

Holy War

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I. Getting at the Meaning of a Difficult Concept

IT IS HARD to get a firm grip on the idea of holy war. The meaning intended by the term “holy war” is enormously varied, depending on context, who is using it, the purpose of the use, what ideas are brought in to define it, and the way those constituent ideas are mixed together. In recent popular, journalistic, and even much scholarly usage the phrase “holy war” has often been employed as if it were synonymous, or nearly synonymous, with both “crusade” and *jihad*, though this distorts and obscures the historical meanings associated with both the latter concepts while adding its own flavors to them.

Calling a conflict, or a kind of conflict, “holy war” has the power to put fire in the heart or to make the blood run cold, depending on whether one is on the side of the holy war in question or is threatened by it. James A. Aho provides a sympathetic scholarly description of how the first of these two senses of “holy war” works:

Holy war is a teaching technique. It resubstantiates a person’s beliefs, “re-nomizing” human existence. It preserves the cosmic world from nothingness or it eradicates absurdity by bringing justice into historical reality. In either case, the holy war is an armed confrontation with Evil.¹

But from a perspective within post-Enlightenment rationalism, for which the world does not need to be “re-nomized,” holy war threatens the rational ordering of the world itself by appealing to norms and powers outside the realm of reason. Similarly, from a perspective within the Westphalian system

¹ James A. Aho, *Religious Mythology and the Art of War* (Westport, CT: Greenwood Press, 1981), 128.

of world order and its associated understanding of the right to make war and the rules for conduct in war, any invocation of holy war represents a fundamental challenge, setting out its own standards for going to war and for how to make war. From both of these perspectives, holy war can appear an atavistic throwback to primitive, uncivilized times and a call to unrestrained violence for its own sake.

This critical, even pejorative, conception of holy war figures centrally in the well-known typology laid out by Roland Bainton in his *Christian Attitudes Toward War and Peace*.² Bainton describes three fundamental Christian attitudes toward war as spaced along a spectrum, with pacifism at one extreme, the crusade or holy war at the other extreme, and the just war idea between them, participating in certain ways in both but distinct from either. On his typology, the key is how the use of force is dealt with in each of these three positions: pacifism utterly rejects the use of force, while just war accepts but limits it, and the crusade or holy war admits unlimited force in the service of its transcendent cause. Here is Bainton's language on this last "attitude":

The crusading idea requires that the cause be holy (and no cause is more holy than religion), that the war be fought under God and with his help, that the crusaders shall be godly and their enemies ungodly, and that the war shall be prosecuted unsparingly.³

There are problems with each of Bainton's three ways of characterizing such war. Leroy B. Walters, taking specific aim at Bainton's description of the crusade idea as antithetical to that of just war,⁴ argues that medieval doctrine on the crusades developed by analogy with the simultaneously developing doctrine on just war.⁵ He advances this argument in terms of the categories which came to provide the definitive terms of classic just war thought: right authority, just cause, and right intention.⁶ Bainton employs the first two in his typology, with his third category being that of the conduct allowed. A close reading of Frederick Russell's fine-grained study of the twelfth- and thirteenth-century canonists⁷ yields similar

² Roland Bainton, *Christian Attitudes toward War and Peace* (Nashville, TN: Abingdon Press, 1960).

³ Bainton, *Christian Attitudes*, 148.

⁴ *Ibid.*, 14.

⁵ LeRoy Walters, "The Just War and the Crusade: Antitheses or Analogies?" *The Monist* 57.4 (October 1973): 584–94.

⁶ Walters, "The Just War and the Crusade," 590.

⁷ Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge: Cambridge University Press, 1975), 86–212.

results: when the canonists (and later, the theologians) were thinking morally about the question of war, these were the categories they used. They are in fact quite generally useful categories, even in comparative studies across cultures; I employ them in my own book comparing the holy war idea in Western Christianity and Islam.⁸ But everything depends, in context, on the content packed into the categories; by themselves, the empty categories do not lead far. Walters's critique of Bainton, which amounts to a construction of Walters's own conception of holy war, depends on unpacking the meanings of the categories as actually used by the medieval writers: war fought on the authority of a temporal ruler vs. war fought on the authority of the pope, not Bainton's "war . . . fought under God and with his help"; war fought for the protection of the temporal order vs. war fought for the protection of Christian religion or the Church, not Bainton's "holy" cause. As to the matter of the third category that Bainton cited, "that the war shall be prosecuted unsparingly," Walters noted that he had not found any evidence of a distinction "in the theorists' prescriptions for the conduct of justifiable political and religious wars" and went on to argue that therefore, the developing *jus in bello* rules, as they existed at that time, must have been understood to apply to both.⁹ In my own judgment on the matter of unsparing prosecution, two other factors are central: first, some holy war advocates from the Reformation era emphasized that the godliness of the cause imposed the obligation of godly conduct, that is, conduct closely restrained by both internal and external discipline; second, in both the medieval and Reformation-era contexts, there was general agreement that in responding to rebellion (including religious rebellion, that is, heresy or even serious nonconformity), extreme means were justified.¹⁰

In any case, the kinds of characterizations in play here do not exhaust the diverse meanings that have attached to the idea of holy war. There is a purely descriptive use of the term in Old Testament scholarship, prominently exemplified by Gerhard von Rad's classic study, *Der Heilige Krieg im alten Israel*;¹¹ the term is also used descriptively in Albrecht Noth's later

⁸ James Turner Johnson, *The Holy War Idea in Western and Islamic Traditions* (University Park, PA: The Pennsylvania State University Press, 1997).

⁹ Walters, "The Just War and the Crusade," 591.

¹⁰ As to the former reason, see James Turner Johnson, *Ideology, Reason, and the Limitation of War* (Princeton, NJ: Princeton University Press, 1975), 134–46; as to the latter, see further below.

¹¹ Gerhard von Rad, *Der Heilige Krieg im alten Israel* (Göttingen: Vandenhoeck & Ruprecht, 1958), published in English as *Holy War in Ancient Israel* (Grand Rapids, MI: William B. Eerdmans, 1991).

comparative study, *Heiliger Krieg und heiliger Kampf in Islam und Christentum*¹² and in my own *The Holy War Idea in Western and Islamic Traditions*.¹³

The earliest use of the term “holy war” I have encountered in print is Francis Bacon’s *An Advertisement Touching an Holy Warre*, begun in 1622 and left unfinished but published along with other works by Bacon on various topics seven years later.¹⁴ The *Advertisement* was in the form of a dialogue, with each of several characters presenting a perspective on the question of a possible war between England and Spain. Bacon himself did not make clear his own position on the matter of holy war in this work. He returned to this topic in 1624 in a finished study written by royal request, *Considerations Touching a Warre with Spaine*, where his own understanding of the idea of holy war is set out more clearly: it has to do with establishing the right of the English Monarch to defend Protestant religion in England against an offensive war by Spain to restore Catholicism by force of arms.¹⁵ He makes no claim that war justified in this way may be unlimited.

Bacon’s way of using the term “holy war” signals that it was a familiar term in England already when he wrote. This is also clear in a book from the following decade, Thomas Fuller’s *The Historie of the Holy Warre*,¹⁶ which applies the term “holy war” to both the medieval Crusades and the Protestant-Catholic conflicts on the European continent during the century after the beginning of the Reformation, up through what we now call the Thirty Years War, which was ongoing when Fuller wrote. This last war, as well as the French religious wars of the previous century, was marked by unrestrained, even wanton cruelty and violence, but Fuller does not regard this as an inherent characteristic of war fought for religious purposes. Rather he connects this form of conduct in war to a specific criticism directed against Catholic prosecution of war in the name of religion, which he depicts as rooted in papal arrogance, greed, and ambition. He leaves open the possibility of legitimate warfare for religion in the future (perhaps by Protestants?), provided it is conducted properly.¹⁷

I have previously discussed the matter of holy war in some detail in two contexts already introduced: first, that of English discourse on war

¹² Albrecht Noth, *Heiliger Krieg und heiliger Kampf in Islam und Christentum* (Bonn: Ludwig Röhrscheid Verlag, 1966).

¹³ See n. 8 above.

¹⁴ Francis Bacon, *Certaine miscellany works of the Right Honorable, Francis Lo[r]d Verulam, Viscount S. Alban* (London: I. Haviland for Humphrey Robinson, 1629).

¹⁵ Bacon, *Certaine miscellany works*, 31–32.

¹⁶ Thomas Fuller, *The Historie of the holy warre* (Cambridge: Thomas Buck, Printer to the University, 1639).

¹⁷ Fuller, *Historie*, Book I, chaps. 9, 10; Book V, chap. 9.

from the late sixteenth century through the mid-seventeenth;¹⁸ second, that of an extended comparison between the major Western Christian and Islamic traditions on war.¹⁹ My comments on Bacon and Fuller above, and my earlier comment on Bainton, draw from the former (*Ideology, Reason, and the Limitation of War*), but I also would refer readers to the full discussion there and in the 1997 book (*The Holy War Idea*). In the context of the comparative study of Western and Islamic thought on the idea of holy war I began, as I have begun here, with an examination of what I called there “the many faces of holy war,” identifying ten distinct if related meanings associated with holy war.²⁰ Different ones of these meanings, and different combinations of meanings, appear in various contexts. So the term “holy war” has various meanings, and a major part of the problem of addressing the central question of this chapter is sorting out the component ideas and how they interact with each other in the context at hand.

The just war categories of right authority, just cause, right intention, and right conduct, with various sorts of meanings attaching to them in different contexts, weave in and out of Western Christian discourse that can be described in some way as having to do with “holy war.” Some are more central in Catholic thinkers and Catholic teaching; others are more central in Protestant thought. But the historical ground shifts importantly at the beginning of the modern period, and it is reasonable to ask how the earlier debates bear on thinking about war and religion after that shift. I make no claim to comprehensiveness in this present discussion; the aim rather is to identify and explore the most important issues and how they came to bear on the idea of holy war.

II. Posing the Question: Assessing Medieval and Early Modern Thinking

Is there a Catholic doctrine of holy war? Certainly a major component of this question has to do with teaching on religious difference and whether religious conformity can and should be enforced by the power of arms. As far as current Catholic teaching is concerned, Gregory Reichberg is directly on target in this summary observation:

It is now recognized in the official Church teaching that no state, even one where there is a majority of Catholics, can require a profession of

¹⁸ Johnson, *Ideology*, 87–149.

¹⁹ Johnson, *The Holy War Idea*.

²⁰ *Ibid.*, 37–42.

faith on the part of its citizens. Religious plurality and religious freedom are now deemed fully acceptable conditions within the modern state.²¹

But what of earlier times? Catholic teaching has not always held the position Reichberg summarizes here, and indeed the contrary position has been the norm, both legally and socially, in most Western societies right up into the twentieth century. (The United States is the most notable exception, but even here, while the First Amendment to the Constitution forbids Congress to establish a national religion, the right of individual states to do so persisted after the adoption of the Bill of Rights.) In the era of the Reformation the formula *cuius regio, eius religio* did not establish religious freedom (except for rulers) but recognized the right of individual rulers to establish a single form of religious conformity within their domains. Protestant as well as Catholic rulers continued to guard this right jealously, and even after European societies finally stopped fighting one another over the right to impose religious conformity on one another, they continued to seek to impose such conformity in their own domains, often by use of arms. So if religious freedom, or to put it another way, tolerance of religious plurality, is central to the phenomenon of war in the name of religion—what has come to be called holy war—it is only part of the story: the larger issue is the conception of society and the role of religion in relation to it.

A particular conception of the interlocked relationship between religion and society is central to the definition of the Islamic idea of *jihad*, which provides a ready comparative frame of reference for thinking about holy war. Some scholars of Islam, like Bruce Lawrence, have explicitly rendered the term *jihad* as “holy war.”²² Other commentators, like Robin Wright in her 1985 book on the Islamic revolution in Iran, have described *jihad* as a kind of “crusade.”²³ Others before and since have used similar language. Yet “holy war” is not a term used in Islamic thought. In normative Islamic tradition the definition of the good society, the *dar al-islam* or abode of Islam, is intentionally one that joins religion to temporal life. The society itself is defined as the territory (“abode”) where God’s law, *shari‘a*, holds sway; its governance is lodged in a ruler recognized to have inherited both

²¹ Gregory M. Reichberg, “Norms of War in Roman Catholic Christianity,” in *World Religions and Norms of War*, ed. Vesselin Popovski, Gregory M. Reichberg, and Nicholas Turner (New York: United Nations University Press, 2009): 142–65, at 155.

²² Bruce Lawrence, “Holy War (*Jihad*) in Islamic Religion and Nation-state Ideologies,” in *Just War and Jihad*, ed. John Kelsay and James Turner Johnson (Westport, CT: Greenwood Press, 1991), 141–60.

²³ Robin Wright, *Sacred Rage: The Crusade of Modern Islam* (New York: Linden Press/Simon & Schuster, 1985).

the religious and the political authority of the Prophet Muhammad (in Sunni tradition, the caliph; in Shiite tradition, the Imam). While certain forms of non-Muslim religious belief and practice are tolerated, others are not, and even those tolerated must defer to Islamic law in cases of difference or be disciplined or punished if they do not. Religious conformity within the society, then, is understood not in terms of an enforced common faith—indeed, Islamic tradition explicitly repudiates the idea of enforced faith—but common behavior according to Islamic law, ideally flowing from the heart in the case of Muslim believers but subject to enforcement from outside in the case of non-Muslims. Similarly, relations with societies not part of the *dar al-islam* are understood in terms of conformity or non-conformity to Islamic law. These societies, as defined in the classical works of Islamic jurisprudence, collectively make up the *dar al-harb*, the abode of war, so called because, without rule according to God's law, human societies descend into conflict, both internally and in their relations with other societies. *Jihad* of the sword aims at bringing peace to them by causing them to submit to divinely given law. Is such *jihad* “holy war”? Muslims insist that it is not. Yet certainly religion is closely associated with warfare here. This normative Islamic conception clearly overlaps the way Western Christian thinking came, in the twelfth and thirteenth centuries in particular, to treat the relationship between religion and the use of armed force, though there are also telling differences.²⁴

On the matter of the conception of society, Charles Cardinal Journet, who treats the subject of holy war extensively in his chapter on the relation between the canonical and political powers,²⁵ argues that the central issue is that medieval western Europe was a “consecrational society.” This might at first blush appear to be the same sort of conception as that of the *dar al-islam* in Islamic thinking, but the actual organization of Western societies, their interrelationship, and the relation between the political and spiritual spheres was conceived differently. Journet summarizes what he means for the relation between religion and war in this way: “by reason of the spiritual values invested in the temporal common good in a consecrational regime, it was this temporal common good itself which the Church required to be defended, by temporal means used in accordance with their own laws.”²⁶ Even in the “consecrational” society, and

²⁴ For fuller discussion of the classical Islamic juristic idea of *jihad* see Johnson, *The Holy War Idea*, chapters 3–5, *passim*; see also John Kelsay, *Arguing the Just War in Islam* (Cambridge: Harvard University Press, 2007), 97–124.

²⁵ Charles Cardinal Journet, *The Church of the Incarnate Word* (London: Sheed and Ward, 1955), chapter VI.

²⁶ Journet, *Church*, 37.

in contrast to the case of Islamic religion and culture, a distinction is made between the spiritual and the temporal. This turns out to be the key to the difference between the Western way of thinking about the relation between religion and war and that found in normative Islam.

This Western way of thinking, in which a difference is recognized to exist between the religious and temporal spheres, first explicitly appears in a letter of Pope Gelasius I to the Roman Emperor Anastasius in 494:

There are two powers, august Emperor, by which this world is chiefly ruled, namely, the sacred authority of the priests and the royal power. Of these that of the priests is the more weighty, since they have to render an account for even the kings of men in the divine judgment. You are also aware, dear son, that while you are permitted honorably to rule over human kind, yet in things divine you bow your head humbly before the leaders of the clergy²⁷

This distinction, which never developed in the eastern part of the Empire or in Orthodox Christian doctrine, became critical for Western culture. While Gelasius's specific language asserts the primacy of the spiritual powers over the temporal, the idea that there are two distinct powers turned out to be more fundamental, and the question of the extent of these powers and their relation to each other continued to be argued all through the Middle Ages and into the modern period.

But regarding the specific relation of religion to war, a particular interpretation of the spiritual-temporal distinction became central. In 1144, as part of his preaching of a new crusade after Muslim advances in the Holy Land, Bernard of Clairvaux developed this idea of two distinct powers into that of the "two swords," posing this argument to the pope:

Since the Saviour suffers anew where He once died for us, both the swords must be drawn which he allowed on the first occasion [Luke xxii.38]. And who should draw them but you? Both swords of Peter must be unsheathed as often as need be, the one at his command, the other at his hand.²⁸

This concept was fundamental to subsequent medieval argument about the relation of religion to war. Journet regards the matter as closely tied to his conception of medieval society as "consecrational," writing, "It will . . . appear that 'holy wars' are bound up with the existence or

²⁷ Cited from www.newworldencyclopedia.org/entry/Gelasius_I, accessed January 29, 2009.

²⁸ Cited from Journet, *Church*, 81.

survival of a consecrational type of Christendom.”²⁹ With the end of this type of society, on this conception, comes the end of the possibility of “holy wars.” It would, I think, be better to say that the debate over the relation of religion to war shifts with the conception of society, but that the focus remains on the question of authority. Later, in the Reformation era, the “two swords” idea was opposed by the development in Protestant thought of a contrary idea, that of “one sword”—that only the civil power, and never the spiritual, has the right of the sword. This latter doctrine sat easily alongside the formula *cuius regio, eius religio*, which gave the power of decision regarding the practice of religion to rulers. Whether armed force may rightly be used for certain purposes defined by religion was not in play here, as both sides agreed that force could be used for such purpose; the “two-swords”—“one sword” debate was really about whether the pope, as the possessor of the spiritual power, possessed the right to authorize the use of armed force for these purposes, or whether that right belongs only to temporal rulers in their own domains—the position adopted normatively throughout the Reformation. Interestingly, as we have seen in both Bacon and Fuller, the term “holy war” first appears in the context of this debate.

So identifying medieval society as “consecrational” does not, I think, get to the heart of the matter of the relation between religion and the use of armed force, whether the latter can usefully be described as “holy war” or not, since the idea that religious values are part of the societal common good persists well after the end of the specific society Journet has in mind, that of medieval Christendom. What changes is the answer to the question of who has the authority, and the responsibility, to authorize armed force for the protection of such values. Journet elsewhere, citing the doctrine of the two swords, notes where medieval Christian thinking came out on this: the pope, as head of the Church and possessor of the authority of St. Peter, has the right to authorize war for the defense of the faith (cf. the discussion of Walters above), but since the Church may not itself be directly involved in bloodshed, if the pope does “draw” the sword in this way, he immediately passes it to the temporal prince to use it; alternatively, “in certain grave circumstances,” even if the pope himself does not authorize the use of force, he has the power to command the prince to do so.³⁰ Russell’s study of the medieval canonical debates leads readers through the details of the debates over papal authority regarding the sword, showing how the resolution, which Journet’s language well

²⁹ Ibid., 70.

³⁰ Ibid., 81.

describes, was reached in canon law by the middle of the thirteenth century.³¹ This conception became settled doctrine in subsequent canon law and theology, and it was the basis for Catholic thinking about religious authorization and justification of war during the conflicts of the Reformation era. What happens in the Protestant doctrine of “one sword” directly rejects this way of thinking: the “one sword” doctrine denies both kinds of authority regarding use of armed force that was given to the pope in medieval doctrine. At the same time, the Protestant doctrine maintained the right to use the sword for the protection of religious values, and even the protection of specific religious institutions, but the doctrine passed that right to the temporal rulers.

Recalling what I have said above about the usefulness of the categories of right authority, just cause, right intention, and right conduct for thinking about the relation of religion to war, I would stress that their specific content in each given context is what makes each form of such thinking distinctive. In the effort to make sense of the concept of holy war, examining each category means coming to terms with both what the developing thought allowed and what it prohibited. As I have been arguing, the “two swords”—“one sword” debate had to do with identifying who could rightly authorize resort to force: whether the pope could do so, or only temporal rulers. As to the justifying cause, there was no dispute that force could—indeed, should—be used to protect Christian religion, though not to seek to propagate it. In the Reformation era, of course, Catholics and Protestants disagreed fundamentally on which form of Christian religion deserved to be protected, as well as by whom. On the particular matter of conduct, a key factor is that, for both just war and holy war thinkers in the Middle Ages and well into the modern period, involvement in rebellion against established authority trumped any and all restrictions on the conduct of war. This idea, which is in effect the mirror image of the effort to restrain war by limiting the right to authorize it, crystallized in medieval thought during the same period—the late twelfth and early thirteenth centuries—in which the idea of right authority became definitive for the right to resort to armed force. Within the frame of a “consecrational” society, where heresy was understood as a form of rebellion against order (Journet, for example, calls heresy in a consecrational society a crime like theft or murder),³² it allowed the extreme means used, for example, in the punishment and suppression of the Albigensians. At the same time, though, other forms of rebellion could be put down equally harshly; use of extreme means was not reserved for

³¹ See n. 7 above.

³² Journet, *Church*, 72.

responses to heresy and religious nonconformity. In the era of the Reformation, while this way of thinking justified the pope's authorization of war by Catholic princes against Protestant ones, it also justified the use of armed force within Protestant as well as Catholic lands against those who professed the contrary religion. Nor was it only a matter of religious conformity: consider Luther's exhortation to the German nobility to "smite and punish," to "smite, slay, and stab" all who were involved in the peasants' rebellion of 1524–25. Rebellion, Luther wrote, "is not just simple murder; it is like a great fire, which attacks and devastates a whole land." It "brings with it a land filled with murder and bloodshed; it makes widows and orphans, and turns everything upside down."³³

In assessing whether holy war inherently permits unlimited uses of force, then, it is necessary to come to terms with the fact that it was generally accepted that unlimited means could rightly be used against rebels. In the Middle Ages this puts the focus on dissident religious groups and in particular on the rebellion of heresy. In the Reformation era both Protestants and Catholics continued to regard heresy as punishable by death and the use of coercive force as a proper response to all forms of religious nonconformity. The new element here was the more complicated face of rebellion. For a Protestant ruler who had installed a Protestant form of Christianity as the established religion in his or her domain, the effort to re-establish Catholicism, or even to carve out a place in society where Catholics might openly practice their faith, constituted rebellion. At the same time, from the standpoint of the Catholic authorities, the affirmation of Protestant faith by a ruler itself constituted rebellion against papal authority, justifying punishment by force of arms.

We see this phenomenon clearly in the debate between the exiled English Catholic Primate, William Cardinal Allen, and the Anglican Bishop of Winchester, Thomas Bilson, during the 1580s, in the context of the pope's support of the Irish Catholics in their rising in arms against the Protestant English Queen Elizabeth. Allen, writing first, puts the matter straightforwardly: "[N]o crime in the world deserveth more sharpe and zealous pursuite of extreme revenge, than revoulting from the faith to strange religions." All the unfaithful are to be slain "without exception."³⁴ Temporal rulers who oppose the pope, Allen continued, are by definition rebels, as are all their subjects who follow their lead, since temporal power derives from the spiritual. By contrast, Catholics who

³³ Martin Luther, *Luther's Works*, vol. 46 (Philadelphia: Fortress Press, 1967), 50; see further 49–55.

³⁴ William Cardinal Allen, *A True, sincere, and modest defence of English catholiques that suffer for their faith both at home and abroad* (London: William Cecil, 1585), 103.

rise up against their ruler in the cause of their faith are not rebels, for they are acting in obedience to a law higher than that of their earthly prince. Bilson, writing in direct response to Allen, insists the pope has no temporal authority whatever and thus cannot command in war, so that subjects who oppose their ruler, in matters of religion as in other matters, are in fact rebels, and extreme measures may be used against them.³⁵ In this dispute the issue is clearly that of the right to rule, and of the authority to employ armed force that comes from this right. Unlimited means are understood as permitted in the punishment and suppression of rebellion against such authority. Both sides in the dispute accept that refusal to follow the ordained religion constitutes such rebellion; their difference is in defining who has the supreme authority. Allen and Bilson are but two voices from the larger debate, which continued till nearly the middle of the seventeenth century; yet their way of framing the issues remained characteristic of this larger debate all the way through.

III. Holy War: A Shift in Thinking

Contemporary thinking about religion in relation to war focuses much more centrally on the question of violence in itself than was the case for medieval and early modern writers treating this subject. We find this, as I have noted, in Bainton's typology, which sorts "Christian attitudes toward war and peace" by ranging them along a spectrum from pacifism, which denies all resort to violence, through just war, which allows violence under some conditions but puts restraints on it, to the holy war or crusade, which Bainton understands as permitting unlimited violence. Recent Catholic thought provides the example of Jacques Maritain's excoriation of the violence and destruction on both sides in the Spanish Civil War, during his discussion, written in 1937, rejecting the claim some were making that the Royalists were fighting a "holy war."³⁶ For Maritain the use of extreme means is directly opposed to the fundamental Christian message, which in one place he renders by citing Luke 9:56: "The Son of Man is not come to destroy the lives of men, but to save them."³⁷ Or consider the United States Catholic bishops' rendering of the just war idea as defining limited exceptions to a general "presump-

³⁵ Thomas Bilson, *The True difference betweene Christian subjection and unchristian rebellion* (Oxford: Joseph Barnes, Printer to the University, 1585), 379–81.

³⁶ Jacques Maritain, *Préface au livre d'Alfred Mendizabal, Aux origines d'une tragédie: La politique espagnole de 1923 à 1936*, 1215–55, in Jacques et Raïssa Maritain, *Oeuvres Complètes*, vol. VI (Fribourg: Éditions Universitaires/Paris: Éditions Saint-Paul, 1984), 1237–43.

³⁷ Maritain, *Préface*, 1243, my translation.

tion against war," a conception first put forward in their 1983 pastoral letter, *The Challenge of Peace*,³⁸ and made the focus of various later statements on the use of armed force by the United States. Medieval and early modern theorists writing on the subject of just war and holy war simply did not think this way. They rather focused on the questions of authorization and justification, holding that the use of armed force could be authorized by either the ruler or the pope for the purpose of protecting Catholic religion and punishing deviation from it. The question of means arose, for them, because such deviation constituted rebellion against the established order, so that extreme means were justified, including death for all the guilty.

Maritain's discussion focuses on the questions of justification for war and conduct in war. The position Maritain rejects, that the Spanish Civil War is actually a holy war, had been argued by a Spanish Dominican, Ignacio G. Menendez-Reigada: "The Spanish national war is a holy war, and the holiest registered in history." Maritain elaborates: "Father Menendez-Reigada justifies this assertion by saying that in the war as it exists what is in play is the very existence of all religion, natural or positive, and that of the natural foundations of society."³⁹

The issue here is posed as protection of religion. But for Maritain this does not mean the war should be thought of as a holy war. Rather, he argues, Menendez-Reigada's reasoning "tends to show that the question is that of a just war." So Maritain's first response is to take the matter of holy war off the table as emphatically as the Spanish theologian had it put it there.⁴⁰ He goes on to elaborate on this point, arguing that contemporary forms of civilization distinguish more fully between the temporal and the spiritual than was the case earlier, and that in such secular forms of civilization, "the notion of holy war loses all signification."⁴¹ This is the same kind of argument seen in Journet above. But Maritain goes a step further: there is no longer a place for holy war, but the question of just war remains. The effort to defend sacred values in itself does not make a war holy; this is a matter of justice. Maritain's argument here accepts the use of force as a possible means to protect religious values, but he depicts this as a just war issue, not one having to do with holy war.

Then he shifts to the conduct of the war: the horrible means being used in fighting the Spanish Civil War themselves obviate the idea that

³⁸ National Conference of Catholic Bishops, *The Challenge of Peace* (Washington, DC: United States Catholic Conference, 1983).

³⁹ Maritain, *Préface*, 1238, n. 18.

⁴⁰ Ibid.

⁴¹ Ibid., 1239–41.

the war is in any way holy. In the face of the resulting human misery, calling the war a “holy war” can only multiply the sacrilege caused by the conduct that has caused such misery.⁴² To claim holiness in such a context is to risk blasphemy against that which *is* holy.

Maritain’s discussion could be analyzed in much more depth. For the purposes of the present discussion, though, what is most interesting is the shift in the terms of argument exemplified in this discussion. Neither Menendez-Reigada nor Maritain is interested in arguing the right of the spiritual authority, the pope, to authorize war. As for justification, what is at stake, even for Menendez-Reigada, is not punishment of irreligion but protection of religion, and the religion to be protected is not just Catholicism but “all religion, natural or positive, and . . . the natural foundations of society.” For Maritain, though, this is simply a just war justification. And as for conduct, Maritain’s most impassioned language is directed to the indiscriminate and extreme destruction employed on both sides.

Maritain clearly wants this to be the end of the line for the idea of holy war, and his language presages that of later Catholic thinking. I mentioned above the U.S. Catholic bishops’ *The Challenge of Peace*; consider this language on “religious violence” from their statement marking the tenth anniversary of that pastoral:

Every child murdered, every woman raped, every town “cleansed,” every hatred uttered in the name of religion is a crime against God and a scandal for religious believers. Religious violence and nationalism deny what we profess in faith: We are all created in the image of the same God and destined for the same eternal salvation.⁴³

This passage is followed by a supporting quotation from Pope John Paul II: “[N]o Christian can knowingly foster or support structures and attitudes that unjustly divide individuals or groups.”

The teaching defined here by the bishops is a hundred and eighty degrees from medieval and early modern conceptions. Not only is religious difference not a justification for the use of armed force, but the use of force for religious purpose is described as manifested in forms of violence—murder of children, rape of women, intentional driving people from their homes—that are inherently immoral.

This document also exemplifies another shift in Catholic thinking: that protection of religion remains a moral imperative, not because of the inher-

⁴² Ibid., 1244.

⁴³ National Conference of Catholic Bishops, “The Harvest of Justice Is Sown in Peace,” *Origins* 23.26 (December 9, 1993), 450–64, at 458.

ent truth of any particular religion but as a matter of fundamental human rights. This position is developed most fully in the section on humanitarian intervention, where the U.S. bishops, quoting Pope John Paul II and summarizing the concerns he raised, write as follows: “[H]uman life, human rights, and the welfare of the human community are at the center of Catholic moral reflection on the social and political order.”⁴⁴

Contemporary normative Catholic teaching has no place for holy war. It is not only that the institutional relationship between the Catholic Church and society has shifted; it is that the theological conception of the proper relationship between them has changed. It is not only that religious plurality and religious freedom are now accepted in Catholic thinking and teaching; it is that the rationale for that acceptance is understood within the frame of protecting a fundamental human right. When papal authority is cited in support of the need to protect religion, it is not to claim the right of the pope to command the secular authorities to protect Catholic religion but rather to use the pope’s moral authority to remind secular governments that they should protect the right of religious belief and practice as a fundamental human right, and while they may—if need be—employ force to do so, extreme forms of violence in the name of religion are rejected as intrinsically immoral. Some, like the U.S. bishops, would add that there is a general presumption against violence which requires grave reasons to be overturned. Contemporary normative Catholic teaching has no place for a doctrine of holy war. N.V

⁴⁴ National Conference of Catholic Bishops, “The Harvest of Justice,” 461.