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Rewriting the Just War Tradition: Just War in Classical Greek Political Thought and Practice*

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The just war tradition is the predominant western framework for thinking about the ethics of contemporary war. Political and military leaders frequently invoke its venerable lineage to lend ballast to their arguments for or against particular wars. How we understand the history of just war matters, then, for it subtends how that discourse is deployed today. Conventional accounts of the just war trace its origins to the writings of Saint Augustine in the 4th century CE. This discounts the possibility that just war ideas were in circulation prior to this, in the classical world. This article contests this omission. It contends that ideas homologous to a range of core *jus ad bellum, jus in bello*, and *jus post bellum* principles were evident in classical Greek political thought and practice. This finding challenges scholars to re-consider not only the common view that the just war is, at root, a Christian tradition, but also the relation between victory and just war, the nature of the ties binding just war and Islamic jihad, and an innovative approach to the comparative ethics of war.

> History has to be rewritten in every generation, because although the past does not change, the present does; each generation asks new questions of the past and finds new areas of sympathy as it re-lives different aspects of the experiences of its predecessors.
> Hill (1975:15)

The just war tradition supplies a moral grammar, arguably the predominant one in the Western world, for thinking about the rights and wrongs of war. What is intriguing, however, is not simply that influential actors such as President Obama (2009) increasingly invoke the rhetoric of just war. It is that they also cite the venerable history of that tradition as the source of its authority. Likewise, leading scholars in the field (Johnson 1975; Rengger 2013) argue that contemporary references to just war ideas draw their force from the deeper historical tradition that they evoke and from which they ostensibly derive. Accordingly, how we conceive of that tradition matters a great deal; it delimits the range of ideas that can be proffered in its name. It is of consequence, then, that most commentators cast the tradition as an outgrowth of Christian political thought. Scholars conventionally trace its roots to the writings of St. Augustine in the fourth and fifth centuries CE. For instance, Mattox (2006:14) declares Augustine the "father of the just war," while Barnes (1988:771) suggests that Augustine's teachings constitute the "*fons et origo*" of the tradition.[1] Similarly, O'Brien (1981:4) claims, "the just war tradition begins with the efforts of Augustine to justify Christian participation in Roman wars." Elsewhere, the late Elshtain (2004:49–50) asserted that the just war tradition "starts with Augustine," and is properly trammeled by his understanding of the relation between justice, peace, and order. These views command general assent in the literature.[2]

This, however, constitutes a selective way of viewing the just war tradition. It overlooks the fact that ideas corresponding to just war thought abound prior to Augustine. Most obviously, Aristotle (1996:21) referred to "war that is by nature just," while Cicero (1991:72–3) wrote extensively on *bellum justum*. Neither produced a systematic theory of just war, but the ideas they introduced remain nevertheless significant. Looking beyond Aristotle and Cicero, we can detect a whole lifeworld of ideas homologous to our understanding of just war in Ancient Greek and Roman society. A few scholars comment on this in passing, but do little more than that.[3] This oversight of classical just war thought matters for two reasons. First, it obscures the fact that Augustine did not create just war thought *ex nihilo*, but instead built upon classical sources. Second, it permits, even reinforces, an overdrawn association between early Christian political theology and the advent of just war thought. That is, it gives rise to a widely held perception that the just war is, at root, a Christian

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[1] Also see Claude (1987:87), Stevenson (1987:2), Myers (1996:117, 119), Yoder (1996:1), and Totten (2010:77).

[2] Evidenced by the fact that narrative accounts of the just war typically begin with Augustine—for example, Nussbaum (1943:455) and Russell (1975:6).

[3] Johnson (1981:xxiv) notes that the "deepest roots of the tradition reach back into biblical Israel and into the thought and practice of classical Greece and Rome." Bellamy (2006:29), Orend (2006:12), Reichberg, Syse, and Begby (2006:70), Sorabji (2006:14), Syse (2006, 2010), Brahimi (2010:9), and Begby, Reichberg, and Syse (2012:17–19) note the Greco-Roman contribution to just war thought. Davis (1992) and Raymond (2011) discuss it at greater length.

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doctrine—a perception that arguably curtails its appeal in parts of the world that historically have no affinity with Christianity.[4] This article challenges this omission by proffering what we might crudely call a "prehistory" of the just war tradition. It focuses, in particular, on excavating just war ideas evident in classical Greek political thought and practice.

This article comprises three sections that reflect the now commonplace tripartite structure of just war analysis. Section one covers the *jus ad bellum* of classical Greek just war thought. In particular, it discusses its deontological core—the principles of just cause, proper authority, and right intention—and elucidates them by reference to political practices as well as the contributions of philosophers, playwrights, and historians. Section two turns to the *jus in bello*. It details the norms that governed the conduct of war in classical Greece. It pays special attention to sanctuary practices and the rules regarding the use of long-range weapons and trickery. Section three examines how adversaries concluded war in classical Greece. This involves a close look at battlefield trophies and an argument to the effect that a particular conception of victory served as a cornerstone for the Greek ethics of war. I take care in all cases to avoid the anachronistic fallacy of assuming that the manner by which the Greeks understood specific just war principles (such as, say, just cause) maps directly onto how they are articulated today. Following the lead of Lloyd (2004:8), I instead employ these principles as "bridgeheads" that provide a focal point for the translation of ideas across remote eras. By way of conclusion, I propose that the Greek ethics of war provides a potentially exciting seam to mine. It reveals interesting connections between the just war tradition and Islamic jihad, raises searching questions about the relation between just war and victory, and challenges scholars to think in new ways about the comparative ethics of war.

Jus ad bellum

Warfare occupied a prominent place in the Greek understanding of political life. Heraclitus (1995:154) proclaimed it the "father of all and king of all," while Plato (1975:5–7) described the human condition as a "lifelong war" of all against all. Yet the Greeks also viewed it with circumspection. Xenophon (1979:319) cautioned that even though the gods had ordained conflict as integral to human life, we should be "as slow as we can to start a war and as quick as we can to end it, once it has begun." Herodotus (1998:40) lamented that war sews misery and disrupts the natural order: "In peace sons bury their fathers and in war fathers bury their sons." More dramatically, Aristophanes (2005:284) depicted war, personified by Ares, as a quarrelsome lout, a cantankerous wretch who relished causing trouble and making life a misery for ordinary people. What is interesting from our perspective, however, is that the Greeks nevertheless maintained that, so long as it satisfied certain conditions, war could be regarded as a legitimate enterprise.

Proper Authority

The first of these conditions approximates to what just war scholars refer to as proper authority. Without going so far as to claim that the Greeks professed a cogent doctrine of proper authority, equivalent to what one finds in the writings of Thomas Aquinas (2002:240–2), we can discern a rudimentary analogue in their texts and practices. Specifically, the Greeks insisted that the license to levy war lay solely with the *polis* and was dependent upon the performance of certain rites and procedures. Let us treat these requirements in turn.

By the fifth century, practice indicated that the only authority deemed competent to initiate war was the community (*polis*) manifested by the people (*demos*). Private actors did not possess this license. The censure of pirates and wayward generals who risked military expeditions without the permission of the *polis* is proof of this (Xenophon 1979:286; Herodotus 1998:363–4).[5] Yet if the *polis* alone bore the title to war, this tells us little about who could initiate war on its behalf. In the case of Athens, the power to initiate war lay solely with the popular assembly, or *Ekklesia*.[6] It was at the *Ekklesia* that matters of war and peace were determined. As Stockton (1990:83) notes, "It was the *Ekklesia* alone which took the final decisions on declaring war or making peace."

On what grounds did the *Ekklesia's* license to initiate war on behalf of the *polis* rest? Some scholars argue that its authority derived from the belief that it embodied the Athenian *demos*. As Hansen (1989:214) puts it: "The *Ekklesia* is not representative of the *demos*. It is the *demos*." Others contend that the relation between the *Ekklesia* and the *demos* was one of synecdoche—the *Ekklesia* stood for the *demos* as a part may sometimes stand for the whole. According to this view (Ober 1996:119), the *demos* stood behind the *Ekklesia* as "the implied authority." Differences aside, both positions acknowledge that the license to initiate war resided exclusively with the *Ekklesia*, which stood for the *demos*, which in turn was indivisible from the *polis*.

It was not enough, however, that the *Ekklesia* decided on the course of war. The Greek conception of proper authority also entailed a procedural aspect that encompassed a set of quasi-religious rites. The most intriguing of these was the practice of consulting an oracle (Xenophon 1979:226). This involved dispatching an ambassador to the sanctuaries of gods noted for their oracular powers, the most famous of which was that of Apollo at Delphi (Bowden 2005:6). The principal purpose of these visits was divination (Parker 2011:14). Ambassadors sought an audience with the gods to discern their disposition toward a proposed course of action, such as the invasion of a rival *polis* (Mikalson 2010:101). This was no idle exercise in soothsaying. Rather it was an opportunity for a society to glean whether the gods would endorse the proposed war and consequently contribute toward its victorious outcome. While this ritual supposed that the authority to initiate war derived at least in some part from the gods, the license to commission and adjudicate

[4] Three qualifying remarks apply to this observation. First, Johnson (2014) has critiqued the view that just war is a narrowly Christian doctrine. Second, Christian articulations of just war have been largely ignored by "revisionist" just war theorists who prefer to focus on Michael Walzer's modern rights-based account of just war (1992). Finally, many Christian scholars argue that their writings do not apply exclusively to Christians (Fisher and Wicker 2010:5).

[5] For a general commentary, see Gabrielsen (2007). On pirates see de Souza (1999).

[6] Following 508/7, every male citizen over the age of eighteen was entitled to participate in meetings of the *Ekklesia*. Women and non-citizens were excluded. The *Ekklesia* held meetings on a monthly basis, but officials could convene additional sessions to discuss extraordinary business. The size of the *Ekklesia* varied over time. The citizenry is likely to have been between 45 and 60,000 by the mid-fourth century. For more on the history and development of the *Ekklesia*, see Ehrenberg (1969:52–59).

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such consultations was entrusted to *Ekklesia* officials (Garland 1984:81; Sourvinou-Inwood 1990:320; Herodotus 1998:451–4). It is possible, then, to perceive an admixture of the sacred and profane at work in this procedures attendant to the authorization of war. This is underscored by the role that the herald—a *polis* official whose role and lineage traced to the divine parentage of Hermes—played in its confirmation (Mosley 1973:87), and in its reaffirmation via a series of sacrificial offerings to the gods that publicly appointed generals presided over (Jameson 1993).

Just Cause

A strong claim can thus be submitted that the classical Greeks committed to a practice of proper authority that bears comparison with later accounts of the right to war. This is also the case with the principle of just cause. In fact, for the Greeks, the former necessarily implied the latter. Proper authority rested, in part at least, on the possession of just cause. The former laid the basis for the latter. If a Greek *polis* was to procure the gods' support for the initiation of a given war and thus demonstrate proper authority, it was expected to prove that it had justice on its side. According to Garlan (1975:47), "It was essential to have the right on one's side, in the eyes of the gods even more than in the eyes of men; formally at least, by a judicious selection of the *casus belli*." Practice reflected this requirement as *poleis* habitually stressed the legitimacy of their cause and its putative conformity with norms circumscribing the recourse to force (Connor 1988:8–9). Three sources give us a flavor of this.

The first source is Plato. There is a passage in the dialogue *Alcibiades* (Plato 2001:40–42) where he depicts Socrates quizzing the ambitious young Alcibiades on his views on war and peace. Socrates asks Alcibiades what reasons we should cite when seeking to commit our community to war? Alcibiades' response is immediate: "We say we are the victims of deceit or violence or spoliation (Plato 2001:40)." Might there ever be circumstances, Socrates probes, where you would advise your *polis* to wage war against a community that is not directing any such harmful activity against us? If there are, Alcibiades replies, I would refrain from admitting that our prospective enemies are free of any wrongdoing, for wars waged against innocent parties are never justifiable (Plato 2001:41–2).[7] The formulation is redolent of Francisco de Vitoria's later claim that one should only be warred against on account of some act of wrongdoing (1991:303–4).

The second source is Plato's student, Aristotle. In *Rhetoric to Alexander* (1937:301), the author (either Aristotle or his follower Anaximenes) advises his reader that the question of "grievance" is central to deliberations about war. If, on the one hand, a *demos* is convinced that it has suffered a terrible grievance, it will believe it has grounds for war. If, on the other hand, it believes its grievances to be trifling, it will likely refrain from taking the military route. What character of grievance could be expected to incline a *polis* toward belligerency?

> The following are arguments for making war on somebody: that we have been wronged in the past; and now that opportunity offers ought to punish the wrongdoers; or, that we are being wronged now, and ought to go to war in our own defense—or in defense of our kinsmen or our benefactors; or, that our allies are being wronged and we ought to go to their help; or, that it is to the advantage of the state in respect of glory or wealth or power or the like (1937:299).

Setting the reference to glory to one side, this passage bears comparison with later medieval statements of just cause such as that supplied by Francisco Suarez (1964:815–23).[8]

Elsewhere, Aristotle (1996) frames the matter very differently by arguing that communities should view force, not as a means to dominate other *poleis*, but as a concomitant of good government. Men may wage war, first, to "provide against their own enslavement;" second, to "obtain empire for the good of the governed;" and third, to establish "mastery only over those who deserve to be slaves (1996:188)." We will return to the latter claim later, in our discussion of discrimination. In the meantime, one should pause before drawing conclusions about Greek mores on the basis of the idiosyncratic musings of Plato and Aristotle.[9]

Correcting for this, the final source is a series of debates regarding the merits of the use of force in particular instances recorded by historians. In each case, the discussion skirts the contours of what must appear to contemporary observers as just cause precepts. The most famous case is Thucydides' account (2013:391–413) of the exchange that took place between Nicias and Alcibiades at the *Ekklesia* over whether it was wise to sail on Sicily. The former argued against the war on the grounds that it was a rash policy, while the latter submitted that Athens had an obligation to assist its allies by actively thwarting the threat from Sparta and its allies. Xenophon's fictitious account of Cyrus' address to his troops is also insightful (2008:28). "Our enemy strikes the first blow in an unrighteous cause, and our friends call us to protect them. What is more lawful than self-defence? What is nobler than to succour those we love?" Cyrus clearly deemed it expedient to remind his troops that they were fighting for a just cause and believed that the defense of kith and kin against aggression qualified as such.

There are other sources that could have been canvassed but have been omitted. This survey has nevertheless provided grist for the argument that it is possible to detect something approximating just cause argumentation at work in classical Greek political thought and practice. There are of course discontinuities as well as continuities between the arguments treated here and the more familiar statements of just cause proffered by later just war thinkers. If this discussion has privileged continuities at the expense of discontinuities, the forthcoming discussion of right intention will redress this imbalance.

Right Intention

If it is relatively easy to identify elements of just cause argumentation in Greek political thought and practice,

[7] There is a dearth of work on Plato's writings about the ethics of war. One honorable exception is Syse (2006:294–5), who provides an interesting analysis of *Alcibiades*, and elsewhere (2010) offers a general reading of Plato's contribution to just war thought.

[8] The reference to glory, and the idea that the defence of the state necessitates the preservation of its prestige, evokes the contemporary idea of "ontological security" (Mitzen 2006; Steele 2008) and Richard Tuck's work (2001:20) on the relation between liberal and imperial conceptions of the right to war.

[9] As Hunt (2010:23) explains, "these philosophers were neither themselves typical Athenians nor did they represent more common views fairly."

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the principle of right intention is an altogether tougher nut to crack. This is in part because the very notion of right intention presupposes a conception of interiority that is distinctively Christian in both provenance and character. Derived from Augustine's meditations upon the evils of man's *libido dominandi* and his interpretation of Christ's injunction to turn the other cheek (1994:221), it posits that the internal disposition of the warrior bears strongly upon the justice of the war he or she is fighting. The just warrior must wage war with nothing but love in his or her heart—love for God, love for one's fellow human whom one protects by fighting, and even love for one's enemy whom one is saving from their own sinfulness (O'Driscoll 2008:81). This understanding of right intention, which is modeled upon Christ's sacrifice on the cross, obviously has little resonance in pre-Christian classical Greece.

Some scholars claim that the Greeks possessed no conception of interiority. These scholars argue that the Greeks lacked the concept of internal conscience and instead measured their acts exclusively in terms of how other people judged and responded to them (Dodds 1951:37). Though overdrawn (Robinson 2006:13), this thesis highlights the extent to which the twin notions of honor and shame dominated the Greek moral imaginary. Human agents were concerned, not necessarily with matters of guilt and innocence, but with the degree to which their actions would elicit either social acclaim or approbation. These were externally generated forms of moral meaning that do not sit easily alongside conventional accounts of the principle of right intention.

These tensions rise to the surface when we consider the vexed issue of vengeance. Echoing Augustine's stern warnings about the dangers of delighting in cruelty, contemporary theorists (Crawford 2003:12; Elshtain 2004:23–25; Steele 2013:200) condemn vengeance as a violation of right intention. Yet classical Greek texts from Homer to Thucydides regularly cited vengeance, construed as a response to acts that slighted a community's sense of honor, as an appropriate motive for waging war (Burnett 1998:6; Fisher 2000:85). Sensitive to their status, communities deemed it licit to expiate the shame occasioned by the receipt of injuries by meting out vengeance to any polity that crossed them. A loose metric guided the severity of the punishment: Reciprocity was the norm but disproportionate harm was acceptable in certain circumstances (Lendon 2000:18). Textual evidence supports these claims. The enactment of vengeance on an individual level pervades Homer's *Iliad* (2003:184, 312, 364), while the pursuit of vengeance animates Herodotus's *Histories* (1998:346, 385, 407, 573), as well as the writings of Xenophon (1979:175) and Thucydides (2013:18, 52). In many cases, where the enactment of vengeance was intended to lay an earlier wrong to rest, it instead generated a tit-for-tat cycle of violence. Nevertheless, it is clear that the Greeks generally regarded it as an appropriate motivation for waging war against another polity.

Jus in bello

Turning to the *jus in* bello, there is a lively literature on the norms that circumscribed the conduct of classical Greek warfare. The "orthodox" (Cawkwell 1989) view supposes that warfare in classical Greece was characterized by pitched battles that took place over a day or two of the summer season on a carefully selected field (Adcock 1957:7–10). These battles took the form of a head-on clash between massed ranks (phalanxes) of heavy infantryman armed with spears, stabbing swords, and the large, concave *hoplon* shields from which they derived their name (hoplites). Whichever side succeeded in driving the other from the field of battle earned the right to erect a trophy and proclaim themselves the winner, thereby settling the dispute that occasioned the war in their own favor (Snodgrass 1965:115). This orthodox view attributes an *agonal* character to Greek warfare, depicting it as game-like, bounded by set rules and rituals. A number of primary source texts support this view, but the mass of evidence suggests that it is exaggerated.[10] It likely reflects an idealized account of Greek warfare, rather than its actuality. Nevertheless, this romanticized vision is revealing with respect to the normative constraints that circumscribed warfare in classical Greece. It is useful to interrogate these norms in respect of the familiar principles of discrimination and proportionality.

Discrimination

The principle of discrimination is "a cardinal feature of the ethics of war" (Erskine 2008:188). Hailed by Walzer (1992:136) as "the basis of the rules of war," it is today closely associated with the norm of non-combatant immunity (Bellamy 2012:18). It stipulates that only those actively engaged in combat operations may be directly and intentionally targeted. An examination of classical warfare discloses that the Greeks also subscribed to a norm of discrimination, though it was cashed out in subtly different ways. The standard application of discrimination in classical Greece related to the protection of "the sacred and the neutralized" (Bederman 2001:249). Anything society deemed dear to the gods was viewed as sacrosanct and inviolable. This applied not only to places and people, but also to particular times of year.

The Greeks deigned that certain places, designated as sanctuaries, enjoyed immunity from war. "A sanctuary is a sacred area, a place apart from the secular world of humans, where gods were worshipped and rituals took place" (Pedley 2006:29). Located at the heart of a community, they were *asylia*, that is, inviolable spaces. Because religious belief determined that everything within the confines of the sanctuary—objects, animals, and people—belonged to the gods, these goods enjoyed the blanket of divine protection (Sinn 2000:158). Grateful for the protection it offered, soldiers as well as pilgrims and fugitives often sought shelter in these holy sites. To harm these people, or any other goods within the sanctuary, would tempt divine retribution. Greek lore is replete with such fables. Herodotus (1998:378, 9), for instance, relates that madness seized Kleomenes because he cut down the sacred grove of Demeter and Persephone when he invaded Eleusis. Likewise, Alyattes fell gravely ill after accidentally burning down the shrine of Athena at Assesos and did not recover until he commissioned its restoration. Perhaps because they were fearful of divine retribution, Greek armies generally respected sanctuaries and refrained from hostilities within their boundaries. Soldiers who sought refuge within such a space could, generally speaking, be reasonably confident that they

[10] Primary sources cited in support of this view: Demosthenes (1930:251), Herodotus (1998:408–9), and Homer (2003:120). The agonal thesis is debated by Anderson (1970), Pritchett (1974), Ducrey (1985), Connor (1988), Ober (1994), Krentz (1997, 2002, 2007), and van Wees (2004).

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would be safe from their enemies.[11] In some cases, rival belligerents even cited the violation of sanctuaries as grounds for war (Bederman 2001:250).

Alongside the inviolability afforded to sanctuaries, certain categories of people enjoyed immunity in their own right, because of their status or function. Heralds, whom we encountered earlier in our discussion of proper authority, were one such group. Because society tasked them with diplomatic functions, attacks upon their person were strictly prohibited. Priests, responsible for mediating between the gods and the general population, also enjoyed immunity (Llani 2008:477). Anyone who attacked a priest was liable to divine wrath, as Agamemnon discovered to his cost after mistreating Chryses (Homer 2003:4–5). Finally, Greek armies also granted immunity from summary execution to captives taken in the course of pitched battle (Ducrey 1985:276).[12] Prisoners seized in siege situations could, however, expect no such generosity. They were entirely at their captor's mercy (Connor 1988:15–18).

A hard case arises with respect to "barbarians"—a category of people alluded to earlier in the context of Aristotle's discussion of just cause. The epithet "barbarian" encompassed all non-Greek societies whose language, religion, and traditions set them apart from Hellenic society. It denoted foreignness and inferiority and was marked by the propensity to wage war in a cowardly manner unbefitting a hoplite (Hall 1989:139). The Greeks abandoned customary constraints when waging war against them (Plato 1987:196–199). Consequently, while a relatively robust set of rules applied to wars waged between Greek communities, a more permissive framework governed conflicts against non-Greek states. For example, while it was customary for Greeks to wage wars against other Greeks in "a spirit of correction, not enmity," sparing the enemy wherever possible, no such constraints were binding on wars waged against non-Greeks (Plato 1987:199). How this played out in practice is not, however, clear. Nevertheless, generally speaking, here is a case where a particular way of approaching discrimination serves to undercut rather than underwrite conventional limitations on the use of force.[13]

Finally, similar to the medieval "Truce of God" movement, the Greeks earmarked particular times of year as periods that should be free from warfare.[14] Individual *poleis* unilaterally refrained from martial activities during the period of local festivities, while all *poleis* were expected to refrain from warfare during negotiated truces and for the duration of the great pan-Hellenic games. An example of the former accounts for the Spartan's failure to put in a timely appearance at the battle of Marathon 480 BCE: The Spartans declined to march on the Persians until the next full moon signaled the conclusion of the holy festival of *Carneia* (Holland 2005:188). Communities occasionally accused one another of cynically appealing to periods of truce to shirk involvement in certain wars, but far from undermining the norm, this underlines its power.

Proportionality

As anyone who paid attention to the recent debates regarding the 2014 Israeli war in Gaza can attest, the exact contours of the principle of proportionality are difficult to pin down in practice (Kamm 2014). Nevertheless, the essence of the norm is clear. It stipulates that the means of war should be commensurate to the end being sought by the use of force. Contemporary just war theorists typically parley it into the language of utilitarianism. The Greeks, however, presented it as a function of victory. This meant that the conduct of war should be judged against whether it produced a definitive victory. This precluded winning dirty, for a victory achieved by dubious means was contestable and therefore of only limited cachet. In the final section of this article, we will see how this plays out in respect of *jus post bellum* practices. More immediately, we will see how it informed Greek *jus in bello* thinking on two military practices: the use of the bow and arrow and the recourse to stratagems.

A pejorative attitude toward the bow and arrow prevailed in classical Greece. Though the bow was probably not subject to a blanket ban, as some scholars have claimed, it occupied a vexed position in literary traditions.[15] Herodotus associated the bow with "barbarians." He depicted it as the weapon of choice of both the Persians and the Scythians—societies that he characterized as embodying the opposite of "Greekness" and its ideals of courage and manliness (Hartog 1988:45). Aeschylus also underscored this polarity in the *Persians* (2009:239–40) by contrasting the Greek predilection to "stand and fight in close array with spear and shield," with the Persians' reliance on "bows and sharp arrows." More humorously perhaps, Homer's Diomedes (Homer 2003:191) disparaged the gutless, effeminate Paris as a "typical archer—loud mouth, all hairstyle and bedroom eyes."[16] The Greeks' disdain for the bow and arrow sprung from the belief that it discounted the rugged virtues of hand-to-hand combat. As Euripides (1963:158) explained, "The test of manly courage is not with a bow, but the firm foot, the unflinching eye, when the spear drives its hurtling furrow through the ranks." It was in this light that the poet Archilocus dubbed the bow a coward's weapon (Garlan 1975:128) and that Plato (1975:116) bemoaned as "craven" and "disgraceful" the "hit and run" style of combat that it engendered.

[11] Herodotus (1998:379) offers an excellent example of the norm in action. Chased from the battlefield by a rampant Spartan army, Argive soldiers hid in the sacred Grove of Argos. Although the Spartans deployed every trick in the book to lure the Argives from the Grove to their slaughter, they did not dare pursue the Argives into the Grove itself or use force within its bounds. For further analysis of this case, see Burns (1984:230).

[12] If a hoplite found himself prisoner in the heat of battle, he could expect to be detained for an indefinite period until being ransomed back to his *polis*.

[13] The civilization/barbarism dichotomy that permeated Greek practice is not entirely alien to the mainstream of just war thinking. These ideas informed sixteenth century debates about the conquest of the Americas (Brunstetter and Zartner 2011), and resonate with contemporary debates about whether terrorists should be afforded protections by the very laws of war that they flout (Osiel 2009:1–7).

[14] For more details on the origins and development of the "Truce of God" movement, see Russell (1975:34–36).

[15] Commentators (Anderson 1970:1–2; Garlan 1975:128; Ober 1994:13) attest that a ban on the bow was operative in the classical age. This proscription bears a resemblance to later *jus in bello* norms, especially the Second Lateran Council's 1139 prohibition of the "murderous art" of crossbowmen and archers. The belief that a ban on the bow held in classical Greece rests in part on a reported agreement between Chalcis and Eretria to refrain from launching "long-range attacks" and projectiles against one another. Wheeler (1987) has persuasively called the authenticity of this agreement into doubt.

[16] He continues (Homer 2003:191): "If you faced me man to man with real weapons, you would find your bow and arrows a poor defence. As it is, you're boasting about scratching my foot. I might as well have been hit by a woman or a naughty little boy."

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A cool attitude toward the bow also prevailed in practice. Thucydides (2013:254–259) provides a celebrated illustration of this in his account of the Spartan surrender at Sphacteria, in 425 BCE, the seventh year of the Peloponnesian War. Following a 3-month siege, the rump of a 400-strong force of Spartan hoplites surrendered to their Athenian host. Trapped, exhausted, and ground down by a ceaseless hail of arrows, the 292 Spartans that had endured thus far meekly submitted themselves to Athenian captivity. Thucydides described this as one of the most astonishing events of the war (2013:254). When an Athenian jailer rebuked one of the Spartan captives that he must be a coward for surrendering, while other presumably more gallant men had stood their ground and died, the captive retorted that it would be a rare "spindle" that could be distinguished brave from the cowardly soldiers (2013:259). Chance and dumb luck, not prowess, determined who survived and who fell when arrows were involved (2013:259). The captive's sneering use of the word "spindle," which denotes a sewing needle, when referring to arrows, highlights the perception that archery was a womanly means of war, not a fit pursuit for military men. Reading between the lines, one commentator glosses that the Spartan's excuse for his surrender was that "he hadn't been involved in a fair fight, man to man. He hadn't been fighting against true men in regular warfare using masculine weapons" (Cartledge 2002:35).[17] He had been, instead, the victim of a "theft of war" (Rawlings 2007:82–3).

This complaint reveals a key but often overlooked point, namely that victories won with the bow were liable to be dismissed as lesser victories. Demeaned as "thefts," they did not attract the prestige of battles won by means of an open contest between hoplite phalanxes. Nor were they regarded as definitive. Rather, because victories won with archers were perceived to have circumvented the procedure by which Greek *poleis* ideally settled their differences, they were deemed, if not inconclusive, at least sub-optimal. The lingering resentment expressed by the captive Spartan is telling in this respect. There is no concession that he and his comrades were beaten fair and square by a superior opponent, only a festering resentment at how the Athenians, in stooping low to conquer, had ducked a proper fight.

This theme also emerges in respect of the thorny question of whether it was justifiable to employ stratagems in classical war. On the one hand, the Greeks prided themselves on a "gentlemanly" style of battle and dismissed victories won by deception as "despicable" (Pritchett 1974:174). Brasidas, for example, condemned trickery in war as a barbaric abhorrence (Thucydides 2013:287). Similarly, the young king in Xenophon's *The Education of Cyrus* (2008:36) recoiled in horror when told by his father that skill in the dark arts is necessary for success in war: "Is this the kind of man you want your son to be!" The Athenians also expressed revulsion at the use of guile. Pericles sanctimoniously boasted in his famous funeral oration that the Athenians never "put more trust in secret preparations" than in what he termed their "innate courage in action" (Thucydides 2013:112). The Amazonian Queen of Massagitai also expressed the opprobrium that deception provoked in colorful terms. According to Herodotus (1998:93), she branded Cyrus a "bloodthirsty" scoundrel and reproached him for his use of trickery. The source of her anger was the trick Cyrus pulled when he lured troops under her son's command into a drunken stupor prior to battle. "What you have done should give you no cause for celebration. You used the fruit of the vine…That was the drug, that was the trick you relied on to overcome my son, rather than conquering him by force in battle." There was, then, a degree of consensus that the use of deception in war was somehow dishonorable.

On the other hand, there is also evidence to support the view that the Greeks embraced trickery. Aeneaus Tacticus (1990) described craft as an integral part of war. Xenophon (1925:5.9) declared, "There is nothing more profitable in war than deception." Trickery was also common in practice. The tale of how Kleomenes' Spartans outfoxed the Argives in 494 BCE (Herodotus 1998:379) is a prime example. For several days, both armies faced one another across an open plain. With neither side inclined to seize the initiative, stalemate beckoned until Kleomenes observed how the Argives had taken to timing their movements to mirror the Spartans' rituals. When the Spartans broke for meals or repose, the Argives followed suit. Spying an opportunity, Kleomenes discretely advised his troops that the next trumpet call for "Dinner" would be the signal to fall out for 5 minutes before swiftly reforming the line and attacking the Argive camp. The plan worked. The Spartans cut down the surprised Argives at their dinner tables. The Athenians were equally willing to resort to cunning, as they demonstrated at the Battle of Salamis, 480 BCE (Herodotus 1998:512). Themistocles used disinformation to induce the Persians to seek battle at a time and place that was to their disadvantage. He sent his trusted slave, Sikinnos, masquerading as a traitor, to inform the Persians that the Greek fleet was riddled with discord and intending to flee as soon as darkness next fell. The Persians took the bait and launched an attack that played into Athenian hands.

A coherent principle underlies this seemingly muddled picture. While conceding that deception might be necessary in certain circumstances, the Greeks believed such activities should be a last resort.[18] This was because victory achieved by deception did not yield any meaningful glory, and was, as such, "no cause for celebration." This resonates with medieval just war thought (Whetham 2009). Isidore of Seville complained in the sixth century CE that, "a victory won through trickery is *shameful*" (Whitman 2012:200). Later, in the eighteenth century, de Vattel (2008:373–375) stated that victories achieved through open battle were more worthy than those won through deception. Accordingly, for classical Greeks and later just war thinkers alike, deception was discounted because it yielded what we might call lesser victories.

Jus post bellum

If the resort to and conduct of war in classical Greece was bounded by a set of conventions, this was equally true of how wars were ended. The protocols that governed the

[17] There is a parallel between this reaction and the response on the part of US soldiers today to the use of improvised explosive devices [IEDs]. Junger (2011:142) reports that troops in Afghanistan complain about IEDs on the basis that they deny the soldier any chance to defend themselves: "Good soldiers die just as easily as sloppy ones, which is pretty much how soldiers define unfair tactics in war." In both cases, soldiers reject a weapon that undermines a warrior code that encompasses what they believe to be the right way of waging war. The effect is also to preserve the dominance of regular combatants on the battlefield against the encroachments of irregular modes of fighting.

[18] For a vivid illustration of this, see Euripides (1981:712–720).

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termination of war reflect a certain degree of symmetry with the procedures that were attached to its initiation. They also fastened directly onto the ideal of victory introduced in the preceding discussion of *jus in bello*. How was this case? It is the contention here that a particular conception of victory played a determinative role in how wars were terminated in classical Greece. The Greeks adopted *jus post bellum* conventions that were directed toward a single objective, namely ensuring that wars produced clear-cut winners wherever possible. The production of a definitive victory for one belligerent and an incontrovertible defeat for the other was crucial for war to serve its purpose as a decisive means of settling disputes. This becomes clear when one examines the central *jus post bellum* practice in classical Greek war, the erection of battlefield trophies, or *tropaion*.

It was standard practice for the victorious army to erect a rudimentary trophy immediately after they had prevailed and fighting ceased. These trophies typically took the form of a tree stump or wooden post, fastened with a cross-beam from which the victors hung the captured arms and armor of the slain enemy.[19] Weapons were, of course, a source of prestige in Greek life. Nothing symbolized a glorious triumph like the sight of a now dead, but once feared, enemy's shield dangling from a trophy. Trophies also bore inscriptions that recorded information pertaining to the site of the battle and its protagonists. Whenever possible, the victors erected the trophy upon high ground close to the spot where the enemy had broken ranks and fled (Vanderpol 1966; Stroszeck 2004:314–317). The rationale for this was that trophies should be visible from afar. Our sources record that troops frequently sang the paean and played flutes as they raised the trophy (Xenophon 1979:206; Rawlings 2007:98). Finally, before leaving the battlefield, the victorious army would gather round the trophy to offer a prayer of thanks to the gods. These rituals mirrored the rites undertaken upon the initiation of war, representing the closing of the circle that was opened with the commencement of hostilities.

The trophy's conspicuousness was a key to its function. By advertising the dominant army's control of the battlefield, it confirmed the outcome of the battle. The erection of the trophy signaled the victory of the side in command of the battlefield and the defeat of the army they had driven from it. The victors could now anticipate the visit of a delegation from the vanquished army to request permission to retrieve its slain soldiers. This was hugely important, for the proper burial of the dead was a "sacred duty" in classical Greece (Garlan 1975:61).[20] The historical record suggests that victors almost always greeted the heralds from the vanquished side politely. So long as the defeated army acknowledged the trophy and the victory it symbolized, the victors were generally happy to grant them leave to gather their dead (van Wees 2004:136). With victory thus affirmed by both the winner and the loser, the war was emphatically concluded in favor of the victor.

Two famous battles involving trophies appear in the literature. The first is the 547 BCE battle between the Spartans and the Argives over Thyrea (Herodotus 1998:37–8). This was a battle waged by 300 champions from each side. By the time dusk fell on the contest, only two Argives and one Spartan remained standing. The Argives, assuming victory, departed the battlefield. The lone remaining Spartan, Othryades, exploited their complacency to raise a trophy proclaiming a Spartan triumph. This produced a very unusual situation in which both sides claimed victory. The Argives claimed a win on the grounds that they boasted numerical superiority, while the Spartans pointed to Othrydates' trophy as proof of their ascendancy. Unhappy with this stalemate, both sides resumed an all-out war that the Spartans would ultimately win (Pritchett 1974:250).

The second case is the Battle of Sybota that took place in 433 BCE between the Corinthians and the Corcyreans. Thucydides (2013:34) reports that both sides, believing they had a claim to victory because they had wreaked a certain amount of damage upon their enemies and recovered their dead and some spoils, erected trophies. This is presented as a cause of great consternation because, according to convention, only one side could erect a trophy. Though both of these cases are atypical, they nevertheless reveal the importance that the Greeks attached to the trophy, the role it played in the confirmation of victory in battle, and (most importantly perhaps) the centrality of this function in respect of the structure of classical warfare.

Given the prestige the Greeks attached to the trophy, it is curious to recall that they did not cast them in stone. They were constructed of wood and other perishable materials. Moreover, it was proscribed to renew or repair them when they decayed (Bederman 2001:260). Proof of this is the reproach that the Amphictyony, the Greek religious authorities, issued to the Thebans for erecting a bronze trophy at Leuktra. It was not appropriate, they chastised, for Greeks to raise a permanent trophy to mark a victory over fellow Greeks (Stroszeck 2004:312). In a similar vein, Plutarch extolled the practice of permitting trophies to "disintegrate with the passage of time," implying that the restoration of a trophy signified a "malicious" act, a refusal to let an old grudge fade away (Pritchett 1974:253). Diodoros quotes the Syracusan Nikolaos to the same effect. "For what reason," he asks, was it ordained that "the trophies set up in celebrating victories in war be made, not of stone, but of any wood at hand? Was it not in order that the memorial of the enmity, lasting as they would for only a brief time, should quickly disappear?" (Pritchett 1974:254). There is some question as to whether the ban on repairing trophies applied universally or only to those trophies that marked victories over non-Greeks. What is certain, however, is that they were designed to be transient. They were intended to be susceptible to "erosion and decay over time" (West 1969:10). This is in keeping with their function. Once victory was affirmed, and the vanquished had accepted the outcome, the decay of the trophy symbolized the importance of relinquishing grudges in order that peace may prosper.

Conclusion

This study does not argue that we can trace the roots of the just war to classical Greece, nor does it claim that the Greeks possessed a fully developed just war doctrine.

[19] The trophy has an interesting afterlife. It was a common feature of Roman warfare and inspired Christian iconography. For an example of how the trophy featured in Roman warfare, see Tacitus (1996:85), Mattern (1999), and Livy (2002:43). On Christian iconography, see Storch (1970) and McCormick (1990).

[20] The customary value attached to the burial of the dead is portrayed in *Antigone* (Sophocles 1984). Also see Vaughn (1993:46).

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Rather it demonstrates that ideas homologous to just war principles were evident in classical Greek political thought and practice. This has profound implications for how we think about both the history and the identity of the just war tradition. Instead of positing the tradition as an outgrowth of Augustinian political theology, as per the standard narrative, this account situates it in a deeper historical stream that extends beyond early Christian thought.

If just war ideas already circulated by the fourth century BCE in Greece, why do most histories of the just war only begin with Augustine in the fourth century CE? This starting point likely originates in the legacy of the canon historians who systematized just war ideas in the medieval period. These influential monks formalized Augustine's scattered writings on just war as church doctrine. In doing so, they rendered Augustine's particular approach synonymous with the idea of just war itself and wrote extant pre-Christian articulations of the just war idea out of history. By encouraging scholars to account for classical Greek just war thought, this study challenges us to think critically about the relation between early Christian political theology and the origins and development of just war thought.

Some scholars may complain that ancient history matters little for contemporary concerns. This would be a mistake. The characterization of the just war tradition as a product of Christian political thought exaggerates its distinctiveness from other religious and cultural traditions, such as Islamic jihad. This impedes the possibility of inter-communal dialogue on the norms of war. A greater openness to their common antecedents in the classical Greek thought would, however, remedy this by bringing their shared history to the fore.[21] It would mark a step beyond the sterile 'clash of civilizations' thesis (Huntington 1993; Brahimi 2010:4) that still haunts the discourse today.

Classical Greek just war thought also offers an intriguing counterpoint to contemporary just war theorizing with respect to one key issue: victory. Contemporary just war theory either ignores the concept of victory outright or dismisses it as an atavistic notion that is irrelevant to the realities of modern warfare (O'Driscoll 2015). In contrast to this, a particular conception of victory was pivotal to classical Greek just war thought, unifying its *jus ad bellum*, *jus in bello*, and *jus post bellum* components. It regulated how the Greeks thought about commencing, waging, and ending wars. If belligerents did not initiate war correctly, waged it by dubious means, or failed to observe proper procedure when terminating it, the status of any victory they might achieve would be severely diminished. A dirty victory was necessarily a pyrrhic victory. This contrast between classical Greek and contemporary just war thought raises several questions that scholars should consider. What does it mean to win a just war in the twenty-first century? Can just wars still yield decisive victories? Should we develop principles to distinguish just from unjust victories? And what lessons can armies take to ensure that they successfully translate winning the war into winning the peace? There is an urgent need to debate these issues. For it is precisely the question of what winning means, and whether it is possible to win justly, that is at stake in Gaza, Libya, Iraq, and Afghanistan today.

Finally, scholars interested in the comparative ethics of war should cast their nets not only wider—in the direction of other religious or cultural traditions[22]—but also deeper into the past. This involves examining the diversity of just war ideas in the pre-Augustinian world. In addition to engaging in more sustained inquiry into just war thinking in classical Greece, scholars should also examine its role in Hellenistic, Roman, and Byzantine thought and practice. By taking up this challenge, the present generation of just war scholars can begin to rewrite their own history.

[21] For instance, Ibn Rushd's recovery of Aristotle was vital to the development of just war thinking in the medieval west and jihad in the Islamic world. It may be helpful, then, to think of just war and jihad, not as discrete cultural approaches to war, but as twin traditions that share a common root in classical Greek thought.

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[22] See, for example, Kelsay and Johnson (1991), Nardin (1998), Sorabji and Rodin (2006), and Popovski, Reichberg, and Turner (2009).

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