catholic social teaching (CST) as it has developed over the last half century. The writers and signatories of the Appeal discern “a different path [that] is clearly unfolding in recent Catholic social teaching” (CNI 2017). The path diverges from the JWT with Pope John XXIII’s insistence that “war is not a suitable way to restore rights” (CNI 2017). It becomes wider with Paul VI and John Paul II’s appeals to international leaders to abandon warfare and embrace economic development for impoverished nations. The path has become well-trodden by Pope Francis who, the Appeal notes “said the true strength of the Christian is the power of truth and love, which leads to the renunciation of all violence. Faith and violence are incompatible.” Thus, concludes the Appeal, CST, as represented in papal teaching, is ripe for a shift toward Just Peace and away from the JWT.

Among those scholars with concerns about the Appeal’s characterization of CST are Mark Allman and Tobias Winright. They suggest that the Appeal engages in a “tendentious reading of the church’s just-war tradition” (Allman/Winright 2016) and they emphasize CST statements that seem to embrace the JWT. They reference many of the same Popes mentioned in the Appeal but point to places where these Popes embraced something more like just war reasoning, especially in condemnation of unjust violence. “Consider John Paul II,” they write, “who said, ‘We are not pacifists, we do not want peace at any price.’ John Paul also made sure just-war thinking had a place in the Catechism and the Compendium of the Social Doctrine of the Church. More recently Francis, speaking about ISIS, asserted, ‘It is licit to stop the unjust aggressor.’” (Allman/Winright 2016) Allman and Winright further remark that Pope Francis actually penned a letter to the April Catholic Nonviolent Initiative conference in which he echoed the Second Vatican Council’s statement that governments have a right to “legitimate defense once every means of peaceful settlement has been exhausted.” (Allman/Winright 2016) For Allman and Winright, the Appeal too easily glosses over the Church’s and the Popes’ continued reliance on the tools and criteria of the JWT when they are faced with the need to evaluate and respond morally to injustice and violence.

In a direct response to Allman and Winright, however, Lisa Sowle Cahill (2016) demands that CST on war and peace is “paradoxical”, and simply not easy to pin down. “Church teaching about the use of force is

paradoxical because it is not simply a stringent version of just war theory that prioritizes nonviolent peacebuilding and accepts armed force as a rare necessity. The paradox is that the teaching, and the popes in particular, use seemingly absolutist language against violence – violence is presented as a flat contradiction of the Gospel – while at the same time validating the limited use of armed force.” (Cahill 2016) Cahill insists that multiple interpretations of this paradox are possible, including the interpretation developed by the writers of the Appeal. She describes this interpretation of Church teaching as “an unfolding and still conflicted shift from just war thinking to pacifism.” (Cahill 2016) Cahill is a master when it comes to spotting and interrogating inconsistencies and tensions in the Catholic tradition, and her analysis here reflects that expertise.¹⁷

Drew Christensen (2018) takes a similar approach to Cahill, but comes to different conclusions. While Christensen does not use the term “paradoxical”, he does suggest that CST on war and peace indicates a “composite” approach and cautions against conflating pacifism and nonviolence. He sees active nonviolence as part of a “continuum of (non-coercive or mildly coercive) remedies against injustice that at some point may give way, on consideration, to more coercive means like sanctions and military intervention” (110). Thus Christensen points to the same texts addressed by Cahill, but interprets them differently. He suggests that while the Appeal is right to encourage education and development of criteria, virtues, and practices to guide a Just Peace, it would do well not to suggest that the Church “abandon just war thinking” but rather that it “expand the hitherto marginal role of nonviolence in Catholic life and in the thinking of just war theorists in the Catholic tradition”. (111)

Christensen’s thinking strikes me as resonant with Gerald Schlabach’s (2017) analysis. Schlabach is perhaps best known for his work on just policing (see 2007, 69–110), which calls both pacifists and JWT adherents to take more seriously the capacity of international policing that uses coercive force, but stops short of warfare, to deal with human rights violators, especially terrorists and terrorist organizations. Schlabach is thus skilled at carving routes that overcome the sometimes seemingly unbridgeable impasse between the JWT and pacifism. Schlabach attended the 2016 conference, helped to develop consensus around the Appeal, and endorsed it.

17 See for example her now famous treatment of Augustine’s ethics of war and peace in “Love Your Enemies” with reference to the distinctions between “inward disposition” and “outward actions”. (Cahill 1994, 69–75)

Nevertheless, since the publication of the Appeal, Schlabach has suggested that what he is concerned about with regard to the JWT is not the way that careful scholars of the tradition have used it throughout history “to assist in minimizing the violence necessary to maintain a just order in a fallen world” but rather “how just-war discourse has been manipulated again and again over the centuries, in war after war”. (Schlabach 2017) Thus, Schlabach acknowledges that if the JWT were properly understood by Catholic parishioners, rather than reduced to the single criterion of just cause, it might fulfill its intended purpose of restraining and limiting warfare. However, given that the JWT is largely misunderstood, and is often reduced by Catholic parishioners to just cause, he supports shifting the focus to Just Peace as a way of “forming the people of God” (Schlabach 2017) for active nonviolence in the face of unjust suffering.

2.3.5.1 Disputing the Effectiveness of JWT for Limiting Violence

Among the reasons offered in the Appeal to explain why the JWT ought to be abandoned in the official teaching of the Church is that it has “too often” been used “to endorse rather than prevent or limit war”. In my research, I have not seen any scholar explicitly refute this claim. It seems to be widely acknowledged by Catholic scholars occupying all four positions on the ethics of war and peace that unscrupulous politicians and those with little education in the nuances of the JWT will use, misuse, and manipulate the JWT or perversions of it to justify unjust violence that the JWT in fact explicitly rejects.¹⁸ Nevertheless, several just war scholars reject the notion that abuse of or unfaithfulness to the JWT warrants jettisoning it. Moreover, position-three scholars, while acknowledging that the JWT is frequently misused, also highlight many instances in

18 For example Johnston (2018), Winright (2018a), Allman (2018), Christiansen (2018) say in the introduction to the theological roundtable “we agree [...] that [...] JWT is often (mis)used to justify violence.” (107), online available <<https://doi.org/10.1017/hor.2018.56>>, accessed October 28, 2018. – note that these scholars use “(mis)used” rather than simply “used” to reflect their belief that when used properly the JWT cannot endorse unjust uses of military force. Schlabach (2017) makes a similar point, as does Daniel M. Bell, Jr. Bell describes the differences between the restraints that the JWT places on warfare versus most Americans’ understanding of the just war theory as permitting nearly any level of violence in pursuit of a just cause.

which it has been used properly to analyze past wars, proposed wars, new weapons and tactics in war, and to call to account positions and practices that are unethical according to the JWT.

While not a direct response to the Appeal, a recent text edited by Laurie Johnston and Tobias Winright (2015) asks a question relevant to the Appeal's suggestion that the JWT is more a tool used to endorse war than to limit it: can war be just in the 21st century? The volume brings the just war tradition to bear on urgent questions of violence today with leading Christian scholars analyzing drone warfare, cluster munitions, the practice of torture, military humanitarian intervention, wars' effects on the environment, nuclear testing, and the emerging category of moral injury.

In direct response to claims made in the Appeal, Tobias Winright (2018b) catalogues multiple recent and historical cases in which Church leaders and scholars used the criteria of the JWT to pressure government leaders to turn back from the brink of war, or to reject certain practices in war. He notes, for example, John Ford's now famous application of the principle of double effect to the Allied Powers use of obliteration bombing in German cities during World War II; Ford (1944) declared these bombings morally illicit according to the JWT. Looking at more recent history, Winright (2018b, 12) highlights the strong stance of Catholic scholars who "scrupulously criticized, on just war grounds, the U. S.'s plans for preemptive war" in Iraq during the George W. Bush presidency. He also mentions the urgent appeals in multiple letters and statements made by the U. S. Bishops against the invasion of Iraq. In a public statement issued as the nation ratcheted toward war, the Bishops used the just war criterion of just cause to argue against the so-called "Bush Doctrine" now notorious for advocating preventative strikes. Preventative strikes, which aim to prevent the possibility of future aggression by one nation against another contrast with preemptive strikes, which aim against imminent attack. While the JWT sometimes allows for preemptive strikes, it disallows preventative strikes.¹⁹ At the approach of preventative strikes against Iraq, the U. S. bishops marshalled the just war criterion of legitimate authority to demand that any declaration of war would need the approval from both the U. S. Congress and the United Nations; and they used the just war criteria of reasonable probability of success and proportionality to argue that war ought not be declared because of its

19 For a helpful analysis of this see Himes (2004).

foreseeable effects of destabilizing the Middle East and disproportionately harming civilians (USCCB 2002). As far as I am aware, there have been no counter-arguments or responses yet to Winright's assertion that the JWT does continue to function as a tool for morally evaluating talk of war, and for calling for wars not to be waged in accord with *jus ad bellum* criteria, or to be limited in accord with *jus in bello* criteria.

2.3.5.2 War, Peace, Creativity, and Imagination

The Appeal argues that the JWT “undermines the moral imperative to develop tools and capacities for nonviolent transformation of conflict”. (CNI 2017) This idea is echoed in an article co-authored by Marie Dennis, Co-President of Pax Christi International, and Eli McCarthy, Director of Justice and Peace for the Conference of the Major Superiors of Men and arguably the Appeal's leading academic voice in the United States. Dennis and McCarthy, as directors of their respective organizations both of which sponsored the Catholic Nonviolence Initiative Rome conference, maintain that “just war language and thinking” (2016) can act as a barrier to imagining new “tools and capacity for nonviolent forms of protection in dangerous situations, for nonviolent transformation of conflict, etc.” (Dennis/McCarthy 2016) They worry that academic advocates of the JWT, or ordinary people formed by it, might regard nonviolent methods as merely “adjunct to military action.” (Dennis/McCarthy 2016) Winright (2018a) disputes these claims and suggests that no evidence has been offered in support of them. “I am not persuaded,” he remarks, “that more imagination necessarily entails only nonviolence or pacifism”. (Winright 2018a, 116) He shifts the burden of proof for this assertion back onto position-one and position-two scholars:

“Indeed pacifism has existed much longer than JWT, and only in the last century has active nonviolence, which is not necessarily synonymous with pacifism, developed as an effective practice. Why has this approach not succeed in capturing the imagination of more Christians? The *Appeal* places the blame on JWT without offering evidence. One could just as easily argue the reverse: the failure is not with JWT, but with pacifism and nonviolence, which have failed to make a convincing argument [...] Perhaps by limiting just peacemaking to pacifism and nonviolence, the *Appeal* instead cuts off imagining a wider range of options, including the use of armed force in extraordinary cases.” (Winright 2018a, 116–117)

Instead, Winright points to the ways in which the JWT has evolved over the centuries, to further reign in destructive force, and to deal with new and emerging weaponry and forms of war-fighting. “Thought and imagination” he states, “went into ongoing efforts to limit war” (Winright 2018a, 117) via the JWT.

Laurie Johnston (2018) takes up the question of moral imagination, war, and peace from a somewhat different angle. She acknowledges that creative efforts can help nurture nonviolence. She points to how telling stories to students about successful nonviolent campaigns makes them more aware of the possibilities of nonviolent alternatives to war. The fact that more people are not aware of nonviolence’s effectiveness leads her to declare that “nonviolence has a publicity problem”. However, she asks if “talking about the possibility of a just war inhibit(s) our creativity when it comes to peacemaking?” (Johnston 2018, 121) Less certain in a negative response than Winright, she answers her own question: “Perhaps.” She wants to acknowledge that talking about war, like talking about divorce, might make it seem more possible and even natural than peace, or monogamous life-long commitment. Nevertheless, she does not conclude that JWT ought to be jettisoned. Instead, she suggests that we need JWT because it holds us to moral account in the horrifying circumstances of war. “The virtue of JWT is that it refuses to regard warfare as a situation in which moral categories no longer apply.” (Johnston 2018, 122)

It is notable that these conversations about moral imagination, war, peace, and nonviolence occur in the wake of John Paul Lederach’s (2005) work on moral imagination and peacebuilding. Lederach views moral imagination as a critical and creative capacity that enables us to “transcend the cycles of violence that bewitch our human community while still living in them”. (2005, 5)

Still, for Dennis and McCarthy, the question seems to be less about moral imagination and creativity, and more about the formation of Christian consciences in active nonviolence and the concomitant allocation of intellectual and material resources toward nonviolent solutions for geo-political conflicts. They fear that “we spend so much talent and treasure preparing for what we think might be a ‘just war’, that we have almost no resources available for nonviolent prevention, protection and community based programs that could help heal the root causes of war”. (Dennis/McCarthy 2016) Most of this statement strikes me as one with which position-three scholars like Johnston and Winright would heartily

agree: substantial resources – both intellectual and material – ought to be marshalled toward the development of active nonviolence and toward healing the root causes of war. They might, however, reject a characterization of their work as “preparing” for a so-called ‘just war.’ My sense is that position-three scholars do not view themselves as preparing for what they think may be a just war, but rather they see themselves as employing the resources of a long and still developing intellectual tradition to morally evaluate politically motivated violence and hold those responsible for it accountable.

2.3.5.3 The Institutional Church’s Role in International Politics

The repudiation of the JWT in the Appeal signifies its writers’ and signatories’ hopes that a more clear-eyed focus on active nonviolence might alleviate injustice, violence, and the suffering that it causes around the world. Thus Dennis and McCarthy describe the purpose of the Catholic Nonviolence Initiative conference: it was “to encourage Catholics to engage energetically in the development of more effective nonviolent practices for protecting vulnerable communities, avoiding violent conflict, transforming structures of violence, and promoting cultures of peace”. (Dennis/McCarthy 2016)

In analyzing the Appeal and its aftermath, Mark Allman expresses concern that this larger goal, which as a position-three scholar he supports, might be jeopardized rather than enhanced by a repudiation of the JWT. No longer using or teaching the JWT, Allman fears, “could potentially increase human suffering, death, and destruction”. (Allman 2018, 124) Allman suggests the institutional Church’s global image, and what he views as its capacity to have an effect in international affairs, could be negatively impacted if the Church jettisons the tradition that arguably gave birth to international law. Harkening back to concerns about misuse of the JWT, Allman (2018) remarks, “as a steward of JWT for centuries, the church provides an alternative JWT to the more hawkish political realist approach, which often uses just-war language as moral camouflage”. (124)

Lisa Sowle Cahill finds arguments like Allman’s unconvincing primarily because of what she sees as the role of the Church in promoting international peace. “Even if killing is sometimes morally necessary and justified (as in R2P), it is not the job of the popes as Christian leaders, pastors

and teachers, to justify it.” (Cahill 2018) Thus, Cahill acknowledges that there may be times when killing is justifiable in defense of the innocent, in cases, for example, of military humanitarian intervention to prevent or halt genocide. However, she sees the role of the institutional Church, shaped by the gospel, as more appropriately directed toward active nonviolence.

Something similar to Cahill’s approach may well be reflected in the Vatican’s recent repudiation of nuclear deterrence.²⁰ While, as mentioned above, during the Cold War, the institutional Church accepted the necessity of nuclear deterrence, in late 2017 Pope Francis “openly denounced the possession of nuclear weapons by various world governments”. (McElwee 2017) In an interview with Joshua McElwee (2017), Gerard Powers of Notre Dame University’s Kroc Institute for International Peace Studies remarked: “The Holy See is sending a clear message that the moral imperative of nuclear disarmament is and should be at the center of the Church’s international agenda for peace.” Here, we have an example of the Church as an institutional body shifting its position in favor of disarmament.²¹

2.3.5.4 Concluding Remarks on the Appeal and its Aftermath

To close this section it strikes me as worthwhile to quote, at length, from Dennis and McCarthy’s article about the intention of the Appeal and its call for the Church to no longer use or teach the JWT. It is revelatory of both their concerns for promoting active nonviolence, and the concerns of those who embrace both nonviolence and the JWT:

“Our intent was not to compare the value of different versions of just war thinking, but rather to move just war thinking out of the way so we could have the honest dialogue we were seeking about nonviolence. The Church played a particular role over the years in the development of ‘just war’ norms in international law. Those norms are well ensconced and will continue to function. Yet, now the Church can make a significant contribution to peace in a world too often ready for war by developing Catholic understanding of and commitment

20 I am grateful to an anonymous reviewer for pointing this out.

21 For more on the pastoral and moral implications of this shift see Christensen (2018b).

to nonviolent practices in international affairs (way beyond ‘conflict resolution’) through education, sacramental life, preaching, seminary training, policy advocacy, and the investment of Church talent and treasure in the development of nonviolent tools for protection, conflict transformation, restorative justice and reconciliation.” (Dennis/McCarthy 2016)

Thus Dennis and McCarthy acknowledge the historical importance of the development of the JWT in the Church, and its subsequent effect on international law. They seem to suggest the JWT as a foundation for international law, ought to continue to function (or at least that it will do so, regardless of the Church’s efforts).

Finally, I think it only fair to acknowledge that I am a position-three scholar. I have devoted, and will continue to devote a good portion of my intellectual and academic energies toward understanding and promoting nonviolent resistance. I concur that war always represents a form of human failure, and even sin. I also view the JWT as a critical tool for morally evaluating political violence and for limiting and restraining the human failure that is war. In reflecting on the conversations and debates that have been taking place since the Catholic Nonviolence Initiative Rome conference, I find myself wondering if it is time to rename the JWT. In October, I attended an institute on developing Catholic peace studies programs, sponsored by the Catholic Peacebuilding Network in Entebbe, Uganda.²² There, David Hollenbach addressed the conference to give an overview of Catholic teaching on war and peace. In his address, he remarked that the JWT might more aptly be called the Just/Unjust War Tradition. Later, I found myself at an academic conference in the U. S. in which the Appeal was discussed. I was genuinely surprised to hear one of the Appeal’s signatories say that she supports *the criteria* of the JWT, but wants the Church to no longer teach or use the JWT. I began to think that if the JWT were instead called “the Unjust War Tradition” this might clarify matters because the JWT does not propose that war *is* just, but instead presumes that war is chaotic, destructive, and even sinful (though a position four scholar would disagree with at least part of that assessment). For my part, I think I would embrace this new moniker if it more clearly expressed that the JWT is constituted by its

22 See <<https://kroc.nd.edu/news-events/news/cpn-and-kroc-institute-co-sponsor-africa-institute-for-peace-and-justice-studies>>, accessed August 07, 2018.

criteria, whose purpose is to limit and restrain war, and provide tools for analyzing and evaluating the moral failure of war when it occurs. Is the “just war tradition” a misnomer? Does it give the impression that those who employ it as a tool to analyze war are preparing for or seeking a so-called just war, as suggested by Dennis and McCarthy in their stated hope that the Appeal will lead to “active and creative nonviolence as an effective antidote to the senseless spirals of violence that surround the elusive pursuit of a ‘just war’”? (Dennis/McCarthy 2016) I remain eager to hear others’ thoughts the notion of renaming the JWT the “unjust war tradition” (UWT). Would such a name alter the content of the tradition? Or the manner in which it is used in academic labor? Would it alter the use of just war criteria for limiting and restraining war? For pursuing (not an elusive just war but) a global just peace?

3 The Rise of Restorative Justice

In the late 20th century, revolutionary activity in Latin America and Africa was met with violent repression, which often resulted in armed struggle, and in some cases developed into full scale civil war.²³ In the aftermath of waves of violence, practitioners of conflict transformation have been seeking ways to hold both individuals and states responsible for crimes against humanity. These pursuits have become increasingly important given the number of regimes which negotiated some form of amnesty as a condition of the surrender of power. How, peace practitioners and peace studies scholars have been asking, can we stop cycles of retaliation and revenge, hold perpetrators of war crimes accountable, and attend to the personal and communal trauma inflicted by civil wars, ethnic cleansing, and authoritarian regimes?

Scholarly research addressing these questions has generated reams of literature on topics that deal with the intersection of theology and religion with diverse topics such as trauma and the healing of memory, nonviolent and armed revolution, the human impulse to vengeance, post-conflict forgiveness and reconciliation, and the benefits and burdens of war crimes prosecutions. In this literature, a major trend that has emerged

23 Consider, for example, the political crises in El Salvador, Guatemala, Nicaragua, and South Africa during the last few decades of the 20th century.

focuses on restorative justice. Restorative justice views violent conflict in terms of harms done to people, relationships, and communities; as a practice of justice it aims to repair the harms done in order to promote peace and reconciliation. John de Gruchy describes restorative justice in Christian terms as “justice that rebuilds God’s intended network of relationships” (2002, 201).

This trend toward restorative justice has been especially helpful in clarifying the meaning and relationship between forgiveness and reconciliation especially in social and political contexts. It has also emerged as a response to hegemonies of retributive justice that have not necessarily been effective at promoting sustainable transitions from violence to peace.

3.1 Forgiveness and Reconciliation in Socio-Political Contexts

Literature on restorative justice as it pertains to peace studies can be traced back at least to South Africa’s Truth and Reconciliation Commission (TRC) following apartheid. The process of the TRC and the stories that emerged from this process captured the imagination of much of the world, and certainly of scholars devoted to peace and justice studies.²⁴ Likewise the Chairperson of the TRC, Archbishop Desmond Tutu, made world-famous the Southern African humanist philosophy of Ubuntu (discussed further below), and made use of this philosophy, combined with Christian theology, to teach about restorative justice as rooted in practices of forgiveness and reconciliation. Indeed, since the aim of restorative justice is healing wounds in communities rent by violence so as to establish peaceful relationships for a shared socio-political future, texts on restorative justice have often responded to three related questions: What is forgiveness? What is reconciliation? How are these related to political and social peacebuilding and peace-making processes?

These questions are dealt with in interlocking ways by multiple scholars. John W. de Gruchy and Daniel Philpott have produced major texts that have foregrounded these questions.

24 The TRC was not the first truth commission, or the last. It is, however, arguably viewed as the most successful truth commission to date. For a good analysis of twenty-one truth commissions and the strengths and drawbacks of them see Hayner (2002).

John de Gruchy recognizes forgiveness and reconciliation as related but distinct acts. He calls forgiveness “a key moment in the process of reconciliation”. (De Gruchy 2002, 170) Forgiveness is not identifiable with reconciliation; indeed it can promote reconciliation or fail to do so. De Gruchy cautions that in post-conflict situations seeking to enact restorative justice, powerful institutions and individuals can exploit forgiveness in ways that continue to victimize vulnerable people. As a member of the TRC, he acknowledges a “danger of enforcing victims to forgive,” calling us instead to recognize that “genuine forgiveness [...] is a painful process and not something that can be turned on like a tap”. (De Gruchy 2002, 171) Nevertheless, the advantages of encouraging forgiveness in order to set a foundation for a peaceful community are manifold. Forgiveness can be transformative for both the forgiver and the forgiven, and that transformation can redound upon the community in which individual forgiver and forgiven reside. (De Gruchy 2002, 175) Moreover, forgiveness after violent conflict involves an important transfer in which

“the power that once resided in the hands of the perpetrator is now in the hands of the victim. Forgiveness demonstrates that victims are no longer trapped in their victimhood but have overcome the evil that sought to destroy their humanity and make them victims. It turns victims into survivors, and enemies into friends; but even more, forgiveness enables those who forgive to overcome their bitterness and redeem their future, and those who sinned against them to recover their own humanity.” (De Gruchy 2002, 176–177)

Building on De Gruchy’s analysis, my own work (2012) sharply distinguishes forgiveness and reconciliation. I argue that post-conflict reconciliation can manifest in minimal or maximal ways. Minimal reconciliation occurs when two formerly fighting groups agree to stop cycles of violent retaliation. Maximal reconciliation builds on the commitment to stop cycles of violence, but also includes forgiveness, apologies, and reparations. While reconciliation, especially in its maximal form, will usually involve forgiveness, forgiveness does not necessarily produce reconciled communities. Following the model of restorative justice, I understand reconciliation as the reconstruction of relationships, but not all victims will want a relationship with persons who harmed them. Victims can forgive without a desire to reconcile. Nevertheless, for formerly warring groups living in the relatively tight quarters of villages, neighborhoods,

and nation-states, the pursuit of at least minimal reconciliation is urgent. (See Floerke Scheid 2012, 28–29)

Daniel Philpott also takes up these questions and offers a robust argument about the nature of political reconciliation and justice. He rejects any suggestion that justice and reconciliation are divergent processes, or that justice must be sacrificed in order to attain peaceful outcomes after violent conflict. He also argues creatively against the idea that political reconciliation, or truth commissions as vehicles of it, is distinct from justice, a lesser form of justice, something added to justice, or something merely complementary to justice (see Philpott 2012, 49–52). Instead, Philpott makes the intriguing claim that “reconciliation equals justice that entails a comprehensive restoration of relationship”. (Philpott 2012, 53) Justice as reconciliation, he argues, includes all activities that rebuild and restore relationships: truth-telling, forgiveness, the establishment of human rights and equality, and even retributive or punitive acts. (see Philpott 2012, 53)

To advance his argument that justice *is* reconciliation, Philpott describes “primary restorations and secondary restorations”. (Philpott 2012, 56) Primary restorations repair “primary wounds” of political conflict. They involve establishing just social, political, and economic institutions, truth-telling, apology, and forgiveness, as well as reparations and punishment. For Philpott these acts of reconciliation are “intrinsically just” (Philpott 2012, 56) – meaning that the consequences of these actions are morally irrelevant to their just character. Secondary wounds are results of the injustices that were inflicted by primary wounds. These secondary wounds involve harm to people’s emotional and spiritual well-being, and to their memories. Unlike those acts which heal primary wounds, strategies for healing secondary wounds are “assessed in terms of their positive consequences for the political community.” (Philpott 2012, 57) Thus, when the instantiation of respect for human rights in a formerly despotic nation leads the international community to recognize a state’s legitimacy, these consequences represent a form of healing and enable a community to view themselves as one nation invested together in the common good. Philpott’s research leads him to claim that political reconciliation “is a concept of justice that aims to restore victims, perpetrators, citizens, and governments of states that have been involved in political injustices to a condition of right relationships within a political order or between political orders – a condition characterized by human rights, democracy, the rule of law, and respect of international law; by widespread recognition of the legitimacy of these values, and by the virtues that accompany these values”. (Philpott 2012, 58)

3.2 Beyond the Hegemony of Retributive Justice

Another serious problem addressed by the rise of restorative justice in peace studies literature involves the powerful rubric of retributive justice for dealing with criminality in the West. Retributive justice for dealing with war crimes is sometimes referred to as the “Nuremberg Option” in peace studies literature, as scholars trace it back to the indictment, trials, and sentencing of Nazi war criminals at the close of World War II. Retributive justice is not seen as a problem in and of itself in peace studies literature, but scholars are concerned that it is not to be viewed as the *exclusive* option for societies seeking justice as they transition from violence to peace.

Early discussions regarding restorative justice in post-conflict societies centered around the efficacy, morality, and legality of amnesty and related topics such as trials and punishment. Many scholars trained in Western contexts were unfamiliar with restorative justice practices more common in African and Middle Eastern contexts. The Western tradition of retributive jurisprudence led some scholars to balk at the idea that restorative justice could “count” as real justice at all, or that it would have the moral power to encourage socio-political reconciliation. They viewed any form of amnesty for war crimes as mere impunity. The live nature of questions about retributive justice can be seen in multiple texts from the early 21st century. Chapter titles such as “Truth Versus Justice: Is it a Tradeoff?” (Hayner 2002, 86–106) and “Revenge, the End of Politics, and Justice, the Beginning” (Shriver 1995, 12–32) and essay and book titles like “The Convergence of Forgiveness and Justice” (Pope 2003, 812–824) and “Truth v. Justice: The Morality of Truth Commissions” (Rotberg/Thompson 2000) pay homage to the intensity of this debate. It is also evidenced by scholars like Martha Minow who, while advocating for restorative justice nevertheless acknowledged: “A truth commission looks like a less desirable choice if prosecutions for human rights serve as the model for institutional responses to state-sponsored violence.” (1998, 57)

While there is no doubt that impunity for war criminals is to be avoided as much as possible, the rise of restorative justice suggests retributive justice is not the only, or even always the most preferable way, of holding war criminals to account. Restorative justice, which can be enacted via Truth and Reconciliation Commissions, may actually do a better job of forwarding the goals of transitional justice than retributive justice. I have argued that establishing a just peace in societies transitioning from

violence requires validating victims' experiences, establishing a shared historical record of violence, and holding perpetrators accountable, though not necessarily through a retributive system of indictments, convictions, and punishments. Because of the resources required to gather enough evidence to successfully prosecute war criminals, and the disincentive for perpetrators to participate in truth excavation in retributive processes, restorative justice practices, like Truth and Reconciliation Commissions may do a better job of forwarding the aims of transitional justice than retribution can (see Floerke Scheid 2015, 120–122).

The rise of restorative justice is a welcome development in Christian peace studies, and one that seems poised to continue. Moving forward, we may want to address questions like, what kind of practices besides truth commissions can enable restorative justice? In the light of intergenerational cycles of conflict, how can we ensure that restoration is also intergenerational: what practices, educational curricula, national or international holidays, and other reparative efforts ought peace studies scholars suggest and work toward? And finally, given the development of the International Criminal Court (ICC), whose justice follows the retributive model, as the international community's only resource for holding war criminals accountable for crimes against humanity, should advocates of restorative justice be proposing models that can stretch across international boundaries and reconcile people subject not only to intra-state, or intra-regional conflicts, but also those affected by inter-state violence? What might international institutions of restorative justice, as parallels to the ICC look like? Should they be developed, and if so, how?

4 The Turn to Local and Indigenous Praxes for Peacebuilding

The final trend I want to note is the embrace in peace studies scholarship of local and indigenous praxes. As I alluded to above, this trend has been building since Desmond Tutu's, and the Truth and Reconciliation Commission's, focus on Ubuntu in the late 1990s. The trend is accompanied in Catholic peace studies by a recognition of the "new Catholicity" articulated by Robert Schreiter. Schreiter notes that globalization has led simultaneously to a new awareness of our global interconnectedness and interdependence, while at the same time engendering a strong embrace of the wisdom and practices of local cultures (see Schreiter 1997).

Globalization is also accompanied by growing attention among Christian theologians and ethicists to post-colonial theory. Post-colonial theory (see Fanon 1963; Said 1979; Spivak 1999; Bhabha 1994; Mbembe 2017) argues, among other things, that colonization has deeply affected not only the land and resources that have been subject to colonization, but also the traditional practices, and even the minds of those subject to colonization. In the process of colonization, Western colonizing nations constructed both themselves and the nations and peoples they colonized. By inscribing all aspects of colonized cultures as inferior, irrational, violent, and base, colonizers were able to co-construct themselves and their cultures as superior, rational, peace-loving, and refined. In this context, colonizers also presumed their own retributive systems of justice to be superior to indigenous practices. The history of political colonialism, and current instantiations of economic colonialism lead Ghanaian theologian Mercy Amba Oduyoye to declare

“To talk about peace in the Third World is to highlight the situation of exploitation in the South that has been the result of Western Europe’s colonial expansion. It is to talk about stolen land, stolen dignity, stolen humanity... To talk about peace in the Third World is to point to situations of neo-slavery that make nations replace food crops with cash crops, receive a pittance for their labours, use that pittance to pay ‘debts’ owed to their trading partners, and then face hunger at home [...] it is to expose the new name of colonialism known as globalisation.” (2004, 40)

For Oduyoye a globalization marked by *shalom* – the peace of right and restored relations – is only possible if it involves a new global economic and political order.

Today, formerly colonized people are lifting up indigenous practices as efficacious for healing their communities when they experience conflicts or violence. Scholars emboldened by the success of philosophies like Ubuntu, are highlighting practices like the Central and West African palaver, Rwandan Gacaca courts, and Middle Eastern and North Africa. processes of sulh and musalaha as traditional means of conflict transformation that still resonate today.

The palaver is a Central and Western African practice still utilized in local communities to bring “people together to deal with disputes and facilitate community decision making.” (Villa-Vicencio 2009, 141) The Congolese theologian, Bénézet Bujo (2001) offers a rich description of the

palaver as extended and often ritualized conversations that nonviolently promote healing in the midst of communal conflict. I have suggested (2011) that the practices of the palaver intersect with truth commissions insofar as both place a high value on truth-telling, intentional remembering, and communal reconciliation.

The gacaca courts have been a critical tool as Rwanda has sought recovery from the 1994 genocide. These traditional courts, which existed prior to the colonial subjugation of Rwanda, were re-established in the wake of the genocide “to bring about justice and reconciliation at the grassroots level” in a way that would ensure “the restoration of forgiven perpetrators back into the community.” (Katongole 2017, 22) These courts were adapted to deal with the particular crises brought on by the genocide. They were also coupled in Rwanda with traditional *ingando* meetings, which function in a manner similar to the palaver to draw members of a community together to discuss conflicts and disputes. (See Villa-Vicencio 2009, 133)

Across the Middle East and North Africa, local communities still practice *sulh* and *musalaha* (settlement and reconciliation) as a way of resolving conflicts and restoring relationships damaged by violence. George E. Irani describes *sulh* and *musalaha* as “forms of arbitration supported by rituals”. (2006, 138) As arbitration, *sulh* follows a predictable process of truce, followed by the selection of conflict mediators from among the most trusted members of the community. These mediators are then charged with the task of investigating the conflict and making suggestions for reparations and resolutions. The final step in arbitration is *musalaha*, a ritual of reconciliation that supports perpetrators of violence in making apologies, and victims in rendering forgiveness. *Musalaha* closes with a ritual meal (see Irani/Funk 1998, 53–73; Irani 1999, 1–17).

I close this section by affirming and endorsing an intriguing challenge posed to scholars of peace studies by Charles Villa-Vicencio. Villa-Vicencio notes that traditional practices of conflict resolution and reconciliation will need to be updated and adapted to deal with current problems. At the same time, he remarks that it is “clear [...] that traditional reconciliation initiatives continue to be used” (Villa-Vicencio 2009, 133) across the continent of Africa. The same can be said, given Irani and Funk’s research, of traditional practices in the Middle East. These realities open up new avenues for peace researchers. Are there indigenous practices for conflict transformation that have yet to be retrieved in African and Middle Eastern contexts? How might these practices be adapted to

address the challenges of violence on these continents today? How can Western scholars support our African and Middle Eastern colleagues in uncovering and adapting these practices so as to help develop justice and peace in their local contexts?

5 Conclusion

The international Anglophone conversation around peacebuilding has been robust in the past several decades. Most recently, scholars have debated the roles that nonviolence and the JWT ought to play in official Catholic teaching about war and peace. We have turned to restorative justice as a way of promoting forgiveness and reconciliation after conflict, and resisting the hegemonic power of retributive justice. We have drawn on local and indigenous practices for dialogue, dispute resolution, and social transformation. All of these trends point to new trajectories for future research as we work together with practitioners of conflict transformation to make the world a more just and peaceful place.

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