



The **MAST** *Journal*

Violence and Nonviolence

Opening and Closing Arguments in the Trial for the Murder of Sister Margaret Ann Pahl, R.S.M.

Dean P. Mandros, Lucas County Prosecutor

The Crystal Palace is No More: From Surviving to Thriving after Sexual Abuse

A Sister of Mercy

The Wrath of God: A Sign of Hope?

Mary C. Daly, R.S.M.

Violence of the Iraq War and Just War Theory

Elizabeth Linehan, R.S.M.

Misuse of Just War Theory: How a Double Standard of News Reporting Encourages Violence

Ruth Latt, O.P.

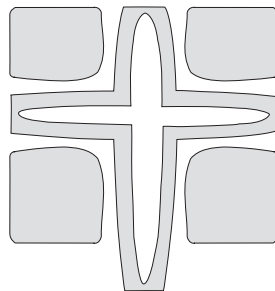
Catherine McAuley and Nonviolence

Janet K. Ruffing, R.S.M.

Thomas Merton on the Ethic of Nonviolence

Marilyn Sunderman, R.S.M.

The Journal of the
Mercy Association in
Scripture and Theology



Vol. 17, No. 1
2007

Misuse of Just War Theory

How a Double Standard of News Reporting Encourages Violence

Ruth Latt, O.P.

Teach me your way O Lord, and lead me on a level path because of my enemies. Do not give me up to the will of my adversaries, for false witnesses have risen against me, and they are breathing out violence.

Ps 27:11–12

In early January of this year, I visited Yad Vashem in Jerusalem with a group of Protestant ministers. At one point, I found myself standing in front of an exhibit that recalled a massacre of Jews early in the Nazi period. The Nazis rounded up a group of Jews. Then they invited their non-Jewish neighbors to shout and yell at the Jews about every misdeed, no matter how small, they could recall each one ever committing.

I felt as if I had been struck by a bolt of lightning. In one terrible moment I realized how effective a tool this could be for encouraging hatred and violence against a group of people. By focusing intensely on the ordinary, human sins—lies, grudges, failure to repay debts—of one particular group of people, another group could feel justified in allowing or even abetting the punishment, even slaughter, of those people. And I realized you could do this to any people by simply applying a standard to them that you apply to no one else.

We are called into areas of conflict, not to take sides or stoke the flames of discord by presenting a biased and skewed version of the facts, but to be peacemakers.

Resisting a Double Standard

A “double standard” is a moral code applied more strictly to one group than to another. The use of a double standard when assessing human conduct raises ethical concerns because, when a moral code is applied more vigorously to the behavior of one group, it has a foreseeable impact. It makes that group appear to be guilty of more than their share of wrongdoing. Inevitably a double standard casts that group in an unfavorable light.

A double standard thus encourages prejudice and the likelihood of persecution and violence. It is particularly troubling when the group being judged more strictly is a historically oppressed people, already vulnerable to scapegoating and persecution.

The gospel brings Christians face to face with situations of conflict because of our very mandate to renounce violence and work towards reconciliation whenever and wherever we can.

We are called into areas of conflict, not to take sides or stoke the flames of discord by presenting a biased and skewed version of the facts, but to be peacemakers. We are called to bear witness to the goal of peace and work towards the possibility of reconciliation. Christian peacemaking, however, always requires truth telling.¹ It does not tolerate selective application of moral principles, which is a partisan tendency. Ultimately, selective application of norms is untruthful and unjust because it has the effect, if not the goal, of making one party appear in a more negative light than the other.

The Arab-Israeli Conflict

One area of conflict that has captured the interest of many American Christians is the longstanding Arab-Israeli conflict. The reason for this interest lies both in the historical roots of Christianity in the Holy Land and the American churches’ long stand-

ing relationship with Palestinian Christians and legitimate concern over their suffering.

Coverage of the Arab-Israeli conflict by the mainstream Christian press and social justice advocates, however, reveals that Israel is subjected to a moral double standard. No other country is subject to such endless scrutiny by Christian commentators, who place Israel under a critical and ethical microscope. These commentators seem almost to lie in wait to pounce whenever they conclude that the Jewish state has strayed from a standard they apply to no other country and no other group of people. This inclination should raise an immediate red flag especially because of the historical oppression of Jews by Christians.

We have seen this double standard in the

Coverage of the Arab-Israeli conflict by the mainstream Christian press and social justice advocates, however, reveals that Israel is subjected to a moral double standard.

pages of the Jesuit weekly magazine *America*. In its reporting of the recent conflicts between Israel and Hamas for example, there has been a persistence in stressing what *America* portrays as a disproportionate response on the part of Israel, while virtually ignoring the fact that Israel has been the victim of unprovoked attacks from territory from which it had previously withdrawn.

Israel withdrew from Gaza in the fall of 2005, giving over that territory to the Palestinians without asking reciprocal concessions. Unfortunately, instead of seizing the opportunity for what could have been the start of a Palestinian homeland, Gaza was turned into a base for the daily firing of Qassam rockets into Israeli towns, terrorizing its civilian population and making normal life impossible.

Then on June 25, 2006, Israeli Corporal Gilad Shalit was kidnapped by a Hamas squad that crossed the border from Gaza into Israel. In response, Israel's Defense Forces entered the Gaza

Strip as part of Operation Summer Rains. In addition to their hope of freeing the kidnapped soldier, the Israelis had the broader goal of ending the continuous Qassam rocket attacks.

In its August 14–21, 2006 edition, *America* published an article about these events in Gaza clearly emblematic of a double standard. In an article written by Rev. Donald Moore, S.J., Palestinian aggression and terror tactics were brushed aside with a single reference to the “senseless firing of Qassam rockets.” Fr. Moore then proceeded to devote three full pages to a condemnation of Israel's defensive tactics.

The article used inflammatory phrases like “collective torture” to describe Israeli military incursions into Gaza, but never mentioned the “facts on the ground” from the Israeli perspective. For example, no mention was made of the town of Sderot which lies a kilometer from the Gaza Strip and whose residents to this day talk of the terror they experience when, more than one year after Israel's withdrawal from Gaza, they are still being attacked daily by Qassam rocket fire.

Principles of the Just War Tradition

Early Christian writers often, though not universally, condemned any involvement in war. From the time of Constantine, however, Christian thought was more willing to acknowledge that sometimes war may be unavoidable. St. Augustine helped develop what became the just war doctrine by defending war that was undertaken for the good of society, when its end was peace.²

Just war doctrine includes two categories of principles. First, *jus ad bellum*, is used to assess when a state may go to war. It includes a careful balancing of the presence of the following factors: 1) just cause, 2) comparative justice, 3) legitimate authority, 4) right intention, 5) probability of success and 6) whether or not force is being used as a last resort. Only after it is determined that a state may morally opt to go to war, the standards of *jus in bello* are imposed for the conduct of armed conflict: 1) noncombatant immunity—military personnel must take due care to avoid and minimize indirect harm to civilians; 2) proportionality—efforts must be made to avoid disproportionate collateral damage to civilian life and property; and 3) right intention—even in

the midst of conflict, the aim of political and military leaders must be peace with justice.³

Thus, there is a presumption against war, coupled with strict moral standards to determine when lethal force may be used. The rules of *jus in bello* then serve as strict moral guidelines once a state of belligerency has begun.

U.S. Catholic Bishops Exhort Evenhandedness

Foreseeing the temptation of selective application of teachings on war and peace, the National Council of Catholic Bishops made it clear that care must be taken not to apply just war doctrine selectively or with a double standard aimed at justifying or favoring one side or position.⁴

Rather, application must be based on accurate facts and applied in a fair and balanced manner which treats both sides of an issue.⁵ Manipulating just war theory to arrive at a predetermined position undermines the doctrine and constitutes an abuse of ethical principles.

Thus, the bishops stated the following:

The just-war tradition is not a weapon to be used to justify a political conclusion Policy-makers, advocates and opponents of the use of force need to be careful not to apply the tradition selectively, simply to justify their own positions. Likewise, any application of just-war principles depends on the availability of accurate information⁶

America magazine, for example, has frequently couched its criticism of Israel's behavior in the language of the Christian just war doctrine. Too often, however, we found that *America* magazine did not abide by the bishops' admonition. Instead of applying just war principles in a comprehensive and balanced manner, the writers and editors of *America* used the language of just war doctrine to portray only Israel's actions in a negative light. Focusing almost entirely on Israel's behavior, the magazine ignored the challenges that just war principles would have raised about Israel's adversaries, and testing their military moves by the same standard applied to Israel.

As of the summer of 2006, residents of the Israeli town of Sderot had been living under the scourge of rockets which Hamas launched from the Gaza strip for more than a year (considerations rele-

vant to *jus ad bellum*). But the strongest expression of outrage about these attacks appearing in *America* was an acknowledgment that they were "senseless."⁷

In the same report, on the other hand, *America* accused Israel of having violated the *jus in bello* principle of proportionality, cynically employing the voice of the grieving father of a kidnapped soldier to assist in its condemnation of Israel: "Whether brute force alone, without any negotiations, can win Gilad Shalit's freedom remains to be seen. Whatever the outcome, such force must be condemned."⁸

This passage seems to suggest that Israel's only goal in the military incursion into Gaza was to obtain the freedom of one soldier, in spite of what the author refers to as the "senseless firing of Qassam rockets from northern Gaza, many of which have struck cities in southern Israel." Nowhere does the author acknowledge Israel's significant interests in stopping daily rocket attacks on its civilian population and preventing future kidnappings of its soldiers. Yet, these issues are part of a balanced consideration of *jus ad bellum*.

By failing to acknowledge all the issues at stake,

Manipulating just war theory to arrive at a predetermined position undermines the doctrine and constitutes an abuse of ethical principles.

America seemed to be applying the moral principles of just war doctrine selectively to encourage readers to believe that Israel was using excessive force to achieve what were in essence minor goals.

In an October 2, 2006 editorial entitled "Unending War," the staff at *America* again placed the state of Israel under their selective ethical lens as they commented on the Israel-Hezbollah war of summer 2006. Once more, the focus was on Israel's violation of *jus in bello* in what *America* went so far as to categorize—wholly without basis or explanation—as an "attempt to effect ethnic cleansing."

America ignored the defensive nature of the war Israel fought after Hezbollah (a group which, like Hamas, is openly dedicated to Israel's destruction)

launched a barrage of rockets at both civilian and military targets in northern Israel. Soon thereafter, Hezbollah crossed into Israel, killed eight soldiers and kidnapped two others.

Hezbollah's attack on Israel was unprovoked and without justification as it occurred six years after Israel had withdrawn completely from Lebanon. And the Iranian-backed militia presented a serious military threat to Israel. According to a recent speech by Hezbollah's leader Sheik Nasrallah, Hezbollah spent six years amassing approximately 20,000 highly sophisticated rockets and other weapons *after* Israel's withdrawal from Lebanon in May 2000.

Yet, all of this and the failure of U.N. security forces and the Lebanese government to disarm Hezbollah (strong arguments relevant to *jus ad bellum*) were given little, if any, treatment in the pages of *America*.

One hears cries of “Israeli apartheid” in what has become almost a mantra recently in Christian social justice circles.¹¹ But the apartheid analogy bears no resemblance to the reality of Israeli society. It serves only to perpetrate an inflammatory form of defamation that may have the unfortunate effect of increasing conflict.

Charge of Apartheid Leveled Selectively at Israel

Another glaring example of double standard in Christian coverage of the Arab-Israeli conflict is Jimmy Carter's recent book *Palestine: Peace Not Apartheid*.⁹ The book has come under widespread criticism for its selective application of moral scrutiny to the State of Israel. The problems begin with the book's very title.¹⁰

One hears cries of “Israeli apartheid” in what has become almost a mantra recently in Christian social justice circles.¹¹ But the apartheid analogy bears no resemblance to the reality of Israeli society. It serves only to perpetrate an inflammatory form of defamation that may have the unfortunate effect of increasing conflict by encouraging an unwarranted animosity towards the Jewish state.

President Carter focuses his apartheid analogy on security measures Israel takes in the Palestinian territories. While Israeli policies such as construction of a security barrier and checkpoints may be questioned as to their impact, they cannot reasonably be analogized to apartheid. The black population of South Africa did not have militias determined to destroy South Africa or its white population. Nor did the white South Africans come to their position of dominance by virtue of defending themselves in a war against surrounding, aggressively hostile nations.

While Israel's security measures may seem draconian to some, they were instituted as a passive defense against terrorism. Israel only reluctantly began construction of a security barrier more than two years into the Second Intifada, after terrorists had killed hundreds of innocent people. The barrier (95 percent fence, 5 percent wall) has been effective in preventing infiltration by terrorists that continues to be attempted to this day. Israelis, no less than any other people, have the right to protect themselves from suicide bombing without being accused of being racists. While President Carter assures readers that the focus of his book is on the Palestinian occupied territories, some readers may believe that the accusation is against Israel proper.

Israeli society bears no resemblance whatever to South Africa's system of legally enforced segregation and oppression.¹² As a democracy, Israel allows, and in fact encourages, open and public criticism of the government. Arab students and professors study, research, and teach alongside of Israeli Jews. Israel has a free press filled with self-criticism, and Israel's citizens are fully equal before the law. This includes Jews and non-Jews from diverse national and racial backgrounds—including, ironically, a large Ethiopian population that would in fact have been the victims of apartheid had they lived in South Africa.

Non-Jewish Arab citizens of Israel have full political rights. They vote and participate in the political

process. There are Arabs in the Knesset. In May 2004, Salim Jubran, an Israeli Arab, was appointed to a permanent seat on Israel's Supreme Court. On January 28, 2007, an Arab Israeli Muslim was appointed Israel's Minister of Science, Culture and Sport.

Israel is not free of discrimination. Many Arab Israelis complain, often with justification, about unequal allocation of resources and educational or career opportunities afforded to Israeli Jews. But having problems with discrimination does not make Israel unique among the nations. The nature and scale of discrimination in Israel is by no means exceptional. All countries (including democracies) have faced claims of discrimination at one time or another, from African-Americans in the United States to Roma gypsies in the newly emerged democracies of Eastern Europe. What about anti-Arab discrimination in France? Or discrimination against Coptic Christians in Egypt? Or intolerance of Baha'is in Iran? Or discrimination against Kurds in Turkey?

Discrimination is a fact of life in virtually every country where there is any degree of ethnic heterogeneity in its population. Why then, out of all the countries in the world in which national, religious, or ethnic minorities claim discrimination, is Israel selected for the emotionally charged "apartheid" label by Christian social justice advocates?

Conclusion

Given the almost two-thousand-year history of Christian anti-Semitism, we must be wary when Christians single out the Jewish state for repeated, one-sided condemnation. In a world where anti-Semitism is on the rise, we must ask ourselves what the consequence of this double standard of morality will be? We must be vigilant within our own house lest we encourage violence against Jews by stirring up unwarranted anti-Israel animus.

Having problems with
discrimination does not make
Israel unique among the nations.
The nature and scale of
discrimination in Israel is by no
means exceptional.

Notes

- 1 For a full discussion of this point see Walter Brueggemann, "Truth-Telling and Peacemaking: A Reflection on Ezekiel," *The Christian Century*, November 30, 1998, pp.1096–1098.
- 2 There are two strains of thought regarding war and peace in Catholic social teaching. Just war doctrine is one. The other is pacifism.
- 3 See "The Harvest of Justice is Sown in Peace," A Reflection of the National Conference of Catholic Bishops on the Tenth Anniversary of the Challenge of Peace (November 17, 1993).
- 4 Now the United States Conference of Catholic Bishops.
- 5 Cf. "The Harvest of Justice is Sown in Peace."
- 6 Ibid.
- 7 See Aug. 14 report titled "Gaza's Summer Rains."
- 8 Ibid.
- 9 Simon & Schuster (2006).
- 10 The former President is a Southern Baptist deacon and Sunday school teacher. See Brenda Goodman and Julie Bosman, "Former Aide Parts with Carter over Book," *New York Times* (Dec. 7, 2006), A33.
- 11 In February 2007 an Episcopal church in New York and a leading Jesuit college in New Jersey hosted events as part of "Israeli Apartheid week." see also, e.g., James M. Wall, "Apartheid Denial," *Christian Century* (February 2007).
- 12 See for a general overview Nancy L. Clark and William H. Worger, *South Africa: The Rise and Fall of Apartheid*. Seminar Studies in History Series. Pearson Prentice Hall, 2004.

