Blessed is the Peacemaker? Reinhold Niebuhr, Barack Obama, and the Ethics of Drone Warfare

Luke M. Perez
The University of Texas at Austin
www.lukemperez.com
lukemperez@utexas.edu
@lukemperez

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Abstract: Ever since Senator Barack Obama named Reinhold Niebuhr as one of his favorite philosophers, scholars of just war, theologians, and political ethicists have attempted to study his foreign policy, especially his heavily reliance on the use of "drones" to combat global terrorism, through the lens of Christian just war theory. No major study takes up the question whether and how Obama's drone policy fits with Niebuhr's "Christian realism." This essay takes up the question of Reinhold Niebuhr's Christian Realism as the standard by which we can evaluate the President's foreign policy since it was Reinhold Niebuhr that the President himself raised.

NB: Please contact me for any criticisms, comments, suggestions. This is working paper but citations are permitted.

"War is how the leisure to engage in robust democratic argument is protected."

-Stephen L. Carter

"Blessed are the Peacemakers, for they will inherent the earth."

—Gospel of Mathew, Chapter 5, Verse 9

Introduction

The President was in a bind. In the early months of his presidency, Barack Obama had argued that although Iraq was a war of choice, Afghanistan was one of necessity (Obama 2009b). And yet in choosing to continue the Afghanistan war, the President needed a fresh approach that would distinguish him from his predecessor, quiet his critics, and—perhaps most of all—allow him the flexibility to respond to the changing geopolitical circumstances.¹ But President Obama faced a complicated situation. There were long standing requests from the Pentagon for more troops that the previous administration had not addressed. The President's senior advisers, however, were apprehensive that a troop surge could accomplish in Afghanistan what it did in Iraq. Vice President Biden, a critic of any troop surge, suggested for a counter terror rather than counter-insurgency (COIN) operation. These competing factions within his new cabinet, together with demands from his base that he withdraw unilaterally from "Bush's wars," placed the president in a precarious position. Any decision would almost certainly be judged by its failures rather than its successes.² This was

¹President Obama is not the first president faced with similar geopolitical strategic choices. See, for example, Gaddis (2005) on "flexible response" during the Kennedy Administration.

²Several books reached the presses in the closing year of the first Obama Term. Much of what is known about the inner workings of Obama's foreign policies and war strategies can be found in Chandrasekaran (2011), Mann (2012), and Sanger (2012). See also Gates (2014) for his first memoir as Secretary of State across the two presidencies.

not just a strategic dilemma. It was also a moral one.

It was a moral dilemma because when he was a still a candidate, Obama admitted that he had been deeply influenced by the writing Reinhold Niebuhr. David Brooks wrote, quite famously now, that when he asked then Senator Obama if he had ever heard of Reinhold Niebuhr, Obama suddenly became "animated" and remarked that Niebuhr was one of Obama's favorite philosophers. Brooks remarked that the two of them continued at some length talking about Niebuhr's political ethics, America, and justice. The public reception of Brooks's article prompted a broad response and re-ignited public discourse over relationship between justice and war. When Obama won the general election, many elites had hoped that Obama would govern as a kind of enlightened philosopher-king. Some went so far as to intimate that Obama was the new Lincoln or Washington. Thus, perhaps more than in any other policy domain, expectations for an ethically laudatory foreign policy were quite high.

One major outcome of Obama's professed Niebuhrianism has been a long over due engagement with the Christian Realist and Just War traditions. After 9/11 a cluster of books and articles emerged that sought to wrestle with the deeper moral questions regarding war and peace in a postmodern age. These works had a very limited impact as far as I can tell.³ But America was too busy fighting the Global War on Terror (GWOT) to worry about the subtleties of *jus in bello*, the principle of double effect, and the like. So it is refreshing to see a return in public discourse to foreign policy "first principles".

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³Though late-comers in terms of when they were published, Elshtain's (2004) and Weigel's (2007) seemed to gain the most traction among conservatives who were weary of the neoconservative influence of American foreign policy. But it is difficult to say if these works would have had more influence if they had been published sooner since the speed at which even traditional "realists" within the Bush Administration adopted a neoconservative approach to national security.

This paper asks a very basic question: is Obama's heavy reliance on drone warfare inline with Niebuhrian ethics? It may on first impression seem to be an overly obvious
question but to date no study takes up this question. Most scholars have situated Obama's
foreign policy within the just war tradition but have not raised the issues were classical just
war realism and Niebuhrian Christian realism diverge. To address this question I have the
following sections: In the second section I sketch the contours of Niebuhr's realism. In
section three I engage some the mainstream literature on Obama's foreign policy. Section
four surveys Obama's speeches and attempts to situate them in their intellectual context.
Section five offers a just war critique of both Niebuhrian and "Obamaean" realism. Section
six offers a very brief sketch of what the classical just war tradition offers to the larger debate
about the ethics of drone wars. I conclude with a few summary thoughts.

Niebuhrian Christian Realism

Understanding Niebuhr's political thought can be difficult because his views on war and peace changed quite dramatically over the decades in which he was actively writing. Moreover, in addition to his popular monographs *Children of Light, Children of Darkness* (1940 [2007]) and *The Nature and Destiny of Man* (1943c), Niebuhr also published a handful of collected essays including *Christianity and Power Politics* (1940) and *Christian Realism and other studies* (1953). Finally, his shorter writings were published extensively in both the secular and religious presses. (*Love and Justice* (1957) has most of his shorter influential pieces from the years up to and through the Second World War.) In what little space I have, I would like to sketch what I see as three fundamental Niebuhrian themes. I should stress that I am focusing only on those aspects of Niebuhr's thought which are most relevant to international

security and drone warfare. Two of the major themes are a kind of *via negativa*, and highlight Niebuhr's thinking more by what they are not than what they are. First is Niebuhr's rejection of the Christian pacifist movement. Second, his criticism of the Catholic doctrine of Natural Law (within which the classical just war tradition has its roots). Third is Niebuhr's insistence that a durable, lasting peace could only be achieved if international order was ensured by the great powers *and* justice was pursued within such an order.

Niebuhr is most famous, even among those who know little about him, for his rejection of the pacifism that characterized his early career. Originally a pacifist, World Word II transformed his outlook to such an extend that he became a proponent of using force when necessary to repel an adversary who would do harm to one's nation. Over that time he wrote extensively on the need to balance power politics (necessary to combat an aggressive Soviet Union) with the need for Christian humility. Niebuhr recognized that Christian pacifism began with noble intentions. Indeed, its origins are quite laudatory, and reflect "a genuine impulse to take the law of Christ seriously and not to allow the political strategies, which the sinful character of man makes necessary, to become final norms" (1940, 4). The law of Christ to which Niebuhr refers is the Christian commandment to love one's neighbor has himself (Mt 22:39, Mk 12:31) and the teachings of humility found in the Beatitudes and the Sermon on the Mount (Mt 5-7).

But Reinhold Niebuhr rejected a modern variant of Christian pacifism. The modern variant had either rejected for forgotten about the notion of original sin and mankind's propensity for sin. The modern variant of Christian pacifism had forced itself to reject the reality that for Christians, achieving justice required an active resistance of pride and power (and by implication, the lust for pride and power within in each person). The ethic of love

had evolved into an ethic of non-resistance, which again mutated into an ethic of non-violent resistance (1940, 10). Niebuhr stresses that nowhere in the Gospels is there support for a doctrine of non-violence. The pacifist reading of the Gospels misconstrue the doctrine of sin inherent in mankind. Men and women are constantly violating the law of love because humans lack the ability to achieve the perfect justice of Christ. Human agency grants man the ability to be the agent of the historical process in which he takes part. Only humans are in this unique position. Only humans are uniquely at risk of conflating this ability with the belief that anything he wishes to think of, he can achieve even though the most crucial processes of historical change are beyond his control (1940, 10). This, Niebuhr teaches, is the source of mankind's egotism and root of evil in the world.

Though it may appear ironic and somewhat contradictory to contemporary readers, Christianity guards against this form of pride by continually reminding men and women of human finitude. Humility does not mean that politics, power, and force be rejected wholesale. At times, they may be necessary when faced with a power that threatens our attainment of justice and risks placing ourselves and others in harms way. Tyranny, for example, cannot be excused simply on the grounds that it will implode from its own largess. Aiming his comments directly at those pacifists at the start of the Second World War, Niebuhr insists that the injustices of tyranny, when committed to other nations "may rightfully lay the problem of the tyranny upon other nations" (1940, 16). That is, pacifism may be a permissible, even laudatory, way of life. But exceptions to this ethic exist and

⁴ And yet Niebuhr has no illusions that Christianity provides "superior wisdom which will enable [the believer] to escape the errors, miscalculations, and faulty analyses of the common life of man" (1953, 1). In fact, Niebuhr cautions that Christians are quite often more at risk for such hubris because they equate vice of pride to others while ascribing to themselves alone the virtues.

Christians must be both ready and willing to combat evil with force when necessity dictates.

We should not see his rejection of pacifism as an embrace of the classical just war tradition. Thus, when he rejected pacifism, he did not do so as a newly baptized just war theologian. For just war thinkers, war can be an expression of charity and the fulfillment of Christian virtue. Niebuhr in contrast saw nothing charitable about war. War for Niebuhr is an exception to pacifism. Niebuhr contended (1940[1957]) that the Thomistic understanding natural law lacked a full conception of the effect of The Fall on human nature. As a result, Catholic natural law misunderstands human history: "It is not an incomplete world yearning for completion, and find it in the incarnation. It is a tragic world, troubled not by finiteness so much as by 'false eternals' and false absolutes, and expressing the pride of these false absolutes even in the highest reaches of its spirituality" (1940[1957], 49). The Catholic misconception, Niebuhr adds, pervades its understanding of the relationship between love and justice. The Catholic view contends that without the theological virtues of faith, hope, and love, natural justice of man is good but imperfect; for Niebuhr, without love, justice is to far removed from the standard of justice that no rational—i.e., man made—system can even bring about anything remotely close to real justice.

Niebuhr's rejection of the natural law teaching can be found in his approach to problem of violence and war. In Niebuhr's view, Christians should hold a presumption against the use of force. Although he broke with pacifists who believed that force was never justified, war was not a prudential application of the virtue of charity in a fallen world but a determination that a lesser evil must be embraced lest a greater evil be permitted to thrive.

Political force is not prudential but exigent.⁵ This is worth mentioning because so much that has been written on Obama and his foreign policy frames the question in terms of just war teaching. Doing so misses so much because as we see in *Section V*, the just war tradition has long been critical of Niebuhrian Christian realism.

Finally, between these two dominate theological traditions, Niebuhr argued that a durable peace can be found only through the prudential merger of international order and the pursuit of justice within that order. In the middle of the Second World War, Niebuhr had cautioned against what he labeled "isolationist-imperialism" (1943a). The risk was the temptation to merge, intentionally or unintentionally, two predominate tendencies in American public discourse. America has been blessed with a natural security provided by two great oceans and neighbors with neither the inclination nor capacity for conquest. According to the isolationists, the only threats to America are those of her own choosing. And therefore, if America would only opt-out of geopolitics, her security could be guaranteed (ibid.). The other tendency is found among those who equate America's economic power with military and political power. This tendency comes into being when we acknowledge the interconnectedness of the world and conclude that since isolationism cannot be a real strategy for security, the only real alternative must be empire.⁶

Whether out of compromise or out of a failure of creativity to see the risks, the major risk to security, justice, and order is to merge these tendencies without an appreciation for

⁵ Against this reading of the permissibility of military force, just war scholars have criticized the Niebuhrian approach as too ambiguous. The just war criticism will be taken up in a following section. For now it suffices to say that the just war critique casts Niebuhrian realism as not much more than situational pragmatism.

⁶It bears mentioning that at the time of Niebuhr's writing, Britain maintained a vast empire of colonies. Decolonization would not begin until after WWII.

mankind's tendency for viciousness. Isolationist-Imperialism brings together the worst of each, creating a foreign policy that is on the one hand hapless, disinterested, and ignorant about the state of the world; and on the other pursues hegemony because political leaders are lead to believe that promoting American democracy, culture, and values are equated as morally righteous and necessary for ensuring security. Niebuhr rejected the definition of peace as the absence of war. Real security can only be found in a durable peace that brought together the best of these two tendencies. That is, what is needed for a lasting peace is an international order maintained by the dominate state or states and the pursuit of justice within that order (1943, 196). Without an intentional promotion of order, anarchy would persist. Here Niebuhr does not mean the reified definition found in structuralist approaches to international relations found in the academy. Although related, what Niebuhr means here is both the absence of constraints to states who wish to aggrandize themselves at the expense of others and the perennial presence of conflict, force, and war.

Contemporary realists in the academy and foreign policy establishment must bristle when confronted with Niebuhrian Christian Realism. Modern realists stress the virtue of cool, dispassionate calculus that only seeks to ensure the national interest. This realism does not bother itself with moral constraints because, the primary goal of any foreign policy is to guarantee the security and prestige of the nation for whom one serves. Not the Christian love of neighbor, but self-interested pragmatism is the chief virtue of contemporary realism.

⁷I find it somewhat prophetic that Niebuhr's characterization of these tendencies still holds. Economic empire thesis can be found in both the neoliberal and neoconservative policies with characterized the Clinton and Bush administrations. The isolationist thesis had been largely quiet in the first two decades since the end of Cold War, but have found renewed life in the recent rise of libertarians on the right and left. One is tempted to see a connection between this renewed isolationism and a war weary American public. See Kirkpatrick (2007).

Pragmatic realism had no place in Niebuhr's formulation. Pragmatism, according to Niebuhr, through its rejection of the transcendental mind, hopes to achieve through a purely rational, scientific process a universally valid conclusion. Unfortunately since pragmatism proceeds on strictly procedural grounds, exalting the method over both the means and ends, it has no way to guard itself against a relativism that privileges the right of might over the might of right.

Indeed, the pragmatic turn can be traced in part to desire to avoid catastrophic outcomes witnessed in the first half the 20th century; outcomes which lead many to believe that the depravity of humanity appears to be so deeply pervasive that only a procedural check can check the forces that would use power for evil ends. Except that as Niebuhr points out, this kind of realism seems almost necessarily to descend into cynical nihilism because it takes the human condition at its worst as normative (1953, 130). Hence Niebuhr's comments about the limits of Dewey and the other pragmatists's hope that procedure could solve human suffering: "It must be regarded as an ironic refutation of this hope that shortly after it was eloquently stated, the world community became divided between warring political creeds, each of which believed their convictions to be validated by science..." (1953, 13).

Niebuhr also believed that the egotism of mankind is the root of evil but that even this tendency is tempered by his sense of obligation to his neighbor. The tension that arises from these two tendencies is most evident in the actions of persons or groups who would usurp power or use force illegitimately against their fellow citizens or other nations. Whatever their ultimate motivations for action, they cannot escape the need to justify it in terms of helping their neighbors (1953, 120). As it relates to international affairs, Niebuhr's insight helps

understand the actions, claims, and contradictions of both our political adversaries and ourselves. His view was obviously directed toward Soviet threat but the lesson is no less important for thinking through the difficulties inherent in postmodern warfare. For just as Al-Qaeda and other terror organizations derive their actions from the uncompromising authority of God, so too is the American tendency to exalt democratic principles as the one true secular faith. As such, we need humility in public affairs because without it we are in danger of slipping into the flawed logic pragmatism. Humility also reorients us toward an equally universal quality of human nature often overlooked by contemporary realism: our capacity for altruistic acts, courage in the face of the moral adversity, and deep yearning to bring about peace in the world. Any political realism that rejects this would likewise fail to qualify as realistic in Niebuhr's view.

Strategic Necessity and Strategic Choice

Every presidential administration undergoes a period of learning early in the first term. Often this is the result of ideals that meet the hard face of political realities in both domestic and international affairs. For President Obama, his early beliefs that fixing Afghanistan would be easy proved to be a gross misinterpretation of his ability to turn course. The institutional inertia was simply too great. Among his senior advisers, disagreement over the proper course created divisions among them and resulted in competing assessments (Chandrasekaran 2012; Sanger 2011). Rather than commit to an error he believed President Bush had made and rely too quickly and easily on the advise of senior staff, Obama chose the pragmatic course and ordered a new review. Unfortunately, the scheduled fall elections in Afghanistan placed a very hard time constraint on the Administration because any goals

would have to be completed before the end of the summer. As a result the review was a "rushed process that lacked the wide consultation, field visits, or rigorous analysis" necessary to offer a sound conclusion (Chandrasekaran 2012, 55 & 122). But were these policies inspired by his reading of Niebuhr and the Christian realist tradition?

Turning to Obama's speeches for evidence of these traditions is difficult and leads to mixed conclusions. But until the archives are opened up for historians, they will have to suffice. Rather than read all his speeches as a cynical skeptic, I think we are best served by reading the president in the best light possible for two main reasons. First, because whatever criticisms we may have of the president's foreign policy—and there are many—the difficulties of political leadership and geopolitical strategy are immensely difficult. As scholars we should be fair to such realities. Second, because giving the President the presumption of sincerity will help us draw out the limitations of his own political thought. Whatever Obama's realism is—Niebuhrian, Deweyian, realist—we are better served by sketching the world view as best we are able before examining the design for weaknesses.

In the president's major speeches before his Nobel prize award, Obama stressed that the cost of the wars were simply too high. A cheaper, more affordable national security agenda would have to replace the extensive reliance on the military. Indeed, Obama knew that the costs of the war in Iraq were unsustainable, especially in light of the economic collapse in the previous fall. A "smarter, more sustainable" approach was needed that relied on diplomacy and economic aid as much as the military would have to be created (2009a). He had to recognize that the United States lacked the fundamental resources to continue a war that neither he nor the American people wanted. But in framing the scaling back of America's operations in Iraq as a pivot back to Afghanistan, the President was both able to

affirm his commitment to protect America and acknowledge that necessity dictated a continued military presence in Afghanistan. What's perplexing is that this line of thought is almost exclusively utilitarian. True though it may be that America could no longer afford the high costs of a major military presence in two nations, but the moral case had not yet been made.

In his second major speech, Obama frames his position between two principles, the responsibility to protect and necessity. Again these are not Niebuhrian themes but rather tried and true typologies of American foreign policy. For the President, protecting American lives includes not placing American troops in harms way if others are possible. Obama tell us that the office of the Presidency obliges "wise leadership" (2009b). As such, he must be mindful and reluctant to commit personnel into harms way. Beyond this, however, he says little else as what constitutes wisdom. What he does offer is the second principle of necessity. Reliance on military force alone cannot be the first nor the only answer to security. Diplomacy, economic aid, and America's moral example must be revived. By itself the "moral example" is woefully unspecified. Together with the principle of necessity, we have some clarity. The principle of necessity is stated much in the same way that Niebuhr articulates the conditions when force may be permissible for Christians. By framing it as he does, the president suggests that his default position is against the use of force. It is, to use the Niebuhrian formulation, a presumption against violence. Thus, by constraining American military power and the use of force to times when it is necessary, President

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⁸Mead (2001) argues that morality and economics have long been elements of the American Foreign Policy tradition. These elements run counter to the continental realist tradition which focuses predominately on great power grand strategy to the exclusion of almost everything else.

Obama has sketched the standard he believes should judge his foreign policy.

Only later does Obama extend the theme of morality. Later in the year the President spoke again on foreign affairs, stressing the need for justice in the world. Justice, we learn, includes both a "lasting peace" between Israel and the Arab world" as well as preventing Iran from obtaining nuclear weapons (2009a). Of course Arab-Israeli relations and nuclear proliferation have long been the aims of Presidents. What stands out, however, is President Obama's wording. It was Niebuhr who talked about the need for a lasting peace by pursuing both a stable international order and justice within the order provided. We should recall from above that Niebuhr cautioned against equated peace with merely the absence of military conflict. Justice must also be pursued within the peaceful international order.

In his speech at Oslo, when he accepted the Nobel Peace prize after less than a year in office, the President again framed his thinking in terms of a balance between the principles of liberal-progressivism and his duty as Commander-and-Chief. For example, when accepting the Nobel Peace Prize in Oslo, Obama stressed that "a just peace" is more than merely the absence of war but has a domestic component; it "includes not only civil and political rights — it must encompass economic security and opportunity. For true peace is not just freedom from fear, but freedom from want" (Obama 2009c). His assertion is notable because, among other things, comes at the end of a long discourse on his

⁹During his first speech, Obama spoke "directly to the people of Iraq" and addressed the ethnic factions and social strife: "But hostility and hatred are no match for justice; they offer no pathway to peace; and they must not stand between the people of Iraq and a future of reconciliation and hope" (2009a). It is a perplexing phrase for scholars of ethics and political philosophy because justice is not an agent but either an activity of the soul, to use the Aristotelean phrasing, or a social condition that is achieved between members of a society. Still, in the interest of fairness, it is worth mentioning.

^{10.}cf. FDR's (1941) "Four freedoms"

interpretation of the human rights movement and the challenge of war and peace. The theme of peace, then, might be said to rest on Niebuhrian grounds. That is, that a stable international order must be established so that within it a stronger political rights regime may prosper.

Peace, Saint Augustine once wrote, is so great a good that no word is more delightful to the human ear and yet so elusive in practice (*Cir. Dei* XIX). Peace reflects something more intangible in the hearts of mankind that the President is correct when he stresses a definition that is more than the absence of violence. The peace described by the president must be founded on a rights based approach to liberty, include a robust rule of law, and mutual respect for culture. But peace must simultaneously be something more attainable, as his quotation of Kennedy seems to suggest (Obama 2009c). President Obama signals his willingness not to overturn and radically transform political institutions, but work toward a gradual "evolution" of them. And while the expression strikes a tone that any reader may find admirable, the phrasing suggests a more troubling willingness to transition the domestic and international institutions in the pursuit of something pragmatic: an attainable peace over a lasting peace.

When the President finally addressed the issue of drone warfare last year (2013), he framed his opening statements by paraphrasing the just war doctrine. Noting that war has been around since the first man, just war emerged as a way to constrain its legitimate use to those times when it is a last resort or self-defense, if the tools are proportionate, and—when war is chosen—civilian life is spared as much as possible. These principles are in line with the logic of just war but truncated. What is more, in Obama's speech, we are not given a serious argument as to why drones fit these criteria. Instead we are given some observations

on Martin Luther King, Jr about the insufficiency of violence to bring permanent peace weighed against his office and duty to defend the nation. And although I am inclined to take the President as earnest in his presentation, I'm left wondering how deeply he appreciates the just war and Christian realist doctrines.

Consider that the most strident criticism of the reliance on drones has ultimately centered on the legality over due process and the civilian casualties. President Obama and his administration has repeated on several occasions that they have the legal authority to conduct these strikes because Congress has authorized him do so (Obama 2013). And the process through which terror operatives make the list, are vetted for their risk, and killed by strikes is certainly robust. Whether it meets the standard of international and domestic law is a question that I must defer to more competent legal scholars. But as mentioned elsewhere, there are questions regarding the long-term legality of the authorization on which drone strikes are justified because as time goes, the legally justification will be harder to make.

But the issues of civilian casualties warrants our attention because it comes to the very heart of the ethical dilemmas involved. President Obama acknowledged last year that civilian casualties were the major point of contestation among both Americans and foreigners. He even acknowledges that families of civilians find no comfort in the legal construct he could offer (Obama 2013). But the alternative, he adds, "would be the use of conventional military options" (ibid.). As a theoretical point he is right. And he is right to add that the civilian casualties would be significantly higher if traditional air strikes and ground forces were used in the war against terrorism. But as a counterfactual we might wonder if traditional military forces might be used at all. Drones may reduce the risk of civilian casualties but their ease of use might lower the threshold that his administration is willing to accept.

A basic question remains. Obama's language echoes the themes of Christian realism in structure, but something else has been read into the intellectual structure that has distorted Niebuhr's lessons. The principles that the President offers are, in short, only partially related to Christian realism. But if these principles are only partially related to the Christian realist tradition, what else influences the President's thinking on drones?

Drones and Pragmatism

Whatever debts Obama has to Niebuhr and Christian realism, he also is indebted to the pragmatism of Dewy and other 20th century progressives. James Kloppenberg argues that it was Obama's early studies at Occidental and Columbia that transformed the young man into a deep thinker who understood the limits of idealism. Saint Augustine and Reinhold Niebuhr taught Obama about humanity's propensity for self-aggrandizement, Martin Luther King taught about the need for love in political life, and Madison and Tocqueville taught that culture and institutions shape our values in ways that are often imperceptible (2012, 26).¹¹

Academic pursuits engender within scholars and students of ideals a firm commitment to one's principles. This is a lesson that the President clearly learned; but he also learned in his years as a community organizer and young politician that politics is a contact sport that requires pragmatism and compromise (2012, 30-31). Kloppenberg situates the turning point in Obama's intellectual formation to years at Columbia. When writing for the study paper

¹¹Although it remains a question how exactly Kloppenberg intuited all this since his work gives us little information about sources. Kloppenberg includes an essay on the sources he relied on when writing Reading Obama. But it is nevertheless unfortunate that the various chapters themselves give no serious indication where his specific claims can be sourced.

about some incidents that led to a breakdown of student/administration relations, the young Barack Obama wrote that "most pervasive malady of the collegiate system specifically, and the American experience generally, is the that the elaborate patters of knowledge and theory have been disembodied from individual choices and government policy" (2012, 23). Rather than siding strictly with the students who were only interested in using 60s eras tactics or with an administration that only sought to serve its interest, Obama took a middle path, because then as now he makes the effort to understand the other view on its own terms (2012, 51)

If Obama is less Niebuhrian Christian realist than Deweyian pragmatist, then the reliance on drones as the primary means for war fighting makes at least some intuitive sense. The president's enthusiasm for drones is easily understood when we consider their ability to offer the president a way to keep his pubic commitments to Afghanistan, continue the War on Terror, and avoid the risks and spending costs that ensnared the closing years of the Bush Administration.

The speed at which drones have supplanted traditional air and ground force operations is staggering. Sanger notes that currently the Air Force has "more drone pilots in training than pilots for fighters and bombers combined" (249). In the early years of President Bush's term, drones were simply a technological what-if; now there are no less than 60 military and CIA bases involved in drone operations (ibid.). Sanger writes that during the 8 years of the Bush's years presidency, only 40 such strikes were authorized. At the time of his writing, early into Obama's second term, 265 such strikes have been ordered with no sign that Obama will lessen or even flat-line the frequency. One motivation for this rapid transformation seems to be the flexibility in attacking, preemptively, terrorists who are

actively planning attacks at American interests abroad. According to Sanger this rationale is quiet acceptance, under a slight modification, of the Bush Doctrine (2012, 252). Rather than invade with a multibillion dollar war, Obama is able to engage in specific, targeted killing that are not legally assassinations but are essentially the same thing (2012, 253). How these strikes are distinguished from the prohibition against assassinations remains a question for Sanger. One key difference, however, may be that since Al-Qaeda, Taliban, and other insurgents are not, strictly speaking, agents of any state, killing them can be legally justified under the rules of engagement.¹²

Another reason policymakers favor drones is the reduced risk of civilian and military casualties. Without the need to insert a large military force on the ground, there is neither the incentive nor the physical target for insurgents to attack. Roadside EIDs have no purpose when the opposition is raining Hellfire missiles from the sky and the ground crews that launch and maintain them are protected in the confines of a military base. During one unusually successful 48 hour period, the CIA killed four of the most wanted insurgents on their most-wanted list; the success is all the more impressive when the civilian casualties are listed: all four targets were killed with no civilian casualties (249). According to Sanger's research, the total civilian deaths from drone strikes is approximately 17 percent, a remarkable number compared to the numbers typically seen in normal invasions and COIN

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¹²Luban (2012) discusses this rationale under the "rightful authority" clause of Just War Theory and concludes that, although a legal and moral mistake, the principle supports classifying Al-Qaeda operatives as unjust warriors. In *Section VI*, I take up several of the principles of Just War. Right authority is not one of them because as Luban and others have acknowledged, the President is vested with the authority to make war. It thus becomes a question of prudence. Policymakers and other experts wishing to reduce or eliminate the use of drones have to other arguments because within the complexities of International law, war powers to the president are among the most clearly defined and undisputed.

operations (ibid.). Though it bears mentioning that this number is disputable. According to David Luban, the CIA's rubric for calculating casualties after a strike stipulates that any male of military age is considered an insurgent unless proven otherwise. But there is no indication about what "proven otherwise" or "military age" actually means (Luban 2012). It is certainly troubling to think that the CIA is playing fast and loose with the body counts to minimize criticism against the drone program. Though perhaps this is partly why the Defense Department is taking control of all drone strikes, including those formally undertaken by the CIA.¹³

But drones are not without strategic risks and moral hazard. Two specifically were mentioned to Sanger by an intelligence officer he spoke with (2012, 244): One danger is that they prove to be more costly in the long run because "light-footprint" strategy cannot accomplish what a traditional physical presence could. Another is more vague but not less problematic: it is the presumption that technology can solve all the tactical and strategic challenge. There is also a deeper moral challenge associated with drones. Are they merely tools as administration office claim (243), or, as Sanger asks, do they present a fundamental shift in war-making that blurs the traditional rules of engagement (2012, 245-246):

What is the difference—legally and morally—between a sticky bomb the Israelis place on the side of an Iranian scientist's car and a Hellfire missile the United States launches at a car in Yemen from thirty thousand feet in the air? How is one an "assassination"—condemned by the United States—and the other an "insurgent strike"? . . . What happens when other states catch up with American technology--some already have--and turn these weapons on targets

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¹³Though see Bennett (2013) for an assessment of what, if anything, is changing by the transition. The motive seems to be the need for greater transparency, now that the strikes are no longer secret to the larger public. But since the CIA is likely to retain control of drone operations inside Pakistan, it is not clear that the questions over Pakistan's sovereignty or the scope of the CIA's operations is changing all that much.

inside the United States or American troops abroad, arguing that it was Washington that set the precedent for their use?

These are the hard questions, which have so far not been answered, but not for lack of trying. Historically, Sanger reminds us, new technology brings with it a changing moral, political, and legal calculus that, unfortunately, is made on the fly on a case-by-case basis (2012, 246-247). If both he and Kloppenberg are right in their respective readings of Obama, then the Obama Doctrine vis-a-vis drones is as much Dewey and Pragmatism as it is Niebuhr and Christian realist. It is roughly congruent with Niebuhrian ethics, but suffers from progressive interpretation that distorts Niebuhr.

The disjuncture between Obama and Niebuhr is in the former's reading of pragmatism into the Christian realist ethic. No where is this more evident than in the explosion, pardon the pun, of non-military drone strikes in the war on terror.¹⁴

Just War Critique

There is a problem here. To the extent that Obama's approach to national security remains congruent with Niebuhrian realism, the manner in which drones have been used should disquiet even the most ardent cynic. We might justify the use of drones to the proper context, that is, in theaters of war. But the escalation of drones to other counter-terrorism operations where the United States is not formally engaged in hostilities is more than a little problematic. Distinctions are needed. The military use of drones in the former case are

¹⁴It is also interesting to note to disjuncture between the conspicuous reticence on the part of the Obama administration to mention "war on terror" even while escalating the use of drones for counter terror purposes and on counter terror legal justifications.

hardly revolutionary.¹⁵ I am skeptical that if their use were constrained to the formal battle fields much in the way stealth fighters and long range bombers are, drones would hardly be controversial. But they are not and their covert use to eliminate threats, real and potential, can only be understood as a breakdown of the just war tradition.¹⁶

Classical just war rejects the Niebuhrian approach to war because it divorces itself from any rubric by which tough questions can be adjudicated in practice. Despite his strengths as a prophetic voice to the Christian church, Niebuhr does not offer any way to draw the necessary distinctions of proportionality, intention, and discrimination once the lesser evil of violence is deemed appropriate. Equating the decision to go to war as a lesser evil grates on natural law thinkers because it sounds a lot like saying that it might be morally permissible to kill one innocent child to save ten (or ten thousand). Utilitarians may grant that such a "lesser evil" on the grounds that the aim would be to achieve the greatest good for the greatest number. Christian realists and traditional just war realists, however, would deny that such an action could even be permitted. To put it another way, what Niebuhrian Christian realism does, in effect, is offer a truncated view of the *just ad bellum* principle of just

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¹⁵Others have argued that technological innovations are rarely as transformative as we first think. Moyar (nd) argues, for example, that drones are not much more than an incremental adaptation of previously existing technologies. The argument echoes Biddle (2006) who writes that contrary to popular opinion, the world is not on the cusp of a radical change in warfare. Technology is too often viewed as a revolutionary. Instead, technology creates a wedge that amplifies the ration between harm and death between those nations with technology and those without.

¹⁶As noted in *Section II* above, Niebuhr did not embrace the natural law approach to war. Readers of this essay should remind themselves that Niebuhr's rejection of pacifism was not an embrace of a prudential application of Charity, as the classical just war tradition views the problem of war. It was instead pointing out that human sinfulness meant that sometimes political violence was necessary. Yet, political violence was consistently a moral evil in the Niebuhrian view. Christians were thus permitted to participate in a lesser evil only insofar as they were preventing a still greater one.

war while offering no treatment of *jus in bello* principle which guides the practice of war.¹⁷ Two principles are at work here for Christian ethicists: first is the belief in the inherent dignity of the human person, second is the prohibition to commit intrinsically evil acts.¹⁸ The standards found in Niebuhr's thought may be higher than what just war theorists offer, but once done, there is no *jus in bello* principle.

To illustrate this problem more explicitly, consider Michael Walzer's "supreme emergency" (1977 [2006]). Walzer approaches the question of necessary evils when two conditions are met: a gravely serious threat and an extreme proximity (imminence) of attack. Is it permissible when these two conditions are met to use so much force that near or actual annihilation of the other will come to pass? Walzer reluctantly affirms the possibility as a matter of principle, but the two cases which he uses to evaluate the supreme emergency principle—the bombing of Dresden and the use of nuclear weapons on Japan—tell a more complicated story. Nevertheless, Walzer acknowledges that a strict utilitarian reading would permit such uses of violence if the criteria were met. Traditional just war teaching can engage this very difficult question offering guidelines like right-intention, proportionality and discrimination. Is the proposed action intended out of malice or a thirst for vengeance; or is

¹⁷See Ramsey (1968) who, along with Pavlischek (2008) offer the most robust criticisms of Christian realism that I have found. Pavlischek's is somewhat underdeveloped but remains the best effort in recent years to engage seriously the Christian realist approach to war.

¹⁸Let me anticipate and deflect the most obvious objection to what I have sketched here. Christians are hardly unified in their doctrines as to what constitutes personhood. If the both the abortion and contraception debates have shown us anything, it is that. A fuller treatment of this problem is far beyond the scope of this essay. Two quick replies: One, at least as recently as Niebuhr's writing, there was a much broader and unified opinion among Christians about both abortion and contraception. Second, in matters of war and peace, most scholars who engage the questions are not addressing the more foundational question of personhood.

it intended in defense of one's nation or civilians elsewhere? Is the considered action a disproportionate use of force or in line with what the enemy is both capable and willing of using? Are innocent civilians going be targeted *intentionally*?¹⁹

Niebuhr's framework, however, offers no such rubric of necessity and imminence. Once the Niebuhrian realist determines that force is necessary, it would seem that the circumstances would default into a supreme emergency condition. Terrorism and guerrilla insurgencies, if we follow the logic, require an any-means-necessary approach lest the enemy have even the potential to attack. Statesmen and soldiers are left with a moral vacuum. Obama's words and deeds have filled the void with a utilitarian calculus that privileges

The locus classicus of the doctrine is found in the *Summa Theologiae* (IIa-IIae Q. 64, art. 7). There Saint Thomas draws a distinction between killing a thief intentionally because he is trying to steal and killing a thief unintentionally in the act of defending oneself against aggression. A fine line to be sure, but the nuance is more justified than say what we find in Locke who argues that "it is lawful for a man to kill a thief... because using force, where he has no right to get me into his power... I have no reason to suppose, that he, who would take away my liberty, would not, when he has me in his power, take away everything else" (Second Treatise, §18). The distinction between the two is proportionality.

Nevertheless, the example is illustrative. We can debate whether Ramsey, Niebuhr, or both are wrong. We can can debate whether Ramsey's analysis of guerrilla insurgents in Vietnam can be applied to the Taliban, Al Qaeda, or other insurgents around the world. But Ramsey's approach can help Christian ethicists think through these difficult questions. Niebuhr's, it would seem, does not.

¹⁹Paul Ramsey, one of Niebuhr's life long critics and dialogue partners offers us a compelling analysis of the intention and discrimination problem. In his criticism of Christian realism, he writes that it is not counter-insurgencies that commit evil by drawing innocent civilians into the war zone. Rather, it is the culpability of the guerrilla who enlarged the legitimate field of conflict so "as to bring unavoidable death and destruction upon a large number of innocent people" (1968, 481). Ramsey frames this quote a rhetorical question. I have presented it as an affirmative statement because in the subsequent paragraph, he draws the parallel to nuclear war: "The onus of the wickedness of placing multitudes of peasants within range cannot be shifted from insurgency to counter-insurgency anymore than it could be called an indiscriminate act of war on the part of some enemy if in the future Omaha, Neb., or Colorado Springs, Col., are tragically destroyed in the course of destroying the bases and command posts we located there" (ibid., emphasis original). Without naming it explicitly, Ramsey has invoked the principle of double effect whereby the evil of civilian casualties may be permissible if the intention was rightly ordered toward defeating an adversary.

flexibility in his grand strategy while minimizing his public exposure to criticism at home. What I infer is something like the following: Drones are necessary in Obama's presentation because terrorists are evil. So long as the *unintentional* killing of innocents can be minimized, the practice of drone strikes are justified because they protect America and American interests.

Perhaps this criticism is too harsh on Niebuhr—his thought may not be completely responsible for Obama's reading of pragmatism into Christian realism. Niebuhr's work are worth a serious engagement and reflection. He offers us a prophetic and sober analysis of the human condition and the limitations inherent to mankind that hinder the full achievement of justice in the world. Obama's application of Niebuhrian ethics does not represent the full scope of Niebuhr's thought and reveals an importation of pragmatism that Niebuhr himself would reject. At the very least we should consider how the just war tradition treats the problem of drones and consider in what ways the two traditions speak to one another.

Just Wars and Drone Wars

Just war doctrine had traditionally been framed around two principles: the right to war and justice in war. Within these two principles are others that have long been stalwarts for adjudication of tough moral questions in war time. Although so far I have presented just war as an alternative moral framework to Niebuhrian ethics, mentioning them is necessary because they should help address not only the shortcomings of Christian realism, but provide a more robust framework from which we can evaluate and critique drone warfare. For the sake of space I will omit the principle of legitimate authority because international

law, just war, Christian realism, International Relations theory, and the Constitution all recognize that the President of the United States is the Commander-and-Chief and holds the lawful authority to make war.²⁰ What remains are the following principles: just cause, last resort, reasonable chance of success, and just manner. Each of these raises areas in which ethicists and political theorists will no doubt disagree.²¹ For the sake of discussion, I will attempt as favorable reading of just war and drones as possible. I think doing so will highlight the ethical limits and invite further reflection about arguments and evidence have heretofore been lacking from the current administration.

How can the use of drones be affirmed under the just cause reading? If we bracket for a moment the question of covert uses by the CIA, drones are a component of regular defense operations. The subsequent use of drones in Afghanistan are a direct result of the terror attacks on 9/11. It follows then that the just cause principle is met since it is response to a prior attack. Although very quickly the concept becomes problematic. Greg McNeal (2014) has written that the legal foundations upon which Obama is justifying the drone strikes has been called into question by legal scholars because the Authorization to Use Military Force (AUMF) is over ten years old. At the time of writing a man of military age would have been too young to be part of the original network of terrorists. Very soon, if not already, most terrorists who make the Kill Lists will be those who were not yet born on 9/11/2001. The problem becomes even more untenable when we reintroduce the covert

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²⁰. However, see note 11 on Luban (2012) above.

²¹The just war tradition goes as far back as Cicero but took its Christian form in the works on Saints Ambrose and Augustine in the fourth and fifth centuries. Saint Thomas clarified and codified the doctrine in the form as it is still commonly used today. Ramsey (1968), Tucker (1960), and Walzer (1977) remain the classical texts used in the American tradition.

strikes and theaters not originally tied to 9/11.22

The last resort principle is a relative new comer to just war teaching. It states that all other possibilities should be pursued short of war; or once in war, all other forms of defense and uses of force should be attempted first before escalation may occur. As with the just cause principle, the conclusions are a mixed bag. Since most terrorists who might be lawful targets are not members of states but are essentially independent political and military agents, conventional means of military force would be both imprudent and potentially illegal. The legal questions surrounding drone strikes in foreign nations requires analysis that I cannot provide. On moral grounds, we may find that killing a leader of a terror cell or potential suicide bomber before they reach the U.S. the last resort. But how could we know? The secrecy with which the American security state operates is frustratingly opaque. (This is not to say that the opaqueness is unnecessary; it may be, but that remains for another conversation.)

There is, however, one way of thinking through the last resort clause is to ask if there is another way to conduct the war with less suffering. Here it seems that the pro-drone argument, if we can tempt hubris with such a term, has its strongest case. Civilian casualties exist with drone strikes, and we all have seen cases of human error bringing about great tragedy.²³ Though the just war tradition cautions against hubris. It is far too easy to rely on

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²²Again in McNeal's (2014) article on kill lists, he includes a lengthy section on a dispute between policy makers when State Department Legal Adviser Harold Koh objected to a target who had advocated against killing Americans. It was only his legal objection that ultimately kept this potential target off the list (2014, 725).

²³Questions surrounding the number of innocents killed by drones are very difficult to ascertain. Both the defense industries and human rights groups have endogenous incentives to distort their numbers. For a fuller treatment of this issue see McNeal (2014).

only this justification alone. But doing so would suggest a silent affirmation of utilitarian logic.

The principle of reasonable chance for success is by far the most troubling for any just war defense of drones. If we begin from the presumption that drones are morally justified, we immediately tend toward an argument that drone strikes help bring the nation to a more swift, human, and successful conclusion to the war. But therein lies the problem: what is the rubric of success for which drones are a supporting role? As the United States winds down its war in Afghanistan, the principle of reasonable chance of success would seem to be rendered moot since for all intents and purposes, they were a success. The Bilateral Security Agreement reached last November (2013) has provisions for special operations. Drone strikes will of course remain a part of those operations and the U.S. has the legal authority to conduct them. But President Obama's public statements offering a defense of drone strikes comes up short. As the Commander-and-Chief, it is he and he alone who has the moral obligation to articulate to his nation why he will continue using drones even as he believes the war in Afghanistan is effectively over.

By comparison the just manner principle is the strongest defense of drone strikes. This is not to it too is not with its limitations and ambiguities. As mentioned above, on their face drone strikes have lower rates of civilian casualties, friendly fire incidents, and American lives in harms way. They are less costly in absolute terms because they do not require the entire military infrastructure to support them. But the moral hazard here is the same as before. These qualities may actually invite hubris and make their use not only more likely, but unjust. The ability to strike at a moments notice terrorist leaders who are otherwise untraceable is a remarkable achievement in military affairs. To do so with minimal relative cost and harm to

civilians even more so. One the one hand, the chief executive is vested with the responsibility to protect is nation; on the other, he is a politician who is incentivized to reduce his own political risk. The secrecy and easy of use make drones ideal for both purposes.

Negotiation with foreign nations, placing military forces on the ground, and committing the nation to long engagements might at times be the only just option. Knowing when and how to pursue one course of action over another is a question of prudence. Still, by surveying briefly these questions we have, I think, offered a robust addendum to Niebuhrian Christian realism.

Conclusion

I have raised many more questions than I have answered in the preceding pages. Rather than offer a summary of an argument I will instead offer a few concluding remarks. One major question so far unasked is whether America wants to continue global hegemony. If the American public decided collectively that starting tomorrow we would recede from our place as a great power and once again turn inward to ourselves, the controversy over drones would evaporate. Perhaps then, it is long over due to evaluate America's place in the world and to, with genuine humility, turn away from our place of leadership—however construed—and thus allow whatever nation or collation of nations to fill the void. I think that to do so would be a grave mistake for both strategic and moral reasons. Stephen Carter (2011) mentions several examples of superpowers who, in an effort to save costs, shrank their militaries only to invite provocation. Security is not the only reason to maintain American hegemony (whatever that means these days). If modern liberal society seeks to

emphasize as global societal aims—not only peace but other metrics like the alleviation of hunger, gender inequality, humanitarian aid, and so forth—then absent a single power with both the capabilities *and* the moral will to see these goals achieved, some military capacity must be maintained. An aircraft carrier may be a ship of war, but it can also be a vehicle of mercy and assistance.

Reinhold Niebuhr was no pacifist. He would not advocate for a liberalism that resigns itself to a wholesale dismantling of the Pax Americana on the grounds that our decline is inevitable. And while he would equally caution against the imperial temptation, he would affirm, I think, the use of drones in limited circumstance. Defense of the nation is an aim that can never be unconditionally rejected because we remain in age that requires the nation-state as the organizing mechanism for the achievement of justice. Since, however, we find ourselves in a world marred by factions, imperfections, and adversaries willing to do grave harm to us, we must also be prepared to use force. But it follows from that conclusion that we must also be prepared to ask very uncomfortable questions and articulate the best answers we can in the circumstances in which we find ourselves.

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