**R2P & Just Policing: A Roman Catholic & Yoderian Perspective**
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"The peace of the Lord be with you." When I say this in class to my students, they initially are caught off guard and not sure whether, or perhaps how, to respond. Usually, after a few seconds of silence, some hesitatingly reply, "And also with you." Beyond the context of worship, this greeting appears out of place for most Christians. Even more, in view of the graphic images of hundreds of thousands of suffering and dying persons in places such as Rwanda or the Darfur region of Sudan in recent years, this contrast between the peace that we pass at worship and what unfortunately happens in the world is especially pronounced.

When nations fail to protect their citizens from extraordinary threats, such as genocide, how should Christians respond in a way that is congruent with Christ's call for love, mercy, and reconciliation (in other words, the vision of God's kingdom) that we experience in the liturgy? At the end of the Roman Catholic Mass, we are given a blessing and sent forth, "Go in peace to love and serve the Lord." Our response, "Thanks be to God," indicates our grateful acceptance of the responsibility to be loving, serving peacemakers toward other people in the world. Indeed, this liturgical commissioning could be regarded as providing a basis for the emerging international norm, the "responsibility to protect" (R2P). Christians undeniably have a responsibility to protect others, but the question that arises is *how* ethically and effectively to do so. And, more specifically, may Christians respond to extraordinary threats and injustices against vulnerable populations in other nations by resorting to, or supporting, the use of force, including lethal force?

Though on a different scale, similar questions arose in my prior professional experience in law enforcement. As a Roman Catholic who had regularly attended Mass, I endeavored, as the police motto says, "to serve and protect" people, especially the most vulnerable, but the violence toward the innocent that I encountered in the line of duty—and the use of force that might be required to prevent or stop such violence—seemed in tension with the peace of Christ I experienced at church and was called to pass along to the world.

Thus when I read the background documents and participants' papers included in *The Responsibility to Protect: Ethical and Theological Reflections*, what especially caught my attention were several references to similarities between R2P and the role of police. For example, in his concluding remarks, Ernie Regehr posited, "Just as individuals and communities in stable and affluent societies are able in emergencies to call on armed police to come to their aid when they experience unusual or extraordinary threats of violence or attack, churches recognize that people in much more perilous circumstances should have access to protectors."[1] Regehr thinks that the use of force to protect vulnerable people is more akin to policing and should "be distinguished from military war-fighting methods and objectives."[2] Even when the intervention involves military forces rather than actual police units, the operations are analogous to policing, especially since they "are there only to protect people in peril and to maintain some level of public safety while other authorities and institutions

pursue solutions to underlying problems."[3] The goal is to impose and secure the rule of law rather than defeating an enemy. While this may be true, the reasons why policing is more ethical and perhaps more effective than war-fighting are left unsaid. Why ought Christians and churches find it more appealing to considering R2P as similar to policing? Curiously, while much attention historically has been given by pacifist and just-war Christians to the problem of war, the moral status of policing has been somewhat of a lacuna in the Christian tradition.

After a brief summary of some key dimensions of R2P, I will draw on my background in law enforcement and examine more carefully policing itself, what models of policing exist, and how the use of coercive force is understood, justified, and governed in policing. Then we will be in a better position to note what kind of policing—namely, just policing—should be regarded as more or less analogous to R2P. Next, as a Catholic moral theologian I will briefly delineate the current Roman Catholic teaching on war and peace and highlight areas where it interfaces well with R2P. Finally, although I did not mention it before, as a student and graduate assistant of the late pacifist Mennonite theologian John Howard Yoder, I will offer a few "Yoderian" reflections on the subject.

**The Responsibility to Protect**

R2P provides a "new way of talking about the whole issue of humanitarian intervention"[4] in several respects. R2P nuances and qualifies national sovereignty, which is no longer understood as an absolute right to non-interference. Instead, state sovereignty entails responsibilities on the part of the nation to its own citizens. However, if a state fails to fulfill its primary responsibility to protect its own citizens, this responsibility transfers to the international community. The focus is on "the human security of all people everywhere," and especially those most at risk.[5] Moreover, R2P involves three primary obligations: *the responsibility to prevent* (addressing the root and direct causes of conflict putting populations at risk); *the responsibility to react* (responding to egregious threats to human security through appropriate measures, including coercive measures such as sanctions and, in extreme cases, forceful military intervention); and *the responsibility to rebuild* (assisting with recovery, reconstruction, and reconciliation, as well as addressing the causes of the threat that the intervention averted or stopped).

As Gareth Evans observes, of these three prongs to R2P, the responsibility to prevent injustice and conflict was seen by the Canadian government-sponsored International Commission on Intervention and State Sovereignty, in its report to the UN Secretary General in 2001, as most important.[6] Konrad Raiser sees an analogy here with preventive medicine.[7] Most of the Christian churches, even though they have different views on the use of force, "agree on one thing: the importance of preventive efforts designed to avoid or tackle a crisis before it escalates."[8] Part of this support for prevention may be due to the way it is "often thought of as non-violent," even though Kjell-Åke Nordquist points out that in the case of sanctions, for example, the "line between prevention and protection cannot be placed effectively between violence and non-violence."[9] While this is true, it seems to me that Bishop Michael Kehinde Stephen points more to what theologians, ethicists, and churches have in mind about prevention when he correlates it with the kinds of "just peacemaking" practices made popular in recent years by American Baptist ethicist Glen Stassen.[10] Although originally appearing in 1992, a second, slightly revised *Just Peacemaking: Ten Practices for Abolishing War* is now available.[11] It contains multi-disciplinary essays by twenty-three scholars who explore ten proactive practices that have been empirically shown as realistic and effective for preventing wars, whether between or within nations.

Among the ten practices for minimizing the likelihood of wars are nonviolent direct action, cooperative conflict resolution, advancing democracy and human rights, fostering just and sustainable economic development, strengthening the United Nations and other international efforts and institutions, and more. Contributors to the volume included both pacifists and just-war proponents, who alike worry about pacifism's temptation to passivity and withdrawal, and about just-war theory's lack of robust teeth with regard to truly being a last resort.

There is, however, one item about which disagreement lingered. The chapter that sparked the most controversy was written by Michael Joseph Smith, a professor of government and foreign affairs at the University of Virginia, who, in language very similar to R2P, called for the strengthening of the UN by developing "the capacity to identify, prevent, and, if necessary, intervene in conflicts within and between states that threaten basic human rights."[12] Pacifist contributors were concerned about humanitarian intervention, especially the use of military force. Interestingly, similar reservations have surfaced among some theologians and ethicists with regard to the responsibility to react in R2P. As Evans notes, "the question of military action remains, for better or worse, the most prominent and controversial one in the debate."[13] Or, as stated by Thierry Tardy, "despite all the efforts to put the prevention issue at the forefront, it is still the military intervention component which seems to be the most important…."[14] And, even though it is justifiable only in extreme cases "as a result of a failure to prevent what could have been prevented,"[15] and as "a reaction to the (near-in-time) outbreak"[16] of violence and grave human rights violations, those Christians and churches emphasizing peacemaking and non-violence are reluctant to support the use of force to protect the vulnerable.[17]

With regard to the just peacemaking approach and the fragile consensus that emerged between just-war and pacifist contributors concerning humanitarian intervention, Catholic (and former Mennonite) ethicist Gerald Schlabach discerns "a continuing point of agenda: Is policing different enough from war that something more like policing (humanitarian military intervention [or R2P]) could possibly constitute a practice" that indicates, or leads to, a further convergence on the ethics of violence in the Christian community?[18] Schlabach and the several pacifist and just-war contributors to his volume on "just policing" think so. The just peacemaking approach "offers a major precedent" for the just policing approach, which is viewed as an effort to fine tune our understanding of what forceful military intervention might look like so that pacifists as well as just-war Christians can see fit to support it as an alternative to war-fighting.

**Just Policing**

One of the current signs of the times, therefore, is that references to a policing approach as an alternative to passivity, on the one hand, and militarism, on the other, are surfacing on a number of interesting fronts. In addition to those who note the similarities between R2P and policing (by those contributing to the R2P discussion, and by those contributing to the just policing discussion), several prominent pacifist theologians, including Duke University's Stanley Hauerwas, and just-war theologians, including Boston College's Lisa Cahill, have suggested that a global policing approach may offer a more ethical and perhaps effective way for dealing with the threat of international terrorism.[19] Yet, such appeals are interesting given that little serious attention has been given to the ethics of policing, especially with regard to the use of lethal force, within the discipline of Christian ethics. As Christian ethicist Edward LeRoy Long, Jr. has noted, "One can go through the indices of book after book in the field and find no entries for either law enforcement or

police work. In comparison with the immense amount of thinking about the problem of war and the moral issues surrounding military service, this lacuna is telling."[20] This vacuum is especially curious given that there are many Christian police officers, just as there are many Christian soldiers, who must make difficult decisions, including about the possible use of lethal force, in the course of their duties. Before advocating a form of policing, or prior to drawing parallels between R2P and policing, careful attention must first be given to the ethics of policing itself.

Simply calling for a police approach is insufficient, for not all policing is moral. Surely no Christian ethicist would defend a *police state*. Nor is all police use of force necessarily moral. No Christian ethicist, I assume, would support *excessive* force or police *brutality*, such as the Rodney King beating by Los Angeles police officers in 1991. Indeed, one model of policing that has been dominant, especially during the twentieth century in the United States, has been the "crime fighter" or "military" model of policing, which regards the use of force as the *raison d'être* of policing.[21] This model encourages an "us versus them" attitude, which is why a growing number of criminologists warn that the crime fighter model of policing could lead to police brutality and excessive force.[22] Everyone is viewed as a potential "enemy," which makes it easier, according to criminologist Paul Chevigny, for police "to abuse those who are the enemy, easier even to kill or torture them."[23] That cannot be what Christian ethicists have in mind when suggesting the extension of a policing approach to a more international level.

Indeed, several other models exist in the criminological literature. Philosopher John Kleinig, in his *The Ethics of Policing*, critically details a number of normative models for policing, besides the crime fighter model, which in varying degrees continue to regard the use of force as the central unifying core of policing, and he proposes instead the "social peacekeeper" model.[24] Elements of this model have been implemented in recent decades, including in the U.S., in what has been commonly referred to as community policing.[25] One of the chief characteristics of community policing is that it involves a partnership between the police and the community. It seeks to foster a relationship of mutual trust, bonds of empathy, and a common purpose, rather than an adversarial "us versus them" mentality. Community policing is also more proactive than reactive, involving a more preventive approach to crime. It seeks to identify, understand and address the root causes of crime that may be found in the community. Both residents and police learn and work together to identify the seedbeds from which criminal activity likely may sprout. Community policing attends to the wider social framework or patterns of activities that play a role in leading to crime.

Moreover, this model highlights numerous services that police actually perform in the community. In her actual daily work, a police officer does many things, including helping injured accident victims, assisting people with mental illnesses, finding runaways, searching for lost children, informing people of the deaths of loved ones, directing traffic, and talking persons out of committing suicide. Police spend most of their time performing these kinds of activities rather than forcefully fighting crime. Schlabach basically defines just policing, which he believes involves community policing, as being "embedded, indebted, and accountable within [a] community," which then means that "it has an inherent tendency to minimize recourse to violence."[26] Note that he does not rule out altogether the ongoing place for the use of violent force within just policing. The use of force in this model, however, is seen as more instrumental rather than central to policing. Its use is regarded as a failure, something to regret, by police officers. The use of force is not central, nor is it the basis for establishing and maintaining a just peace and human security. As such, it is

governed stringently by moral and legal criteria for when and how to employ it.[27] Indeed, a close examination of these criteria reveals that they bear a remarkable resemblance to the principles of the just-war tradition, including just cause, reasonable hope of success, last resort, proportionality, and discrimination.[28] Accordingly, Kleinig suggests that had the Los Angeles police officers who participated in the brutal beating of Rodney King understood themselves, not as crime fighters, but instead "primarily as social peacekeepers, for whom recourse to force constituted a last and regrettable option, events would almost certainly have turned out very differently."[29]

Although policing has generally been neglected in Christian ethics, some theologians at least have noted the way in which the just-war mode of reasoning can be applied analogously to any political use of force, both domestically and internationally. As Irish moral theologian Enda McDonagh has written, "Accepting, in common with the majority of Christians past and present, the need for the violence of restraint in society, one is operating with criteria similar to those of the just war."[30] This interpretation resembles that of the twentieth century American Methodist theologian, Paul Ramsey, who argued that the "moral economy" of the just-war tradition is "*morally* if *not* legally binding upon the use of force between nations," and it also "regulates the use of force within political communities, where it is both *morally* and *legally* binding."[31] Likewise, Catholic ethicist Edward Malloy believes "the 'just war' or 'justified violence' tradition" provides a "helpful ethical framework for analysis…adapted to the problem of police use of force," and indeed he is "convinced that the classic criteria for the justified use of violence are much easier to satisfy in the domestic context of police work than they are in the international setting of war."[32] That is, while the reasoning and the criteria are basically the same, their application in policing has more teeth given the community and legal framework, under which police use of force is subject to constraint, review, and accountability.

This approach may also appeal to those Christians who are not a part of the just-war tradition, because a policing approach differs from warfare in some other important ways.[33] For example, the use of force in policing is aimed at perpetrators rather than more broadly at populations. Also, police use of force intends the apprehension rather than punishment of the suspect. Punishment is the task of the courts and the prisons, not the police. Thus, the acceptance and implementation of R2P by the international community and the UN would be a way to make just-war reasoning and criteria, which are undeniably a part of the R2P approach (as Roger Williamson, along with others, noted, "The report is set within the intellectual framework of the just war tradition, which includes criteria relating both to the decision to use military force and on the conduct of war."[34]), legally as well as morally binding, making it more akin to just policing, and more likely to be supported by Christians from both the pacifist and just-war camps. Konrad Raiser is thus correct to say, "Even the military component follows a logic that is closer to the role of police; their task is not to 'win' and to liquidate an enemy, but rather to stop armed violence and to bring to justice those responsible for acts of violence."[35] The just-war reasoning and criteria in R2P as in just policing would be seriously applied with more focus and precision, and would be less susceptible to rationalization and abuse as a smoke screen for unjust wars of national interest.

Interestingly, in the early years of World War II, the eminent scholar of police history, Charles Reith, in his book, *Police Principles and the Problem of War*, called for an extension of policing principles to the international level as a move toward the abolition of war by an international league or union of nations. In this work, Reith retrieves two major prongs that were initially emphasized by Sir Robert Peel's New Police which he organized in

London in 1829: the *preventive principle* of policing and the *capacity to enforce* the law. In the book's introduction, he wrote:

> What is needed urgently, at the moment, is not only understanding and appreciation of the values of our police conception and its history, but the practical vision of the possibilities of their lessons in the wider sphere of the rebuilding of a stricken world. The subject of this volume is the use that may be made of the 'preventive' principle of police in solving the recurring wars among the nations.[36]

By the "preventive" principle of policing, Reith had in mind the *prevention* of crime, which was emphasized by Peel. The London Metropolitan Police, according to police historian Samuel Walker, "were *pro*active rather than *re*active."[37] Thus, Reith called for the creation of an international authority that would focus on preventing wars from erupting in the first place—much like the responsibility to prevent prong of R2P.

At the same time, however, in the wake of the League of Nations' failure to stop the outbreak of World War II, Reith recognized the need for the capacity to use force to enforce international law if rogue or recalcitrant nations pose a threat to other nations, ethnic groups, or international order. He warned, "Observance of international laws cannot be secured without provision of force for compelling it…."[38] Such force, however, would be governed by the moral principles of policing, so that it would be the *force of law* rather than the *law of force*. Again, this would be congruent with the kind of policing envisioned by Peel, who highlighted the use of persuasion, with physical force as a last resort and using only the minimum necessary for preventing or stopping a breach of the law—much like the responsibility to react prong of R2P.

**Roman Catholic Teaching on War & Peace**

Setting aside now my policing hat, I will now don my cap as a Roman Catholic moral theologian and briefly delineate the current Roman Catholic teaching on war and peace in an effort to highlight areas where it interfaces well with and thus should support R2P. In recent years, Catholic teaching on war and peace has identified, as I did at the outset of this essay, the liturgy as an important context within which to begin to reason about how to be peacemakers in this world. Toward the end of their influential pastoral letter, *The Challenge of Peace*, the U.S. Catholic bishops observed, "The Mass in particular is a unique means of seeking God's help to create the conditions essential for true peace in ourselves and in the world."[39] Similarly, toward the end of the chapter on "The Promotion of Peace," the recent *Compendium of the Social Doctrine of the Church*, issued by the Pontifical Council for Justice and Peace, says, "In particular, the Eucharistic celebration, 'the source and summit of the Christian life,' is a limitless wellspring for all authentic Christian commitment to peace."[40] In view of this, it may seem odd that, as is well known, the Roman Catholic Church has, for the most part, historically advocated the just-war tradition rather than pacifism. However, there have been some significant developments in Catholic teaching on war and peace since the bishops of Vatican II over forty years ago called in *Gaudium et Spes* for the entire Church to "undertake an evaluation of war with an entirely new attitude" (par. 80).[41]

Indeed, just-war reasoning was not entirely jettisoned by Vatican II. For example, given that the danger of war remains due to the continued presence of sin in the world, the Council did not revoke the traditional right of national self-defense: "As long as the danger of war remains and there is no competent and sufficiently powerful authority at the international level, governments cannot be denied the right to legitimate defense once every

means of peaceful settlement has been exhausted" (par. 79). Here the Council was invoking the traditional just war criteria of legitimate authority, just cause (i.e., defense), and last resort.

Nevertheless, in the same section of the document, and as an unexpected departure from previous official Catholic teachings, the Council praised those who renounce the use of violence and who employ nonviolent methods in seeking justice and peace. Related to this, the Council added that governments should make laws that recognize conscientious objection. Moreover, the bishops declared, "It is our clear duty, then, to strain every muscle as we work for the time when all war can be completely outlawed by international consent" (par. 82). Realistically, though, the bishops recognized that the abolition of war does not necessarily entail the doing away with all conflict and threats to human security. Thus the Council also proposed, in language strikingly similar to R2P, "the establishment of some universal public authority acknowledged as such by all, and endowed with effective power to safeguard, on the behalf of all, security, regard for justice, and respect for rights" (par. 82). While that would certainly qualify state sovereignty, due to the Catholic principle of subsidiarity, this is not a call for the complete elimination of the nation state, for it continues to have an important role to play in protecting its citizens. Still, the Council, echoing Pope John XIII in his encyclical *Pacem in Terris*, exhibits a more cosmopolitan perspective when it emphasized the importance of safeguarding for all people ("on the behalf of all"), human security, justice and rights (in Catholic social teaching, the foundational principle is the dignity of the human person as *imago Dei*) rather than national security (in Catholic social teaching, the person precedes the state, which exists to promote and protect the person's rights and the common good).

These threads continue to be sown into the garment of Catholic teaching on war and peace since the Second Vatican Council, as seen in statements by Pope John Paul II and Pope Benedict XVI, the U.S. bishops' pastoral letters, the *Catechism*, and the recent *Compendium of the Social Doctrine of the Church*. According to Drew Christiansen, S.J., official Catholic teaching on war and peace has "evolved as a composite of nonviolent and just-war elements."[42] He interprets the current position of the Church as based on the fundamental "premise…that everyone is responsible to resist public evil, by nonviolence if at all possible, by state use of force if necessary."[43] In this way, the Church has both accepted the *viability* of nonviolent alternatives to dealing with conflict and expected a *more stringent* approach to the application of just war principles.

Thus, on the one hand, as the U.S. Catholic bishops put it, "Peacemaking is not an optional commitment. It is a requirement of our faith."[44] Indeed, the bishops defend and approve of those Christians who renounce the use of violent force and who instead employ methods of active nonviolent resistance—as did Gandhi, Martin Luther King, Jr., and others have shown can be effective—to protect the innocent from aggression. They write, "We believe work to develop non-violent means of fending off aggression and resolving conflict best reflect the call of Jesus both to love and to justice."[45] This is a form of non-violence that is not passive but active. It will not be guilty of a sin of omission, doing nothing while other persons suffer and die.

Yet, on the other hand, some more stringent form of just-war teaching remains in effect. The U.S. Catholic bishops held that "the fact of aggression, oppression and injustice in our world also serves to legitimate the resort to weapons and armed force."[46] While for much of the twentieth century the Catholic Church limited just cause to self-defense by a nation being attacked by an aggressor, in recent years, especially in view of humanitarian crises such as in Rwanda and Kosovo, the Church has used the language of "legitimate

defense" of the innocent as a just cause for forceful intervention. Indeed, when people suffer at the hands of their government or due to the lack of the ability of their government to protect them, Pope John Paul II claimed that other nations "no longer have a 'right to indifference' [and it] seems clear that their duty is to disarm this aggressor if all other means have proven ineffective."[47] Note that he uses the language of obligation, duty, or even responsibility when it comes to protecting others.

More recently, both the *Catechism of the Catholic Church* and the *Compendium of the Social Doctrine of the Church* underscore the right and the duty of nations to use force of arms to protect, under the rubric of "legitimate defense," their own citizens and innocent victims in other countries who are unable to defend themselves.[48] Indeed, as Catholic theologian William L. Portier has pointed out, although the *Catechism* does not deny governments "the right of lawful self-defense" (par. 2308), it is worth noting the way that it delineates the "strict conditions for legitimate defense by military force [that] require rigorous consideration" (par. 2309).[49] Specifically, Portier observes

> …that its 'strict conditions' are not explained with reference to 'just war', as one might expect. In fact, the Catechism never uses the word *war* for the armed defense whose legitimacy it recognizes. The word war is reserved for that from which the Catechism teaches us to pray for deliverance. The phrase *just war* does appear once in the text at the end of n. 2309. But it is set off in quotation marks in small print and seems to be part of a supplementary observation. Recent papal statements suggest that this usage of the word *war* may be significant.[50]

In Portier's view, the Catholic Church's moral discourse about war and peace has been reoriented, and these statements reflect that though the traditional right to self-defense has not been abandoned, "what we have called 'war' or 'just war' is pushed to the edges of the moral conversation where it can survive only in the form of what the *Catechism* calls 'legitimate defense by military force' (n. 2309)."[51] And such defense encompasses not only a nation's own population, but also the vulnerable populations at serious risk in other failed or rogue nations.

To be sure, this line of thinking is evident in recent statements by Pope Benedict XVI. For example, in accordance with a tradition, begun by Pope Paul VI on December 8, 1967, of observing a World Day of Peace each year on January 1st, Benedict XVI, in his second World Day of Peace message, devoted attention to "certain recent situations of war" (par. 14).[52] While the pope affirms that "In Christ we can find the ultimate reason for becoming staunch champions of human dignity and courageous builders of peace" (par. 16), he has not entirely jettisoned the Church's traditional position that sometimes force is justified to defend the innocent. Indeed, Benedict calls on "the international community [to] reaffirm international humanitarian law, and apply it to all present-day situations of armed conflict, including those not currently provided for by international law…" (par.16). He calls upon nations to establish "clearer rules" and "norms of conduct" for defending the innocent and limiting "the damage as far as possible," while concurrently he repeats the refrain that "war always represents a failure for the international community and a grave loss for humanity" (par. 16).

What might these "clearer rules" or "norms of conduct" look like? Here Benedict footnotes the section of the *Catechism of the Catholic Church* (par. 2307-2317) that lists (in small print as Portier noted) "the traditional elements enumerated in what is called the 'just war' doctrine" (par. 2309), and that the pope regards in his message as offering "strict and precise

criteria" (ibid., endnote 7). In my view, the pope here is coming quite close to using the language of R2P. As Catholic moral theologian Kenneth Himes, O.F.M. has written in the light of these developments, "What the challenges of humanitarian action…demonstrate is the need to develop a general theory of armed intervention."[53] R2P, while offering much more (i.e., prevention, rebuilding), is such a theory, and by putting it clearly in place internationally, fears about militarism and crusading would be addressed. As Himes puts it, the case for armed intervention "should…be difficult to make. Not impossible, but difficult."[54]

### Some Closing Yoderian Reflections

As a Roman Catholic who is a former graduate student and assistant of Mennonite theologian John Howard Yoder, who died ten years ago from an aortic aneurism in his office at the Roman Catholic University of Notre Dame, I wish to conclude with some "Yoderian" reflections that I think are relevant.

In his informative book, *John Howard Yoder: Mennonite Patience, Evangelical Witness, Catholic Convictions*, Mark Thiessen Nation observes, "More than any other theologian, Yoder provided substantive theological grounding for Christian pacifism," not only within the Mennonite tradition but also "from within the resources of catholic Christianity."[55] Yoder sought to offer a compelling account of nonviolence that is unintelligible without the Christian convictions that underlie and shape it. In his view, Christian pacifism is inseparable from the life of the community of Christians gathered and shaped by Jesus Christ's life, death, and resurrection. Rather than a passive, legalistic or absolutist sectarian pacifism, Yoder understood nonviolence as part and parcel of the embodied Christian life of discipleship in the church. Over the years he also moved away from employing the term "nonresistance" and instead used "nonviolent resistance" to describe how Christians should work for a just peace and resist injustice in the world. Interestingly, not only were pacifists "strengthened through Yoder's pacifist writings," but, according to Nation, other Christians "were strengthened in their resolve to use violence only in a disciplined fashion."[56]

Indeed, Yoder himself employed just-war reasoning and criteria to evaluate the Vietnam War, the nuclear arms race between the U.S. and the U.S.S.R., and the 1991 Persian Gulf War. He also regularly taught courses on the just-war tradition, including to "Fighting Irish" ROTC students. Why would Yoder, a committed pacifist, bother to use just-war thinking himself or take the time to teach it to others? For one thing, he ecumenically and dialogically respected the integrity of his non-pacifist interlocutors. Believing that one of his roles was to be a friendly critic of just-war thinking, in his book, *When War is Unjust: Being Honest in Just-War Thinking,* Yoder called upon just-war proponents to think more seriously about what it would really mean to honor and adhere to this mode of moral reasoning about when war is, or *is not*, justified.

The key question Yoder asked just-war advocates was how are they making the demands and claims of the tradition truly operational? If they would actually "exercise effective discipline and limit the harm they do," Yoder hoped that just war "with teeth" (he also called it a "strict constructionist" approach) would also lead to less violence, injustice, and loss of life in the world.[57] He knew, however, that in "real historical experience," most people and governments that invoke and claim to hold to just-war principles in practice tend not to arrive at a negative response to the above sorts of questions. He referred to this variant of the just-war tradition as being "without teeth." Yoder also recognized that many others unapologetically reject the just-war tradition and instead support "realistic" wars of national interest, total warfare, crusades, or the "glorification of the macho élan" (he called

this last approach the "Rambo" and sometimes the "Dirty Harry" position). Nevertheless, it is precisely because nearly everyone disregards or fails to follow seriously the reasoning and criteria of the just-war tradition that Yoder believed pacifists and honest just-war proponents should devote less time attacking each other and instead "spend more energy…[on] their responsibility to challenge the realists, crusaders, and rambos on their 'right' who in fact are shooting up the world."[58]

One area where pacifists and just-war theorists have responded to Yoder's call here to forge an alliance has been the fruitful work on just peacemaking, which certainly connects with the responsibility to prevent and the responsibility to rebuild prongs of R2P. The other area where pacifists and just-war theorists may be beginning to have a more informed and, hopefully, constructive conversation is the recent work on just policing, which appears to link with the responsibility to react prong of R2P. While Yoder was not sure if pacifists could participate in actions resembling policing, especially when lethal force may be involved, he thought pacifists should support efforts by others to make just-war more like policing. He wrote, "The closer one comes to the domestic model, where restrained violence is like that of the police officer, the more applicable, by analogy, is the just-war language, and the more credible is its claim to be providing real guidance."[59] If R2P can accomplish this, I think there will be more support for it from the wider Christian community, be they Roman Catholics, Mennonites, or others who alike endeavor to "Go in peace, to love and serve the Lord."

1 Ernie Regehr, "Comments from Ernie Regehr," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 105.
2 Ibid., 106.
3 Ibid., 106-107.
4 Gareth Evans, "The Responsibility to Protect: Moving Towards a Shared Consensus," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 5.
5 Konrad Raiser, "The Ethics of Protection," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 11.
6 Evans, "The Responsibility to Protect: Moving Towards a Shared Consensus," 5.
7 Raiser, "The Ethics of Protection," 14.
8 Peter Weiderud, "Foreword," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), vii.
9 Kjell-Åke Nordquist, "The Imperatives of Prevention," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 45.
10 Bishop Michael Kehinde Stephen, "A Reaction from Africa," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 24.
11 Glen Stassen, ed., *Just Peacemaking: Ten Practices for Abolishing War*, 2nd ed. (Cleveland, OH: The Pilgrim Press, 1998, 2004).
12 Michael Joseph Smith, "Strengthen the United Nations and International Efforts for Cooperation and Human Rights," in *Just Peacemaking: Ten Practices for Abolishing War*, 2nd ed., ed. Glen Stassen (Cleveland, OH: The Pilgrim Press, 1998, 2004), 156.
13 Evans, "The Responsibility to Protect: Moving Towards a Shared Consensus," 5. See also Guillermo Kerber, "The Responsibility to Protect: Ethical and Theological Reflections," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 115.
14 Thierry Tardy, "Five Comments to the Session," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 26.
15 Weiderud, "Forward," viii.
16 Nordquist, "The Imperatives of Prevention," 43.
17 See Arnold Neufeldt-Fast, "Christianity and War: The Pacifist View," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005): 31-36; Kerber, "The Responsibility to Protect: Ethical and Theological Reflections," 120.
18 Gerald W. Schlabach, "Just Policing and the Reevaluation of War in a Less Divided Church," in *Just Policing, Not War: An Alternative Response to World Violence*, ed. Gerald W. Schlabach (Collegeville, MN: Liturgical Press, 2007), 13-14, 19.
19 See Tobias Winright, "Just Cause and Preemptive Strikes in the War on Terrorism: Insights from a Just-Policing Perspective," *The Journal of the Society of Christian Ethics* 26/2 (Fall/Winter 2006): 157-181; "Undertaking an Evaluation of

War with an Entirely New Attitude? Just-War Theory & Global Policing," in *Political Ethics and International Order*, eds. Stefan Heuser and Hans G. Ulrich (Münster, Germany: Lit-Verlag Publishing, 2007); and "What Might a Policing Approach Contribute to the Pacifist/Just-War Debate on Dealing with Terrorism?" in *Conflict and Conciliation: Faith and Politics in an Age of Global Dissonance*, ed. Jason Daverth (Dublin, Ireland: Columba Press, 2007).

[20] Edward LeRoy Long, Jr., *Facing Terrorism: Responding as Christians* (Louisville, KY: Westminster John Knox Press, 2004), 50-54, 81-85, at 83. Given my experience in law enforcement and the absence of any substantial treatment of this topic in Christian ethics, the use of force in policing became the subject of my doctoral dissertation. See Tobias Winright, "The Challenge of Policing: An Analysis in Christian Social Ethics" (Ph.D. diss., University of Notre Dame, 2002).

[21] John Kleinig, *The Ethics of Policing* (New York: Cambridge University Press, 1996), 24-25.

[22] Victor Kappeler, Mark Blumberg, and Gary Potter, *The Mythology of Crime and Criminal Justice* (Prospect Heights, IL: Waveland Press, 1993), 131.

[23] Paul Chevigny, *Edge of the Knife: Police Violence in the Americas* (NY: The New Press, 1995), 255-256.

[24] Kleinig, *The Ethics of Policing*, 27-29. Other models of policing include the "emergency operator" and the "social enforcer," but Kleinig argues that both of these continue to regard the monopoly of coercive force as the distinguishing essential feature of policing (25-27).

[25] Ibid., 28, 78, 229-233. For more on community policing, see Robert R. Friedmann, *Community Policing: Comparative Perspectives and Prospects* (NY: St. Martin's Press, 1992); Gene Stephens, "Peace in the 'Hood,'" in *Controversial Issues in Policing*, ed. James D. Sewell (Needham Heights, MA: Allyn and Bacon, 1999); Gene Stephens, "The Future of Policing: From a War Model to a Peace Model," in *The Past, Present, and Future of Criminal Justice* (Dix Hills, NY: General Hall, 1996); Steven R. Donziger, ed., *The Real War on Crime: The Report of the National Criminal Justice Commission* (NY: HarperCollins Publishers, 1996), especially chapter seven, "Toward a New Model of Policing," A critical assessment of community policing may be found in William G. Doerner, "War on Crime," in *Controversial Issues in Policing*, ed. James D. Sewell (Needham Heights, MA: Allyn and Bacon, 1999).

[26] Gerald W. Schlabach, "Just Policing: How War Could Cease to Be a Church-Dividing Issue," in *Just Policing: Mennonite-Catholic Theological Colloquium 2002*, ed. Ivan J. Kauffman, Bridgefolk Series, no. 2 (Kitchener, Ontario: Pandora Press, 2004), 23.

[27] Kleinig, *The Ethics of Policing*, 99-102; *deadly* force policy is further discussed at 107-122.

[28] For a more detailed examination of the similarities between the criteria for the justified use of force in policing and in just war, see Tobias Winright, "The Perpetrator as Person: Theological Reflections on the Just War Tradition and the Use of Force by Police," *Criminal Justice Ethics* 14/2 (Summer/Fall 1995): 37-56; "Two Rival Versions of Just War Theory and the Presumption Against Harm in Policing," *Annual of the Society of Christian Ethics* 18 (1998): 221-239; and "The Challenge of Policing: An Analysis in Christian Social Ethics," 212-236.

[29] Kleinig, *The Ethics of Policing*, 96.

[30] Enda McDonagh, *Church and Politics: From Theology to a Case History of Zimbabwe* (Notre Dame, IN: University of Notre Dame Press, 1980; published in Ireland as *The Demands of Simple Justice*), 71. See also Ralph B. Potter, *War and Moral Discourse* (Richmond, VA: John Knox Press, 1973), 49-50.

[31] Paul Ramsey, *The Just War: Force and Political Responsibility* (New York: Charles Scribner's Sons, 1968), 144. See also John Langan, S.J., 'Violence and Injustice in Society: Recent Catholic Teaching', *Theological Studies* 46 (1985): 685-693.

[32] Edward A. Malloy, *The Ethics of Law Enforcement and Criminal Punishment* (Lanham, MD: University Press of America, 1982), 10, 24.

[33] John Howard Yoder, *The Politics of Jesus: Vicit Agnus Noster*, rev. 2nd ed. (Grand Rapids, MI: William B. Eerdmans, 1994), 204.

[34] Roger Williamson, "Further Developing the Criteria for Intervention," in *The Responsibility to Protect: Ethical and Theological Reflections*, eds. Semegnish Asfaw, Guillermo Kerber, and Peter Weiderud (Geneva: World Council of Churches, 2005), 60. In the same volume, see Sturla J. Stålsett, "Notes on the Just War Tradition," 28-30, which observes that the criteria for R2P in the various reports are in line with the "tradition on the justifiable use of coercive force" (29).

[35] Raiser, "The Ethics of Protection," 15.

[36] Charles Reith, *Police Principles and the Problem of War* (London: Oxford University Press, 1940), viii.

[37] Samuel Walker, *Popular Justice: A History of American Criminal Justice* (NY: Oxford University Press, 1980), 60; emphasis in the original.

[38] Reith, 147.

[39] National Conference of Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response* (Washington, DC: United States Catholic Conference, 1983), par. 295.

[40] Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, 225, par. 519. Moreover, on this page of the *Compendium*, the next-to-last footnote (#1102), which is by far the longest of the footnotes in that chapter, highlights the emphasis on peace that runs throughout the Mass. The reference to the Eucharistic liturgy as "the source and summit of the Christian life" is taken from Vatican II, "The Constitution on the Sacred Liturgy," par. 10, in *The Documents of Vatican II*, ed. Walter M. Abbot, S.J. (Piscataway, NJ: New Century Publishers, 1966).

[41] *Gaudium et spes*, in *The Documents of Vatican II*, ed. Walter M. Abbott, S.J. (Piscataway, NJ: New Century Publishers, 1966). References to this document will be included parenthetically in the text and refer to paragraph rather than page numbers.

[42] Drew Christiansen, S.J., "Whither the 'Just War'?" *America* 188/10 (24 March 2003): 7-11, at 8.

[43] Drew Christiansen, S.J., "After Sept. 11: Catholic Teaching on Peace and War," *Origins* 32/3 (30 May 2002): 33, 35-40, at 35, 36 and 38.

[44] National Conference of Catholic Bishops, *The Challenge of Peace*, par. 333.

[45] National Conference of Catholic Bishops, *The Challenge of Peace*, par. 78. See also Second Vatican Council, "Pastoral Constitution on the Church in the Modern World," par. 78.

[46] National Conference of Catholic Bishops, *The Challenge of Peace*, par. 78.

[47] Pope John Paul II, "Principles Underlying a Stance Toward Unjust Aggressors," *Origins* 22/34 (28 January 1993): 587.

[48] *Catechism of the Catholic Church*, par. 2309; Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Washington, DC: United States Conference of Catholic Bishops, 2004), pars. 500 and 504.

[49] William L. Portier, "Are We Really Serious When We Ask God to Deliver Us from War? The Catechism and the Challenge of Pope John Paul II," *Communio* 23 (Spring 1996): 47-63, at 48.

[50] Ibid., 49.

[51] Ibid., 55.

[52] Pope Benedict XVI, 'The Human Person, the Heart of Peace', World Day of Peace Message 2007; available at http://www.vatican.va/holy_father/benedict_xvi/messages/peace/documents/hf_ben-xvi_mes_20061208_xl-world-day-peace_en.html. Subsequent references to this document will be made parenthetically within the text.

[53] Kenneth Himes, O.F.M., "Intervention, Just War, and U.S. National Security," Theological Studies 65 (2004): 141-157, at 149.

[54] Ibid., 152.

[55] Mark Thiessen Nation, *John Howard Yoder: Mennonite Patience, Evangelical Witness, Catholic Convictions* (Grand Rapids, William B. Eerdmans, 2006), 109-110.

[56] Ibid., 194.

[57] John Howard Yoder, *When War is Unjust: Being Honest in Just-War Thinking*, rev. ed. (Maryknoll, NY: Orbis Books, 1996), 3.

[58] John Howard Yoder, "How Many Ways Are There to Think Morally about War?" *The Journal of Law and Religion* XI/1 (1994-1995): 107.

[59] Yoder, *When War Is Unjust*, 69.