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## How I Learned to *Start Worrying* and Love the Just War Tradition<sup>1</sup>

*“The art of losing isn’t hard to master;  
so many things seem filled with the intent  
to be lost that their loss is no disaster.”*

Elizabeth Bishop (1983)

### Introduction

The purpose of this essay is not to review Maja Zehfuss’s *War and the Politics of Ethics* (2018). A thought-provoking work that demonstrates range and bite, Zehfuss’s book speaks for itself. Rather, the aim of this essay is to pull out for further analysis one particularly interesting concept that Zehfuss develops over the course of this text. I am speaking about the concept of “ethical war” that lies at the heart of Zehfuss’s general argument. Instead, however, of simply explicating this concept, I wish to peel back its corners and examine the nature of its relation to the deeper, older ideas that it rests upon. What ideas are these? I am speaking, of course, about the beliefs and commitments that have coalesced over time to form what we know today as the just war tradition.<sup>2</sup> My intention in pursuing this agenda is to flip Zehfuss’s argument on its head. Where she presents the concept of ethical war as a stick with which to beat the just war tradition, that is, as a prism through which to critique it, I argue that the just war tradition furnishes us with both a critical perspective on and corrective to the concept of ethical war. This leads to a broader argument about how we ought to approach the idea of just war today. I will contend that just war thinking, properly understood, is about loss and learning how to cope with it. Just war, on this view, is never a victory, nor a solution, it is always a defeat, always a disaster, always a tragedy; and just war thinking is about coming to terms with this.

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<sup>1</sup> The author would like to thank Nisha Shah, Dirk Nabers, and Maja Zehfuss for the generous invitation to take part in this symposium. I am also grateful to my fellow participants and to the anonymous reviewers for this journal for their helpful advice on the drafting of this article.

<sup>2</sup> I prefer the term “just war tradition” to “just war theory” for reasons I set out elsewhere (O’Driscoll 2013).

I will pursue this agenda via three steps, with each granted its own section. The first section introduces the concept of “ethical war” and demonstrates how the critique of the just war tradition that Zehfuss develops on the back of it misses the target. The second section argue that even though Zehfuss’s critique is wide of the mark, it reveals an irony that just war thinkers must confront. The final section makes a case for *how* that same irony should be confronted. The essay will then conclude with a few brief remarks that, inverting Doctor Strangelove, are intended to remind us why we should learn to *start* worrying *by* loving the just war tradition.

### **Ethical War**

I will begin with a brief synopsis of Zehfuss’s general argument before saying a few words about why her critique of the just war tradition is miscued. Zehfuss’s starting point is the concept of “ethical war”.<sup>3</sup> She uses this term to denote the idea favoured by Western states that war can be “pursued in the name of the good (10).” It stands for the contention that the use of force, if harnessed to ethical purposes, such as spreading democracy and human rights and defending the defenceless, can make the world a better place to live (179). Although they may at first appear naïve, these aspirations have had a significant impact on how Western states have viewed and approached matters of war and peace over the past quarter-century at least. As Zehfuss observes, “Since the end of the Cold War, the West has branded its own wars as ethical wars, casting its troops as ‘forces for good’ with the ability to make the world a better place not just for Westerners, but crucially also for people in the regions where its wars are conducted (Ibid).” These aspirations are further reinforced in official mission statements that celebrate the militaries of the United States (US) and United Kingdom (UK) and their allies as a “force for good in the world (8).” In this imaginary, she adds, “going to war is a way of doing good (179).”

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<sup>3</sup> I will drop the use of scare-quotes for all further references to “ethical war”.

The problem for Zehfuss is that the idea of ethical war is paradoxical in ways that are so obvious they barely need describing. It bombs the very populations it purports to defend; it kills in order to protect; it destroys villages to save them (17). Moreover, in so doing it establishes that the lives of those civilians for whom these wars are ostensibly being fought are more expendable than those of the soldiers supposedly sent to protect them (18-21). One could query some of the finer points of this argument, but it is more important to note the basic truth of Zehfuss's claims and the forcefulness of how she presents them.<sup>4</sup>

It is at this juncture that the just war tradition enters the picture. Taking Barack Obama's Nobel Peace Prize speech as her foil, Zehfuss introduces this tradition as the predominant framework for thinking about war and ethics today, and the primary means of negotiating the paradox of ethical war (11; 22). In her own words (22), "We are apparently compelled to think about what should be done with and in war through just war thinking." Herein lies the rub. Just war thinking does not just help us negotiate—as in, think through or respond to—the dilemmas provoked by "ethical war", it is also constitutive of them. That is to say, it is generative of the idea and practice of "ethical war". As Zehfuss explains, "Ethical war is debated, legitimized, and enacted within a space which, in the absence of other credible approaches, is shaped ... by just war thinking (28)." The just war framing is problematic, she continues (181), because it offers the "dangerous illusion" that war can be tamed by ethical strictures when the reality is quite the opposite.<sup>5</sup> By fostering the impression that war can be a calibrated "instrument of ethics", just war thinking "enables" it and "enhances its violence" (8; 3; 182).

If Zehfuss's argument offers nothing especially new to this point, where she takes it next changes that. Contra Michael Walzer (2002), she contends that the cause of the problem she has just described is not shoddy just war thinking *per se*. Rather, it is the "structural position

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<sup>4</sup> For a more detailed discussion of the empirical claims: Sebastian Kaempf (2018).

<sup>5</sup> Zehfuss (185-86; 3) makes use of a series of binary oppositions to emphasise this point: enhances/reduces, ameliorates/aggravates, and constraining/enabling.

[of just war thinking] within our wider imaginary (195).” Specifically, the problem stems from the fact that just war thinking is both predicated upon and perpetuates the false promise of a purely ethical approach to war. As a result, war is posited as an ethical rather than a political problem (Ibid).<sup>6</sup> The result is an aporetic discourse that offers only dead-ends, disconnects, and a deepening of the problems it ostensibly addresses (207; 39). Zehfuss’s response is not a call to move beyond ethics, or to bring politics back in; rather, it is a call to approach the idea of just war in light of the realisation that each always, already implies the other.

Zehfuss’s argument is both interesting and original, but I take issue with her account of just war tradition, and in particular the close relation she posits between just war thinking and ethical war. For Zehfuss, the reader will recall, just war thinking provides the framework through which the paradox of ethical war is both negotiated and produced. But what is the just war tradition? Zehfuss quotes Timothy Challans to the effect that the just war tradition is whatever one wants it to be. In his words (Zehfuss 2018, 34): “People can get anything out of just war thinking that they put into it.” There is much truth in this. As Gregory Reichberg (2017, 202), a leading historian of the just war tradition, has observed, how one defines and delimits the idea of just war “will depend, in large measure, on how one draws the contours of the just war tradition, namely which authors are included within its fold and which are excluded.”<sup>7</sup> The issue I take with Zehfuss’s treatment of just war follows from this.

At first glance, Zehfuss appears to offer a comprehensive overview of the just war tradition, acknowledging the contributions made by a succession of figures, from Saint Augustine to Cecile Fabre, to its development over time (30-36). This suggests an awareness of the just war tradition as a protean body of thought, which, instead of distilling into a single,

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<sup>6</sup> It is worth noting that this is very different from how scholars of the just war tradition frame it. For example, Walzer (2015, xxvi) described the purpose of his seminal text, *Just and Unjust Wars*, in terms of “recapturing just war for *political* and moral theory.” Italics added. Jean Bethke Elshtain (1995, 111), who is a foil for many of Zehfuss’s arguments, pitched her account of just war theorising in similar terms. I am very grateful to the anonymous reviewer for this journal who reminded me of this important point.

<sup>7</sup> Also see: O’Driscoll and Brunstetter (2017, 5).

coherent, timeless theory, comprises a weave of historically situated efforts to think through the rights of war that, for the most part, are only loosely connected to one another.<sup>8</sup> Yet when it comes to the crunch, Zehfuss brackets the historicity of the tradition and reduces it to a pseudo-Kantian project. A few passages from the text illuminate this. She variously refers to just war thinking as a scheme for “*determining* what, in any given situation, is *the* right thing to do,” and as a provider of “*authoritative* rules” and “imperatives” that substitute for judgement and must be followed (41; 196 – italics added). Elsewhere (44; 51; 29), she describes the purpose of just war thinking as the application of a “pre-determined ethics” and set of “ideal principles” that are “developed in separation from the realities of war” to this imperfect world.

These descriptions are not, of course, entirely baseless. They capture the tone and sense of purpose of certain contemporary approaches to just war theorising.<sup>9</sup> However, by inferring that these descriptions apply to the just war tradition *in toto*, Zehfuss overreaches. Mistaking a part for the whole, she extends a critique of the former to the latter. In so doing, she excludes the rump of just war thinking that, following the lead of Augustine, takes as its starting point a recognition of its own historical limitations and contingency.<sup>10</sup> It is this exclusion, and the leap from the part to the totality that it enables, that permits Zehfuss to argue (51), in my view falsely, that just war tradition misconstrues ethics as “in some way prior to—or at least separate from—politics” and “untouched by the grubby realities of the world.” Moreover, I will now seek to argue, it is precisely as a result of this false move that Zehfuss mistakes the just war tradition as the progenitor of ethical war and not as a bulwark against it.

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<sup>8</sup> The anthology of just war thinking edited by Gregory M. Reichbreg, Henrik Syse, and Endre Begby (2006) furnishes proof of this. For more on this idea: Johnson (1999, 39-40); also Johnson (1975) and Clark (2015).

<sup>9</sup> This charge is often levelled at revisionist approaches to just war theory. For an example of this: Brown (2017, 94-97). For an excellent example of this approach and its contestation, see the exchange between Fernando Teson and Terry Nardin in *Ethics & International Affairs* 19:2 (2005).

<sup>10</sup> On the writings of Augustine: Markus (2010). For more on just war thinking as a reflexive practice: Kelsa (2013).

## The Tragic Vision of Just War

Even if Zehfuss's critique of the just war tradition ends up falling wide of the mark, it does us a tremendous service by laying bare what I want to call the irony of just war.<sup>11</sup> The irony in question is best summed up by the familiar truism that "just war is just war". Critics of just war thinking, such as Ken Booth (2000, 316-17), have long alighted on this saying as a way of focusing attention on what they see as the real dangers of engaging the just war idiom.<sup>12</sup> By reminding their readers that just war is just war, they are in fact suggesting that just war thinking both distracts from and sanitizes the sheer awfulness of modern war by dressing it up in the garb of moral principles. This is, to be sure, a powerful critique.<sup>13</sup> It frames just war thinking as a vapid but nevertheless pernicious discourse that ennobles military conflict and thereby renders it more palatable for general consumption.<sup>14</sup> Indeed, by underscoring the grim realities of so-called just wars, it punctures the moral pretensions of the just war framework, exposing it as so much cant. In the end, it seems, just war is simply just war.

Zehfuss's critique of just war tradition brings this refrain to the fore. It does so by repeatedly juxtaposing the realities of so-called just wars with the ideals that purportedly guide them. Thus Zehfuss notes (15), on the one hand, the West's predilection to view its wars as actions taken to advance the good and, on the other, the inescapable reality that war necessarily involves killing and maiming people. Elsewhere she primes her account of the principle of discrimination by setting it against the backdrop of a discussion of war's inherent violence. "War," she writes (54), "necessarily involves destruction. Buildings are blown up, essential

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<sup>11</sup> There is much that could be said about what is meant by irony in this context. I use it in a very simple sense to denote the process whereby, to paraphrase Reinhold Niebuhr (2008, 158), strength often leads to weakness and wisdom issues in foolishness. For a treatment of the role that irony plays in disciplinary thinking about international relations: Steele (2010); Brasse (2009); and also Carlson (2008).

<sup>12</sup> Booth goes on to argue that just war discourse is "best seen as a continuation of war by other rhetoric". Also: Fiala (2008).

<sup>13</sup> It is not, however, an especially original critique. It recalls the earlier arguments of Carl Schmitt (2006). For an excellent discussion of Schmitt's critique of just war: Slomp (2006).

<sup>14</sup> There is a parallel here to Wilfred Owen's response to the idea that it is a noble thing to die for one's country (2015, 2-3).

infrastructure is destroyed, lives are ended.”<sup>15</sup> Moreover, she affirms that terrible suffering can occur in just as well as unjust wars. To this end, she recounts a story involving some U.S. soldiers inadvertently killing Iraqi shepherds that highlights how even justly waged wars, that is, wars that are waged in accordance with *jus in bello* norms, produce terrible wrongs and hardships (162-65). A simple home-truth emerges from this: No matter how well-intentioned they may be, just wars are still nasty, brutish affairs—and unavoidably so.

While this home truth will strike many as nothing to get too excited about—it has, as we have seen, been discussed by others before—Zehfuss breaks new ground by showing how just war scholars have invoked the discourse of “tragedy” to avoid confronting it. On those occasions when the gap between the ideal and the realities of just war becomes so vast as to be undeniable, the notion of tragedy is called into action as a means of resolving the ensuing dissonance (36). Tragedy thus functions as a means of “reconciling” within the just war rubric the “remainder” or “excess” that all wars, even just ones, produce (36-37). As such, not only does the invocation of tragedy serve to “condone what is apparently condemned”; in so doing it also proofs just war thinking against its own pathologies (37). This, Zehfuss argues, should fool nobody. It resolves nothing. The evident need to reinforce just war thinking by supplementing it with references to tragedy only reaffirms its fundamental inadequacy (38).

It is unclear to me whether this is how Zehfuss understands tragedy or merely how she perceives it to be deployed in just war scholarship. In either case, it is a shallow, even misleading, account of what tragedy entails. A fuller account of tragedy, one that recalls its

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<sup>15</sup> This line of critique has a storied history. It can be traced back to Erasmus (1997, 97-110) and beyond. The Enlightenment philosopher Jean-Jacques Rousseau also made good use of it. As one scholar has observed: “In Rousseau’s fiction the pristine order of legal books and political treatises concocted in the calmness of the writer’s study meets the brutal realities of war. For Rousseau the state of war as a political concept promotes another state of war, one conceived as butchery and suffering (Engberg-Pederson 2015, 2-3).” It is seldom acknowledged, however, that so many of the principal figures associated with the just war tradition also remarked upon this paradox. They were not unaware of the problematic ways in which their own discourse smoothed over the awfulness of war and thus lent it a sheen of respectability. The issue was that, short of surrendering the idea that war can be made subject to moral evaluation and restraint, they saw no escape from this dynamic. The classic example of this is of course Book III of Augustine’s *City of God* (1998), but it can also be observed in the writings of Francisco de Vitoria (1991, 304) and Hugo Grotius (2005, 78).



heritage in the classic works of Aeschylus, Sophocles, and Euripides, would not pretend to effect any form of reconciliation, false or otherwise, but would rather emphasise how its attraction is matched by its impossibility (e.g., Nussbaum 1986, 45).<sup>16</sup> As Peter Euben writes (1990, 37), if tragedy “portrays the attractions of simplifying, harmonizing, and freeing oneself from the guilt and remorse imposed by practical choices in a complex moral universe”, it also illuminates the futile and ultimately self-destructive character of that impulse. The essence of tragedy is precisely the fact that it is not something that one can ever hope to resolve, circumvent, transcend, or “master” (Erskine and Lebow 2012, 13). Rather, it is something that must be endured. As such, it is also an experience through which one can gain both a “necessary antidote to the hubris of progressive thought” and a greater appreciation of how the finitude of judgement and the need to take responsibility for one’s actions combine to circumscribe the human condition (Mayall 2012, 45). This, it seems to me, is a perspicacious way of thinking about just war—and of making sense of the uncomfortable reality that just war is just war.<sup>17</sup>

Zehfuss does not adopt this approach. Her preference is to turn to the philosophy of Jacques Derrida.<sup>18</sup> Without wishing to query its merits, I want to note that there are opportunity costs associated with this approach. By discounting the proposition that just war should be understood in tragic terms, Zehfuss sweeps aside precisely that element of the just war tradition that distinguishes it from, and indeed prevents it from being directly generative of, ethical

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<sup>16</sup> For an excellent general account of Greek tragedy: Hall (2010).

<sup>17</sup> This point may be more contentious than I initially assumed. When I shared an earlier draft of this paper with Professor Zehfuss, she joked to the effect that the just war tradition is less interesting than I make it out to be. Whatever about how interesting it is, it may well be that my account of just war is out of step with the rest of the tradition. As the anonymous reviewers for this journal correctly pointed out to me, neither the revisionist camp nor the mainline of the historical approach, as represented by James Turner Johnson, would recognise just war as an inherently tragic pursuit. Where the revisionists frame just war within a theory of rights, Johnson situates it within a moral theory of good government. I set out an argument in support of my reading elsewhere: O’Driscoll (2019).

<sup>18</sup> I will not pretend to have any deep understanding of this approach, but the evidence before me suggests that it is a direction well worth pursuing. The sophistication of (relatively) recent works along these or related lines by Ronan O’Callaghan (2016) and Peter Lee (2013), as well as by Zehfuss, indicate its rich promise. More tangentially: Bulley (2009).

war.<sup>19</sup> This requires careful explication. To the degree that the idea of ethical war issues from just war thinking, it also represents a refusal to countenance the tragic dimension of just war. It promises straight lines, clear answers, and easy resolutions, when it is exactly this possibility that just war thinking, conceived as a tragic vocation, denies. The upshot of this may be stated quite simply. Were Zehfuss to take seriously the idea of just war as a tragic vision, she would, I think, find, not that it is a hostage of ethical war, but that it offers both a ready critique of and language for resisting it. As such, the relation between the just war tradition and ethical war cannot be summed up simply by asserting that the former incubates the latter, and therefore is responsible for it, and should be shunned on these grounds. Rather, it must be acknowledged that, framed in tragic terms, the just war tradition also provides a necessary critical perspective upon, and indeed bulwark against, the idea of ethical war.

### **The Art of Losing**

The argument to this point can be summed up quite easily. I have suggested that the critique Zehfuss offers of just war tradition is wide of the mark, but nevertheless exposes the glaring irony at the heart of just war thinking, which is that just war is just war. Following this, I sought to make the case that we should treat this irony, not as a reason for abandoning just war thinking, but, doubling the irony, as a reason for engaging it even more deeply, which means treating it in terms of tragedy.<sup>20</sup> I intend now to say something about *how* we should do that.

I take my cue in this from a perhaps unlikely source. The poem, “One Art”, by Elizabeth Bishop, provides the beginnings of an answer to the question of how we might embrace the irony of just war. The poem is a meditation on loss, and is partly autobiographical in character, with the poet’s own experience of bereavement forming its canvas. “One Art” reflects Bishop’s

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<sup>19</sup> For an excellent if oblique discussion of this general proposition: Rengger (2013).

<sup>20</sup> In doing so, I follow Paul Fussell’s lead (1988, 42) in associating the ironic sensibility with a willingness to confront rather than elide the ambiguities we encounter in the political sphere.

lifelong struggle to come to terms with the succession of losses she suffered over the course of her life, from the death of her father when she was still to an infant, to her mother's absence through mental health issues, and finally to her partner's suicide. Viewed as a whole, the poem exemplifies a fateful approach to loss, which is to say it explores the apparently hard-won belief that loss is a part of everyday life and should be accepted as such.

The art of losing isn't hard to master;  
so many things seem filled with the intent  
to be lost that their loss is no disaster.

The poet even flirts with the idea that loss is something that should be tempted:

Lose something every day. Accept the fluster  
of lost keys, the hours badly spent.  
The art of losing isn't hard to master.

This level of resolve is hard to sustain, and Bishop's equanimity in the face of loss shows increased signs of wavering as the poem wends towards its poignant conclusion:

--Even losing you (the joking voice, a gesture  
I love) I shan't have lied. It's evident  
the art of losing's not too hard to master  
though it may look like (*Write it!*) like disaster.

Bishop thus closes the poem on a note that strikes a balance somewhere between resignation and defiance. It is only, she concludes, by acknowledging the losses that we suffer, and truly recognizing them for the disasters that they are, that we learn to live with them.

Moved by Bishop, I wish to propose that the best way of engaging the tragic dimension of just war is by thinking about the very notion of just war as a function of loss. This may sound fanciful on first airing, but it is actually a very concrete proposal. It would involve embracing as the point of departure for just war thinking the idea that all wars, even those that seem

justified, are necessarily a (“*Write it!*”) disaster.<sup>21</sup> What this means in practice is being honest about the fact that, even if they satisfy every principle and tick-box criterion that theorists can conjure, just wars are still a vector of human suffering, and, as such, a wretched thing. Contra the idea of ethical war, this approach supposes that just wars should never be viewed as something to be celebrated, a good thing, or even as an adequate means of righting a wrong. Rather, they should be viewed as miserable affairs that both proceed from and compound the prior failure of both politics and hope, such that even when they are right, they are wrong. Lowering our expectations of just wars in this way encourages us to approach just war thinking, not as a framework that will help us bend war to justice, but as a way of reconciling ourselves to the futile necessity of this task. In fine, just war thinking is about recognizing just wars for the disasters that they are, and thereby, so to speak, mastering the art of losing.

### **Between Tragedy and Irony**

This brings me to the business end of my argument. I have made frequent and, it must be admitted, rather laboured references to both tragedy and irony in this article. This has not been incidental. If Reinhold Niebuhr cast tragedy and irony as rival ways of situating our political selves in history, I want to conclude by arguing that, not only should they be viewed as flip sides of the same coin when it comes to just war thinking, it is how they combine that lends that enterprise its purchase (Niebuhr 2008, xxiii-xxiv).

What I have had to say about tragedy is, I hope, clear enough. It is simply that framing just war in terms of tragedy allows us a means of, if not disarming the allure of ethical war, at least anticipating it. This point is overlooked, not only by Zehfuss in her otherwise thoughtful

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<sup>21</sup> This approach resonates with the views of Pope John Paul II, who argued that while war could be justified in certain circumstances, it is *always* a disaster (Simpson 2011).

analysis of the relation between just war and ethical war, but also, it would seem, by the majority of just war scholars.

My reasons for invoking irony, however, are more obscure. Irony involves the playful manipulation of the incongruities that sometimes arise between the literal sense and the deeper meaning of a statement. It trades in knowing winks, sardonic reversals, and “absurdities which cease to be altogether absurd when fully understood (Ibid., 2).” The claim that “just war is just war” is intended to operate on exactly this register. By highlighting in a sly, backhanded manner the gap between the ideal and the realities of just war, it pricks the pretension that just war is a category apart from other, more obviously brutish forms of war, exposing it as delusional. There is, however, a further level of irony to be mined here. Where the idea that “just war is just war” is usually employed to discredit the just war tradition, it can also be taken as a reminder of why we need it in the first place. Viewed in this light, what appears as a critique of just war thinking can be re-framed as a restatement of its *raison d’etre*. It is precisely because “just war is just war”, with all that this implies, that we must not shy away from it, but should instead renew our commitment to thinking carefully and judiciously about it. Put differently, instead of treating the realisation that “just war is just war” as grounds for abandoning the task of just war thinking, we should take it as a spur to approach just war thinking with the intellectual honesty and seriousness it demands. Accordingly, the irony that “just war is just war” is not one that just war thinkers should seek to hide from, it is one they must confront.<sup>22</sup>

## **Conclusion**

This brings us, finally, to the challenge I alluded to in the introduction, namely elucidating why all of this amounts to an argument for why we should learn to *start* worrying by loving the just

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<sup>22</sup> I discuss some of the ideas treated in this paragraph elsewhere: O’Driscoll (2018; 2019).

war tradition. This riff on Doctor Strangelove is, of course, a joke, and a weak one at that. The joke, however, is on those who mistakenly think that the purpose of just war tradition is to assuage our worries about war, and to show us how we might even learn to like it, or at least appreciate it. It is this line of thought that leads us down the dangerous path to ethical war. By contrast, the purpose of just war tradition, as I have set it out here, is not to calm us or dispel our worries about war, even when we believe war to be justified; but to bring those worries front and centre, to ensure we do not forget them, to remind us both of their urgency and obduracy; and, in so doing, to keep us from ever falling into the trap of liking war, or even cultivating a grudging respect for it. It is, in other words, to grapple with the tragic necessity of just war. This is a more vexed, more modest, more minimalist, but also more defensible approach to just war thinking than the one that Zehfuss rightly and so ably critiques in *War and the Politics of Ethics*. A source of cold comfort, it does not promise to solve our problems for us, only to help us better understand them, so that we can better worry about them. This is no small contribution.

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