

## **Augustine's Just War Ethics In Reinhold Niebuhr's Realism And Jean Bethke Elshtain's Selected Works: A Response To The *Boko Haram* Insurgence In North East Nigeria**

Ajibola G. Ilesanmi

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**Abstract:** *This paper identifies issues associated with wars and conflicts to be existential problems. They are commonly decried but yet have continue to pervade the theatre of interhuman relation. War and conflicts occur not only premised on distinctive political and economic differences but extends to issues of religious and even social differences – of course the last two categories often betray some forms of political and economic motifs. From this understanding that war situation has often been part of human experiences, this paper assumes that current issues that border on such problems are better considered from previous perspectives to avoid pitfalls, and to better navigate the often tensed path to resolution and peace. It is from this understanding that this paper considers the thoughts of Augustine<sup>1</sup> through the lenses of Reinhold Niebuhr<sup>2</sup> and Jean Bethke Elshtain<sup>3</sup>'s proposals on de iure Christian attitude to war. While both thinkers present an understanding that Christians should not imbibe pacifisms as a virtue in the face of injustice and violence, this paper argues that Niebuhr's realism is inadequate to accommodate the reality of the moral issues associated with jus in bello principle of non-combatant immunity. The paper proposes Elshtain's position which reflects the consciousness of a Christian realist as an approach to adopting Augustine's thoughts on war. The paper proposes a position that is Christian in content to the current war situation in North East Nigeria where the attacks by the Boko Haram insurgents have continued to be a problem. It is the paper's view that Christians must not remain passive to the happenings in the country, they should defend themselves in line with the principles of a just war ethics; and to the government, that it should get more involved in dialogue with the Boko Haram fundamentalist group.*

**Keywords:** *Just War Ethics, Realism, Augustine, Reinhold Niebuhr, Jean Bethke Elshtain, Boko Haram Insurgence, North East Nigeria*

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### **I. Introduction**

The New Testament reports in Matthew 26:52 that Jesus had caution his disciple when he was attacked to put his sword back into its place; for all who takes the sword will perish by the sword. The problem addressed in this paper hinges on why a Christian should take up arms to defend himself when Jesus had resisted his disciple from taking up arms to defend him. The passage quoted above and related Biblical references are often quoted in defence of the attitude of many Christians who would prefer to preach forgiveness and passivity in the face of the on-going terror attacks aimed at Christians and 'non-cooperating Muslims' in northeast Nigeria by the Islamic fundamentalist called *Boko Haram*. Such arguments coupled with arguments that the early Christians practiced what Elshtain referred to as 'a uniform peace tradition and peace politics'<sup>4</sup> have constituted a bane to what the attitude of Christians should be to the *Boko Haram* insurgence; and what Christians should rightfully demand from the government given this situation.

Note, from the outset that Elshtain argues that "a uniform peace tradition and peace politics" may not necessarily be taken as *de iure* Christian response to terror. To her,

The strongest pacifist arguments in the early church are associated with theologians who fell outside the Christian mainstream, such as Origen and Tertullian. More powerful and more mainstream to the Christian tradition are the argument of St. Augustine, St. Ambrose, and later, St. Thomas Aquinas, all associated with the just war tradition. These latter regarded their arguments as a consistent evolution from early Christian teaching, not a deviation from it. They knew that in a fallen world, filled with imperfect human beings, we cannot achieve perfection in earthly dominion... and even more important – we all have a responsibility to and for one another to serve and to love our neighbours. If our neighbour is being slaughtered, do we stand by and do nothing?<sup>5</sup>

Obviously, Elshtain does not see the 'do-nothing' or 'always run' attitude in a situation where one's family members and neighbours are slaughtered by aggressive offender to be in line with the Christian tradition. However, the Christian needs to be guided in steps to take on such occasion that calls for his/her response. This paper aims at addressing the modality of responses to such situation by assessing the work of Augustine as understood from two backgrounds of Christian hermeneutics of conflicts and resolution.

The paper considers the *Boko Haram* insurgence in Nigeria as a test case for considering the Christian just war theory. The effort is justified by the pattern of initial attacks of the insurgents on the Christian populace, and the confused state of what ought to be the response of the Christians to the situation. The paper proposes that the Christian just war tradition is quite relevant to the situation. It is important to note that the Christian just war tradition has now been secularised and encoded in both the Geneva and Hague Conventions.<sup>6</sup> In this paper, a closer look at its content and application to the *Boko Haram* terror attack in Nigeria is considered. The guiding questions include: What place does the just war theory and consequently ethics issuing from that hold for the 21<sup>st</sup> century Northern Nigeria Christians? Stated more specifically, with *Boko Haram*'s target attacks on children, women, defenceless –non-combatant men and religiously inclined aggressions, what should the government do and how should the Christians perceive their role?

## II. Who are the *Boko Haram* Islamists?

The *Boko Haram* group is an Islamic Fundamentalist group based in the Northern part of Nigeria. In recent time their activities have spread beyond the Nigeria borders.<sup>7</sup> Although the phrase 'boko haram' literally means "Western education is forbidden", in line with the Jenifer Cooke's report that the group draw "its adherents largely from disaffected university students",<sup>8</sup> the name by which they are known does not truly describe their composition nor demonstrate their intent and operational modalities. Simply stated, according to Jenifer Cooke, *Boko Haram* is the colloquial name given to the group which formally calls itself *Jama'atu Ahlis Sunna Lidda'awati wal Jihad* ("People Committed to the Propagation of the Prophet's Teachings and Jihad"). At its inception, the group was locally known as the Nigerian Taliban.<sup>9</sup> They are influenced by the Qur'anic phrase that: "Anyone who is not governed by what Allah has revealed is among the transgressors".<sup>10</sup>

The body was originally formed by a Muslim cleric known as Mohammed Yusuf in Maiduguri in 2002. He had started a school in Maiduguri where he enrolled many youths from mainly poor background. While the students were taught the rudiments of Islam and Arabic language, Mohammed Yusuf was also interested in creating an Islamic state; hence the school became a 'recruiting ground for jihadist to fight the state'.<sup>11</sup> According to Cooke,

The group's demands range from the improbable—including full implementation of Shari'a in northern Nigeria (with some adherents advocating Shari'a for all of Nigeria—to the more plausible—including full accountability for police and security forces involved in the extra-judicial killing of Yusuf and the associated violence that left 700 dead; public access to a former national security adviser's investigation and report on the 2009 crackdown; the release of imprisoned *Boko Haram* members; and the rebuilding of mosques and other buildings destroyed by security forces.<sup>12</sup>

The group has gone about these demands in an "array of targets and gradual adoption of modern terror tactics"<sup>13</sup> that has touched on the lives and properties of innocent Nigerians. Many of their initial major attacks, especially between 2010 and 2012, were on churches and Christians' interests. In fact, in November 2012, there was an attack on a church within a military cantonment in Jaji, Kaduna State. The insurgents use gunmen on motorbikes to perpetuate their deeds, killing police, politicians and anyone who criticises it, including clerics from other Muslim traditions.

Although the administration of Dr. Goodluck Jonathan which lasted from 2009 to 2015 responded in manners that curtail the excesses of the insurgents, the US CSIS, Jennifer Cooke reports the concern that the "government may lack the capacity and political will to mount an effective, comprehensive response" to the insurgence. Towards the end of that administration greater momentum was focused on containing the activities of the insurgents to particular locality. The current government, under the administration of President Muhammadu Buhari has sustained the momentum against the insurgents, but their activities have continued to belly the efforts of the government.

### Just war Ethics

The phrase *Just War Ethics* is neither strange in ethical discourses nor knows boundary of denominationalism across Christendom, what is different is perceptions on its operational details. The phrase is specifically a Christian practical derivative that emerges over time in Christian everyday concern about war, justice and love. It attempts to provide a *de iure* Christian comportment and advice to policy makers and governments in war situations. It is an ethics that pertains to Christian position in war situation on the one hand, and the determination of principles for a given government as may be supported by Christians in such situation. Hence, according to Bell, just war ethics "is deeply implicated in the character of our ecclesial communities. It is sustained by the virtues inculcated through the preaching and teaching and practices of discipleship that characterize the life of the Christian community".<sup>14</sup>

We live in a world that constantly experiences change at various degrees of intensity in virtually all aspects of life. The 4<sup>th</sup> century situation in which a kingdom annexes another sovereign kingdom may not be directly experienced in this 21<sup>st</sup> century, but situations that are akin to such experiences have continued in various patterns to date.<sup>15</sup>

### Augustine on Just War Tradition

Aside debates of origin of the 'just war tradition', Augustine is mostly reckoned with specific details on Christian involvement in war and the criteria for such engagement. Beginning with the instances of war in the 4<sup>th</sup> century, through the devastating sacking of Rome by Alaric and his army of Visigoths in AD 410, to recent war situation, most Christians adopted Jesus' teaching on "peace to all men and goodwill" to all people. Many Christians embraced a non-violent theology warranted by Augustine's just war discourse in his *The City of God*.<sup>16</sup>

In *City of God*, Augustine defends Christianity against the impression that God failed to protect Rome and the citizens against Alaric. Further in the book, Augustine focused on concerns over whether Christian could serve in the army given the injunction of Jesus that the disciple should sheath his sword and that "all who take the sword will perish by the sword." While contrasting the earthly city with the city of God, Augustine stated that the former "for the most part, is a city of contention with opinions divided by foreign wars and domestic quarrels and by the demands for victories which either end in death or are merely momentary respites from further war."<sup>17</sup> He argued further that ubiquitous as war is in the affair of men, attainment of peace is the bottom line.

Even when men are plotting to disturb the peace, it is merely to fashion a new peace nearer to the heart's desire... It is not that they love peace less, but that they love their kind of peace more... Thus, it is that all men want peace in their own society, and all want it in their own way. When they go to war, what they want is to impose on their enemies the victor's will and call it peace...<sup>18</sup>

Augustine also observes that the ultimate aim of war, which is peace is not only among human, but also among lower animals, it is "the instinctive aim of all creatures".<sup>19</sup> It is in the perspective of peace as the ultimate goal of war that the just war theory developed.

To Augustine, a just war is not the same as a war prosecuted for the purpose of greed and satisfaction of some inordinate ambition, rather the purpose of a just war is the pursuit of a better state of peace: "Peace is not sought in order to

provoke war, but war is waged in order to attain peace'.<sup>20</sup> Just war would therefore be such that is fought against tyrants and those who threaten their neighbours with territorial ambitions. It does not accommodate wars for reasons as "desire for harming, revenge, lust for dominating, and similar things."<sup>21</sup> He argues that it is for such acts of inordinate attitude and cruelty to be punished that certain wars are commanded by God or some other legitimate ruler and are undertaken by the good.<sup>22</sup>

One may safely infer from passages cited from Augustine's works above that he advocates waging of war for a better state of peace and justice - checkmating the ferocious lust for domination by an aggressive party. Nevertheless, Elshtain resounds the warning of Augustine that the critical distinction between peace and justice must be clearly defined in presenting a case for just war. This is important because "war of aggression and aggrandizement are unacceptable because they violate not only the civic peace but the framework of justice."<sup>23</sup> To Elshtain, "Some versions of 'peace' violate the norms of justice and do so egregiously. For the sake of keeping peace, statesmen often acquiesce in terrible injustices".<sup>24</sup>

We should keep in mind that Augustine does not by his propositions advocate for war in all cases of conflict because neither 'peace' nor 'justice' is an absolute good in themselves, thus war for attainment of peace should be a last resort. And even when situations are right for war, engagement must not be arbitrary - the role of a legitimate government under the authority of God must be respected. Coupled with these requirements are certain criteria that need be considered before engaging in war [*Jus ad bellum*], and guidelines for fighting well in the course of the war [*Jus in Bello*].<sup>25</sup> The criteria are highlighted below as summarised by Susan Brooks Thistlethwaite:<sup>26</sup>

**Jus ad bellum** ("justice on the way to war")

- *Legitimate Authority*: Requiring that only legitimate officials may decide to resort to force is one way to protect against arbitrariness.
- *Just Cause*: The three standard acceptable causes are self-defence, recovery of stolen assets, and punishment for wrongdoing.
- *Peaceful Intention*: The intention is to use force to achieve peace, using force to restrain and minimize force.
- *Last Resort*: Before turning to war, all reasonable approaches to a peaceful resolution needed to have been employed.
- *Reasonable Hope of Success*: In going to war, a reasonable expectation of success must be envisaged, especially, at obtaining peace and reconciliation between the warring parties.

**Jus in Bello** ("justice in the midst of war")

- *Proportionality*: The suffering and devastation of war must not outweigh whatever benefits may result from war.
- *Discrimination or Non-combatant Immunity*: The means of warfare must discriminate between combatants and non-combatants.

### Reinhold Niebuhr Christian realism and the Just War Theory

Niebuhr's work, *Christianity and Power Politics*,<sup>27</sup> was written at the heat of the Second World War when European governments were falling to Hitler. At the time, Hitler had a partial league with the Soviet and had used that advantage to invade many colonies; similarly in the Southeast Asia, Japan was no less forceful in ravaging countries in that axis. The continuous spread and conquest of the war concomitantly spread the totalitarian and autocratic philosophy of the key players in the war. On the other hand, in the West, the Neutrality Act in force in America put in place at the end of the First World War resulting from the massive loss of many young people, made trade with belligerents unlawful in America. That being so, the Christians abhorrence of the use of violence only leads to what could be best described as political pacifism. These positions - of America and the Christians - were to Niebuhr unacceptable as he considered such retreat as "immoral".<sup>28</sup>

Niebuhr argues that the Orthodox Churches makes matter worse by "compounding dogmatism from another day" and the liberal churches hid "their light under the bushel of the culture and modernity."<sup>29</sup> To him a construction of a social ethics cannot be done without taking cognisance of the human nature of sin and the destructiveness of the reality of sinfulness. This is because the Jesus ethics he advocated is an ethics of pure love meant for the improvement of the individual life. Such personal ethics of love according to Keith needs a social ethics, because Niebuhr perceives that human beings don't love each other but themselves and Jesus ethics is too pure to be realised in this life.<sup>30</sup> He thus advocated for a Christian realism that will give vent to the ethics of Jesus as ideal of love being real in the will and nature of God.<sup>31</sup>

The ethics of love envisioned by Niebuhr, characteristically constituted by the ideal of love expressed in the love of enemies, self-sacrifice and unconditional forgiveness becomes paramount. Essentially, this proposal, even as he acknowledged, does not seem to correspond with the everyday moral and social patterns of the 21<sup>st</sup> century. Hence, as hinted above, he acknowledged that such ethics of Jesus cannot be fully realised in this life. Therefore, it is "impossible to construct a socio-moral policy from the religio-moral insight of Jesus."<sup>32</sup>

Consequent on the prepositions of Niebuhr outlined above, his brand of realism could be seen to have taken seriously the doctrine of original sin and the resulting fallenness of humanity. These conditions of original sin and fallenness according to his view cannot be dissociated from man's political life. Hence Keith observes that "Reinhold Niebuhr's Christian realism departs in fundamental and profound ways from the classical Just war tradition"<sup>33</sup> however, for the avoidance of doubt, Niebuhr does agree with the classical proponents of the Just War theory like Augustine and Aquinas in rebuking Christian pacifism and in showing concerns about power, justice and love, but differs in details that arise from his liberal theology.

At the base of Niebuhr's ethics is the ethics of Jesus Christ formulated from the perspective of the liberal protestant (pacifist) understanding of the *Sermon on the Mount*.<sup>34</sup> Jesus is understood from that passage to stand against any form of violence and force. The demand on Christians from this understanding is also that discipleship entails being abided by such ethics. However, the practicability of such ethics in a regular human society may be farfetched, hence a call by Niebuhr for a "pragmatic or realistic ethics of responsibility that requires a choice of lesser or necessary evils on behalf of the community".<sup>35</sup> In other words, to act responsibly is to become obliged to do a necessary evil for the sake of good. Hence

in the Niebuhrian order, force could be applied in the political parlance or even war as a necessary evil or lesser evil to attain higher good.

### III. Classical Realism and Niebuhrian Realism on just war theory

It was earlier on stated that Augustine sees war as anthropologically regular and that war belongs to the natural order that satisfy particular desire. To such classical understanding belongs the need for regulation on when to go to war and what ethics should regulate the conduct. It is not a choice between two evils, because, when the use of force is restricted in circumstances required by justice, it is blameworthy. Thus considered, the *Sermon on the Mount* theology as meaning a principle of non-violence to be followed or at best glossed over in going to war for a higher good holds not much water in the classical theory dispensation. The classical theory of the just war tradition does not consider going to war to be a lesser or necessary evil. Rather, a just war is godly and makes one be tilted in the direction of the good.

Augustine's position on war favours the rationale that the evil of war is not in the war itself but in the intention behind the war. His position connotes the classical realists' view. That is, the intention of the soldiers of war or/and the initiator of the war, either of political or religious or whatever is the motive. In *Countra Faustum*, Augustine argues that the justification for war "depends on the causes for which men undertake wars and on the authority they have for doing so".<sup>36</sup> Going further, he identified what the real evils in war are. They include acts as "love of violence, revengeful cruelty, fierce and implacable enmity, wild resistance, and the lust of power".<sup>37</sup> On the other hand, "it is generally to punish these things, when force is required to inflict the punishment, that, in obedience to God or some lawful authority, good men undertake wars, when they find themselves in such a position as regards the conduct of human affairs, that right conduct requires them to act, or to make others act in this way."<sup>38</sup>

The distinction between the Classical Realism and Niebuhrian Realism on just war theory is further evident in the implication of how war or forceful violence is perceived. As stated earlier, the Classical Realism does not conceive war as outright evil independent of the intention, whereas in Niebuhrian Realism, war is evil though a lesser evil and against the ethics of Jesus. An implication of such distinction in practical terms means that on the one hand, the Agustinians perceives going to war as a noble engagement and thus expects the soldier to be abided by the rules engagement to ensure morality; while the other, Niebuhrian Realism conceives the soldier's act as already evil, albeit a lesser one, hence further break with the rule of engagement might not really matter as such. The views of the latter, that is, the Niebuhrian Realism obviously violates the non-combatant immunity in war ethics. But Niebuhr argues,

It is not possible to defeat a foe without causing innocent people to suffer with the guilty; it is not possible to engage in any act of collective opposition to collective evil without involving the innocent with the guilty. It is not possible to move in history without becoming tainted with guilt.<sup>39</sup>

Keith quoting Cole explains the last of Niebuhr's statement above as a non-helpful claim in the ethics of a just war because,

Once we begin to believe we are acting viciously by the very nature of the case, then the temptation becomes to be a little more vicious and guarantee victory. Dirty hands thinking tells us that we have already crossed a moral threshold in fighting a war to begin with, and once having crossed that threshold, we may be tempted to make sure that it was worth it and guarantee victory.<sup>40</sup>

Overall, reading Augustine through the lenses of Niebuhr reveals that Christians should not imbibe pacifisms as virtuous in the face of injustice and violence done to them, but it perceives participation in war as a form of evil. Niebuhr's understanding of participation in a war as a form of evil isolates his realism from Augustine's, a spells a very grave implication on comportment at war. The Niebuhrian realism does not adequately accommodate the reality of the moral issues as specifically boarder on the *jus in bello* principle of non-combatant immunity,<sup>41</sup> and hence requires an alternatives that could be used with the consciousness of a Christian realist. This is the point at which this paper considers the work of Bethke Elshtain to be relevant.

### IV. Elshtain on just war theory

This paper considers the work of Elshtain on *Just War on Terror* as appropriate in comparison to Niebuhr's work. Both authors approach the same issue from the same tradition but from different understanding of that tradition. While Niebuhr's approach is quite Protestant, Elshtain tends to follow the Catholic tradition closely. Secondly, both works were written within the context of war discourses.

The instance of the 9/11 terrorist attack in the US and the context of the Iraq war provide the setting and real life situation to recall the "just war" tradition. In Elshtain's case and in direct contrast to Niebuhr, Elshtain invokes the tradition in the pattern formulated by Augustine, that is, a just war theory that speaks of "just cause" (*jus ad bellum*) for war, and insists on the "just means" (*jus in bello*) of fighting the war. Nevertheless, according to Richard Miller, Elshtain thoughts on war and justice however recall the idea that was made famous by Niebuhr — that failure to act can be morally more worrisome than violent action.<sup>42</sup> Beyond that however, this paper does not really think that Elshtain will agree all the way to imply the consequential conclusion derivable from Niebuhr's lesser evil perception on war. The point was subtly implied in Miller's note that for Niebuhr the anarchy that accompanies the use of force is the lesser of two evils when compared to the tyranny that a false peace can permit.

Reading Elshtain within the context of her writing – the Iraq War and the 9/11 event, this paper is of the opinion that she differs from Niebuhr in details, but agrees that 'avoiding conflict with Iraq is to condone a false peace, a "peace of cruelty" that tolerates chicanery before the U.N. and the continuation of tyrannical rule'.<sup>43</sup> She contends that "all violence, including the ruled-governed violence of warfare, is tragic. But even more tragic is permitting gross injustices and massive crimes to go unpunished. Just war stipulates that the good of settled social life cannot be achieved in the face of pervasive and unrelenting violence."<sup>44</sup> It is her opinion that "organised force, fighting under rule of engagement in order to minimized civilian casualties, can help to create the safe surround that permits civic peace *tranquillitas ordinis* – to flourish."<sup>45</sup>

Substantially, Elshtain's position is not totally different from Augustine's. Of interest is her distinction between the pacifists, the realist and the just war thinkers. According to her, "For the pacifist, the reigning word is *peace*. For realists, the reigning word is *power*. For just war thinkers, the reigning word is *justice*."<sup>46</sup> These are interrelated in utmost goal because "peace may sometimes be served by the just use of force, even as power is most certainly involved."<sup>47</sup>

#### Augustine in the lenses of Elshtain in addressing the *Boko Haram* Insurgence in Nigeria

There is no doubt that a question of relevance of Augustine's 4<sup>th</sup> century interventions and proposal of criteria for war situation may arise given the 21<sup>st</sup> century war circumstances and complication of motives in modern war fare. However, given Augustine's basis and context for the development of his views, it is arguable that not changed in the principles guiding human search for 'peace' as the hub of war. The basis for this argument lies in the reasons often proffered for wars in modern time. Such reasons range from war for territorial integrity to that arising from religious fundamentalism. Much of those are evident in Augustine's time, but what has changed so much is the technological advancement of war apparatus used in modern day warfare.

Although Augustine did not directly experience the form of war waged by the Islamic fundamentalist terror attack, but the experiences of his days are quite apt in the modern society in which people who see his work as relevant still make recourse to it to establish a model of Christian ethics adaptable to modern context. It is in the light of this usefulness that this paper turns to the work of Elshtain to assess Augustine's work in addressing the insurgence of the *Boko Haram* in Nigeria.

While Elshtain argues that "any government that fails to do what is within its rightful power and purview in these matters is guilty of dereliction of duty,"<sup>48</sup> she does not expect a government to simply go all out to war because a group has just been labelled 'terrorist'. It is not the labelling in itself that makes the war right, for example, while John Paul II described the event of September 11 as "unspeakable horror", Osama bin Laden described it as "glorious deed".<sup>49</sup> Similarly, that the 'Islamic fundamentalists' referred to Jews, Americans and those they perceived as professing the wrong religion as "infidels"<sup>50</sup> is not what will make the war right and be launched. Rather, the State must recognise the fact of the primary reason for its existence which according to her "is to create those minimal conditions that prevent the worst from happening – meaning, the worst that human beings can do to one another."<sup>51</sup> There must be a deliberate move in efforts by the state to prevent such senseless attacks on people. As Elshtain observes, even though there are instances of what Augustine calls 'carking anxieties', that is misfortunes, catastrophes, or crimes that cannot be prevented, as part of human condition, the State must take up the task of interdiction: preventing horrible things before they occur.<sup>52</sup>

It is well known that the effect of the *Boko Haram* menace in Nigeria had impacted negatively on the socio-economic, political and the religious life of the people.<sup>53</sup> It is also obvious that economic growth and development in commerce and trade at both formal and informal sectors of States affected by the insurgence in the country were being destroyed.<sup>54</sup> The scenario has raised series of questions as to what the government is doing in all of these. Could all these have been prevented in the first place? Perhaps, but the insurgence is with us and the Government said it has reached out for dialogue at various levels.

*The Nations*, a reputable National Newspaper reported:

The truth of the matter is that discussion was opened with the *Boko Haram* sect. However, following internal disagreement within the group over how to handle the dialogue with government, it has become difficult to continue the discussion as the sect is now in factions. One of the factions said it is no longer interested in dialogue until all its men are out of detention. There is also the issue of who the authentic leader of the group is. Our suspicion is that the aggrieved faction is the one behind the recent spate of bombings. This explains why nobody has come out to claim responsibility. Unless the internal crisis is addressed, it may be difficult to know who to discuss with among the factions.<sup>55</sup>

Given this situation, should the government wait and watch innocent and defenceless people being killed and maimed by a group "whose logo shows the Qur'an, with a gun on both sides" and who said "it will continue to wage a war for justice and truth [and]... will not negotiate with the authorities as it is sure of victory"?<sup>56</sup>

There have been arguments and counter arguments as to whether the government should go into dialogue with a 'faceless group of terrorists'<sup>57</sup> or not. Or whether military force should be used in all its might, or even whether individuals should take up arms and simply defend themselves, perhaps even in a pre-emptive ways of launching attacks first. The government is saddled with the responsibility of protecting lives and properties and in doing that it must also be conscious of its exercise of power as not to become lawless in performing this function. Thus, even the government could be said to be in a dilemma. And according to Elshtain in reference to Augustine, "power is a basic reality of political life" but "how is power used? To what end?"<sup>58</sup> This paper takes it that the situation in the country reflects a convergence of political, social and religious interest all tied up to the insurgence.

To Augustine, the situation described above concerns "ethics of power", and "its use or abuse are most exigent when it comes to debate war and peace".<sup>59</sup> It is in such situation, as Nigeria is now, that the question of just war tradition becomes relevant. According to Elshtain the Just War tradition "provides a conceptual framework for interpreting and analysing America's war against terrorism". The question of what Nigeria could make of this age long Augustine's proposal as apprehended by America comes up here. In other word, how may the Just War tradition as a conceptual framework for interpreting and analysing the war against terror attacks be used to address the *Boko Haram* situation in Northeast Nigeria?

#### V. Just war theory and the *Boko Haram* insurgence

Neither Reinhold Niebuhr nor Elshtain Bethke will encourage the Nigeria Christians and/or the government to remain passive or pacifistic in the face of current terror attacks on innocent Christians and defenceless populace in general. Whatever be the shape of action taken by the victims of these attacks, the word that should not come to play is 'inaction'. In the same manner as the popular call for justice in the US after the September 11 event, the popular tune in Nigeria now is the cry for justice.

Nigerians have witnessed how Churches together with innocent and defenceless worshippers in them were blown up; how social amenities like schools, communication gadgets, even a united nation office were bombed with high number of casualties; how national ceremonial ground were made insecure on public festivals, etc. In spite of the current government efforts, pockets of bombing that kill people in numbers have continued. Recently, a popular market was attacked in Kano and another in Yola.<sup>60</sup> Both attacks resulted in the death of many innocent people. Obviously the conditions are ripe for a decisive action to be taken as the fundamentalist considered their attacks as "war" not only on the citizens but on the State. Looking at the conditions of *Jus ad bellum* mentioned earlier and further examined below, one might be tempted to argue for an all-out war on the group, but perhaps a closer look at the conditions may warrant a better option.

## VI. Condition of Legitimate Authority

Instances of reprisal attacks and extra judicial killings have been reported in some parts of the country. This paper does not accept such responses to destructions and killing caused by the insurgents. There is a legitimate authority in place which has shown interest in addressing the issue. The National Assembly through the various constituencies have been intimidated on the level of harm, and some of the members have threatened individually and collectively by the group. As a legitimate arm of the government, particularly in policy making, the interests and concern of the people should be paramount in their heart to address the people's yearning for justice. However, there has been no clear legislation on the issue.

### Just Cause

On the first condition of *Jus ad bellum*, it is obvious that the *Boko Haram* group have being on the offensive and have launched attacks that obviously outweigh the efforts of those they attack. By that fact, self-defence warrants a response that is fair and right. Here in line with the just war theory, there is apparently a sufficient cause for the use of force since dialogue is apparently not working to correct the dastardly act of slaughtering and killing of people and disruption of public peace.

### Right Intention

There is a need to redress the injustice being suffered on both sides. While the insurgents may have their claims and reasons as boarder on poverty and need to implement the *Shari'a* rule over a multi-religious country as Nigeria, the killing and maiming of innocent civilians and destruction of properties and public infrastructure cannot be justified. The response by government in the direction of forcing the group to stop may though be of right intention, careful delineation of traits of self-interest among groups representing sections of the people must be deciphered.

### Last Resort

Recent call by the *Boko Haram* group on the Federal Government on their readiness to dialogue should be considered an option. In the criteria for a just war, it is clear that before turning to war, all reasonable approaches to a peaceful resolution need to be employed. For Thistlethwaite, "War should not be resorted to because it is faster than diplomacy or more demonstrative of a nation's resolve or more illustrative of our unique power in the world. War must be necessary."<sup>61</sup>

### Probability of Success

The costs and benefits in excess of moral and practical weight must be considered seriously by the government. Here, the method of guerrilla tactic embarked upon by the insurgents put the lives and properties of innocent people at stake; hence it is a fight that will be characterised by heavy loss on the part of the innocent people because of the form of strategy employed by the group. We might also look at the parallel to this point, that is, a criterion of Proportionality. The criterion demands that the overall destruction from the use of force must be outweighed by the good achieved. The might of military force when used in full scale cannot rule out the possibility of destruction beyond the good that is been targeted. Since the objective is peace and justice, the possible working of the last resort criterion might be further explored.

Summarily while the conditions for an outright war on the insurgent are apt, the room for dialogue is still very much vacant and explorable. Secondly, the probability of heavy death toll on non-combatant is obvious given the guerrilla tactics of the insurgents. Thus while military action is encouraged, a carrot and stick approach should be the guiding principle towards securing the state and purging it of insurgents.

## VII. Conclusion and Recommendation

The ethics of Jesus advocated by Niebuhr might truly be untenable in its full sense and in the context of the world of sin where innocent and defenceless people are deliberately killed by unprovoked people. However, since we must not remain irresponsibly passive, and must take the lesser evil of fighting, the reformatory import of such ethics could be an impetus to restraints, especially at moderate participation in such response. Nevertheless, in the Niebuhrian order, having chosen a 'lesser evil' of the use of force, by and large, victory becomes the key regulatory motto albeit at the expense of war ethics. The implication of this kind of disposition may not satisfy, in the long run, even the ethics that give rise to it, hence a need for recourse to Elshstain restatement of Augustine's perception of the just war ethics in addressing the *Boko Haram* insurgence in Nigeria. In the perception of Augustine/Elshstain theory, the Christians must not see their response as choosing between two evils when defending themselves and their neighbours, but caution must be exercised in ensuring the legitimacy of their action in keeping with the ethics of fairness.

The position of this paper is that Christians should not remain passive in the face of the *Boko Haram* insurgence in the country, but in line of the the just war tradition, they should respond in self-defence within the limits of the law, while dispelling the feeling that steps in such self-defence and defence of ones neighbour is a lesser evil. That being done, a strong demand from the government to whom they have contracted their protection and of whom God demands their loyalty, should

be made in strong and intensified ways. On the government part, the path of dialogue with the group should be further explored.

#### Endnotes

- <sup>1</sup>Augustine was one of the most prominent Bishops and theologians of the Catholic Christianity. He is reckoned with the definition of many of the church's teachings and he was a pillar of defense of the church's.
- <sup>2</sup> Reinhold Niebuhr was an American Protestant theologian best known for his "Christian Realism." His views gave emphasis to the rootedness of evil in human life, a factor which he claims results from "original sin".
- <sup>3</sup> The University of Chicago Divinity School highlights the profile of Jean Bethke Elshtain as one of "America's most prominent and provocative thinkers on religion, political philosophy, and ethics. She was the Laura Spelman Rockefeller Professor of Social and Political Ethics in the Divinity School, Political Science, and the Committee on International Relations at the University of Chicago." Among her many works are *Augustine and the Limits of Politics*, and *Just War Against Terror*. While the former book "applies Augustinian thought to contemporary politics and society", the latter discussed the "moral argument for greater American military engagement abroad." - See more at: <https://divinity.uchicago.edu/jean-bethke-elshtain-scholar-religion-and-political-philosophy-1941-2013#sthash.iZokWFcz.dpuf> - See more at: <https://divinity.uchicago.edu/jean-bethke-elshtain-scholar-religion-and-political-philosophy-1941-2013#sthash.iZokWFcz.dpuf>.
- <sup>4</sup> Jean Bethke Elshtain. *Just War Against Terror: The Burden of American Power in a Violent World*. New York: Basic Books. 2003. p.51. Elshtain relates this term to an attitude which emphasises pacifism in the face of aggression and attacks.
- <sup>5</sup> Elshtain, *War Against Terror*, 51
- <sup>6</sup> See Elshtain, *War Against Terror*, 53
- <sup>7</sup> The current president of Nigeria, Muhammadu Buhari, has described the group as 'a typical example of small fires causing large fires'. It began in Nigeria but has spread beyond Nigeria. See for more details, "The Regional Problem of *Boko Haram*" by Virginia Comolli. *Survival: Global Politics and Strategy*, 57 (4) 2015:109-17.
- <sup>8</sup> Jennifer Cooke. Statement before the House Committee on Homeland Security Subcommittee on Counterterrorism and Intelligence: "*Boko Haram*-Emerging threat to the U.S. Homeland". Cannon House Office Building. November 30, 2011. [www.csis.org](http://www.csis.org).
- <sup>9</sup> Jennifer Cooke. *Statement before the House*, 1
- <sup>10</sup> Farouk Chothia. "Who are Nigeria's *Boko Haram* Islamists?" BBC African Service, <http://www.bbc.co.uk/news/world-africa-13809501>. 11 January 2012 Last updated at 11:30 ET
- <sup>11</sup> BBC Report, "Who are Nigeria's *Boko Haram* Islamists?"
- <sup>12</sup> Jennifer Cooke. *Statement before the House*, 4
- <sup>13</sup> *ibid*
- <sup>14</sup> Daniel M. Bell, Jr. Implications of Just War Theory. *The Christian Century*, Vol. 12, 18. September 6, 2005 pp. 26-33.
- <sup>15</sup> There are instances of groups claiming territories within the territory of a sovereign country. A ready example is the occupation of local government territories by the *Boko Haram* insurgents in northeast Nigeria. Although the number of the local government areas occupied by the insurgents has reduced, as of the time of this writing, three local government areas are said to be under their control, see <http://www.thisdaylive.com/articles/boko-haram-still-controls-three-borno-local-governments-/224242/>.
- <sup>16</sup> *The City of God* is one of Augustine's most important books. It is famous for its contents on political philosophy and responses to tough doctrinal issues in Christian philosophy.
- <sup>17</sup> Augustine of Hippo, *The City of God*, translated by Gerald C. Walsh, S.J., Demetrius B. Zema, S.J., Grace Monahan, O.S.U., and Daniel J. Hogan (NY: Image Books/Doubleday, 1958), Part Four, Book XV, Chapter 4, pg. 327.
- <sup>18</sup> *Augustine of Hippo, The City of God, translated by Gerald* Part Five, Book XIX, Chapter 12, pp. 452-454.
- <sup>19</sup> *ibid*. 861-862
- <sup>20</sup> Augustine, Letter 189 to Boniface, in Fortin, E.L. and Kries, D. (Eds.) *Augustine: Political Writings*, Trans. Tkacz, M.W. and Kries, D. (Indianapolis: Hackett, 1994) p. 220
- <sup>21</sup> Augustine, Against Faustus the Manichean, Ch. XXII.74, in Fortin, E.L. and Kries, D. (Eds.) *Augustine: Political Writings*, Trans. Tkacz, M.W. and Kries, D. (Indianapolis: Hackett, 1994) p.221/2.
- <sup>22</sup> *Ibid*.
- <sup>23</sup> Elshtain, *Just War against Terror*, 53
- <sup>24</sup> *ibid*

- <sup>25</sup>Augustine of Hippo, *The City of God*, tr. Gerald C. Walsh, Part Four, Book XV. Chapter 7, pg. 447
- <sup>26</sup>Special Report, Would an Invasion of Iraq Be a "Just War"? www.usip.org. 98 January 2003. <http://www.usip.org/files/resources/sr98.pdf>.
- <sup>27</sup>Reinhold Niebuhr. *Christianity and Power Politics*. Archon Books. 1969.
- <sup>28</sup>This brief on the background to Niebuhr's work is found and well-articulated in Patterson, Eric [ed]. *Christianity and Power Politics Today Christian Realism and Contemporary Political Dilemmas*. New York: Palgrave Macmillan. 2008. p.1.
- <sup>29</sup>Reinhold Niebuhr. *An Interpretation of Christian Ethics*, Rauschenbusch Lectures (New York: Meridian Books, 1956), 2.
- <sup>30</sup>Keith Pavlischek, *Reinhold Niebuhr, Christian Realism, and Just War Theory: A Critique* 64.
- <sup>31</sup>Keith Pavlischek, *Reinhold Niebuhr, Christian Realism*, 57
- <sup>32</sup>Ibid, 29
- <sup>33</sup>Keith Pavlischek, 54
- <sup>34</sup>The Sermon on the Mount refers to Jesus' moral teachings as recorded in the Gospel according to Matthew chapters 5, 6 and 7 (there are shorter versions of the same discourse in Mark and Luke gospels). It is one of the main discourses of Jesus commonly referred to as the five discourse. Other discourses include: the Missionary Discourse, the Parabolic Discourse, the Discourse on the Church and the Discourse on End Times.
- <sup>35</sup>Ibid, p.55
- <sup>36</sup>Augustine, *Contra Faustum*, 75
- <sup>37</sup>Ibid, 74
- <sup>38</sup>Ibid
- <sup>39</sup>Reinhold Niebuhr, "The Bombing of Germany" in *Love and justice: Selection from the Shorter Writing of Reinhold Niebuhr*, ed. D. B. Robertson (New York: Meridian Books, 1967), 222.
- <sup>40</sup>Keith, Reinhold Niebuhr, *Christian Realism*, p.63. The quotation was originally Darrell Cole's in "Virtuous Warfare and the Just War: A Christian Approach" (PhD diss. University of Virginia, 2001), 111-12.
- <sup>41</sup>Keith, *Christian realism*, 64.
- <sup>42</sup>Richard B. Miller. "Thinking about War and Justice: A Reply to Jean Bethke Elshtain" The Religion and Culture Web Forum. May 2003. The original work to which he referred is Reinhold Niebuhr, *Christianity and Power Politics* (New York: Charles Scribner's Sons, 1940), chap. 1.
- <sup>43</sup>Richard Miller, *Thinking about War*, 1
- <sup>44</sup>Elshtain, *Just War Against Terror*, 54
- <sup>45</sup>ibid, 54
- <sup>46</sup>ibid, 56
- <sup>47</sup>ibid
- <sup>48</sup>ibid, 49
- <sup>49</sup>ibid, 12
- <sup>50</sup>Ibid, 4
- <sup>51</sup>Ibid, 49
- <sup>52</sup>ibid
- <sup>53</sup>To substantiate the extent to which the carnage has been experienced, Wole Soyinka, one of Nigeria statesmen, human right activist, and Literature Nobel Laureate observes: "We have never been confronted with butchery on this scale, even during the civil war." Read more at Reuters <http://www.reuters.com/article/2014/07/02/us-nigeria-soyinka-idUSKBN0F715A20140702#H9z5ES1pGFo9Z6Vz.99>
- <sup>54</sup>Detail of this claim could be made from any dailies from Nigeria, however this is a paraphrasing of the report from a two-day conference, organized by the Centre for Historical Documentation of the Ahmadu Bello University, Zaria and reported by *The Nation* Newspaper. "Boko Haram: Northern leaders lament destruction of region's economy." Posted by: Tony Akowe, Kaduna: December 08, 2012, <http://thenationonlineng.net/new/news/how-boko-haram-split-wrecked-fg-sect-talks/>
- <sup>55</sup>*The Nation*. "How Boko Haram split wrecked FG, sect talks." Posted by: Dare Odufowokan: December 09, 2012. <http://thenationonlineng.net/new/news/how-boko-haram-split-wrecked-fg-sect-talks/>
- <sup>56</sup>ibid
- <sup>57</sup>This is a description often used by the previous administration of President Goodluck Jonathan, and a reason for not engaging in dialogue with the insurgents.
- <sup>58</sup>Elshtain, *Just War Against Terror* 49



<sup>59</sup> *ibid*

<sup>60</sup> See "Yola, Kano terror attacks death toll hits 49" by Abubakar Mohammed (Abuja), Abba Anwar (Kano) and Emmanuel Ande (Yola) in *The Guardian*, November 19, 2015. Accessed November 22, 2015. <http://www.ngrguardiannews.com/2015/11/yola-kano-terr-h-toll-hits-49/>

<sup>61</sup> Susan Brooks Thistlethwaite. "Just War and a Post-Modern World," *SpecialReport 98* (Washington DC: United States Institute of Peace, 2002).