

1: Just War Theory | Internet Encyclopedia of Philosophy

Opponents of just war theory may be either inclined to a stricter pacifist standard (proposing that there has never been and/or can never be a justifiable basis for war) or toward a more permissive nationalist standard (proposing that a war need only serve a nation's interests to be justifiable).

Saint Augustine is usually identified as the first individual to offer a theory on war and justice. The Saint referred to the Bible and regarded some wars as necessary to amend an evil. The moral justifications for a war are expressed in *jus ad bellum*; whereas, the moral conduct of the war is expressed in *jus in bello*. The Just-War Theory is a set of rules for military combat.

Principles of Just-War Theory

- 1. Last Resort** A just war can only be waged after all peaceful options are considered. The use of force can only be used as a last resort.
- Legitimate Authority** A just war is waged by a legitimate authority. A war cannot be waged by individuals or groups that do not constitute the legitimate government.
- Just Cause** A just war needs to be in response to a wrong suffered. Self-defense against an attack always constitutes a just war; however, the war needs to be fought with the objective to correct the inflicted wound.
- Probability of Success** In order for a war to be just, there must be a rational possibility of success. A nation cannot enter into a war with a hopeless cause.
- Right Intention** The primary objective of a just war is to re-establish peace. In particular, the peace after the war should exceed the peace that would have succeeded without the use of force. The aim of the use of force must be justice.
- Proportionality** The violence in a just war must be proportional to the casualties suffered. The nations involved in the war must avoid disproportionate military action and only use the amount of force absolutely necessary.
- Civilian Casualties** The use of force must distinguish between the militia and civilians. Innocent citizens must never be the target of war; soldiers should always avoid killing civilians. The deaths of civilians are only justified when they are unavoidable victims of a military attack on a strategic target.

2: Just-War Theory

Freebase (/ 3 votes) Rate this definition: Just war theory. Just war theory is a doctrine of military ethics of Roman philosophical and Catholic origin, studied by moral theologians, ethicists and international policy makers, which holds that a violent conflict ought to meet philosophical, religious or political criteria.

War does not just cause physical torment, but much emotional torment, as well. Root cause of war Before we go further into this I believe we need to understand the origin of war, the root of the problem. War, according to the Bible, is not caused by God but is rather the result of sin in the world Genesis 4: Even the book of James clearly reminds us that the ultimate cause of war is lust and desire or sin: Come they not hence, even of your lusts that war in your members? Ye lust, and have not: Not all evil can be avoided. Our attitude toward war So what should be our attitude toward war? If war is the result of sin, then the obvious thing to do is stop sin the root of the problem , which will stop war. But how is this possible in a fallen world? For the Christian, war is ultimately a spiritual battle and not carnal as reflected in 2 Corinthians: For though we live in the world, we do not wage war as the world does. The weapons we fight with are not the weapons of the world. On the contrary, they have divine power to demolish strongholds. We demolish arguments and every pretension that sets itself up against the knowledge of God, and we take captive every thought to make it obedient to Christ. Ultimately, the Christian is to try to be at peace with all other people Romans I have heard many people claim that God is simply a warmonger picking fights with those that oppose him. Nothing could be further from the truth. Only under extreme conditions was a war ever sanctioned and not after many years of warnings Jeremiah In fact, even the mighty King David himself was not allowed to build a temple for God because he was a warrior and had shed blood in wars 1 Chronicles God it seems does not like the death of anyone. For he does not willingly bring affliction or grief to the children of men. Turn from your evil ways! Why will you die, O house of Israel? But this raises a question. We know that war is the result of sin and that it is essentially wrong or evil, but what should be our response when a nation like Germany in WWII rapes, pillages, and plunders another nation for profit or genocide? I think that Gleason L. Archer in the Encyclopedia of Bible Difficulties expresses the argument well: No policy would give freer rein to wickedness and crime than a complete surrender of the right of self-defense on the part of the law-abiding members of society. No more effective way of promoting the cause of Satan and the powers of hell could be devised than depriving law-abiding citizens of all right of self-defense. All possibility of an ordered society would be removed on the abolition of any sort of police force. No nation could retain its liberty or preserve the lives of its citizens if it were prevented from maintaining any sort of army for its defense. He would not be good at all if He were to turn the world over to the horrors of unbridled cruelty perpetrated by violent and bloody criminals or the unchecked aggression of invading armies. Not only is a proper and responsible policy of self-defense taught by Scripture from Genesis to Revelation, but there were occasions when God even commissioned His people to carry out judgment on corrupt and degenerate heathen nations and the complete extermination of cities like Jericho cf. The rules of war laid down in Deuteronomy 20 represented a control of justice, fairness, and kindness in the use of the sword, and, as such, they truly did reflect the goodness of God. Special hardship conditions were defined as a ground for excusing individual soldiers from military duty until those conditions were cleared up Deuteronomy Even those who had no such excuse but were simply afraid and reluctant to fight were likewise allowed to go home Deuteronomy Unlike the heathen armies, who might attack a city without giving it an opportunity to surrender on terms cf. Even then, the women and children were to be spared from death and were to be cared for by their captors Deuteronomy Only in the case of the degenerate and depraved inhabitants of the Promised Land of Canaan itself was there to be total destruction; a failure to carry this out would certainly result in the undermining of the moral and spiritual standards of Israelite society, according to Deuteronomy This corrupting influence was later apparent in the period of the judges Judges 2: When we look at war in the Bible, such as the verses in Deuteronomy, they are actually defensive in nature and not offensive. These areas of the Hittites, Amorites, Canaanites, Perizzites, Hivites and Jebusites were morally corrupt and would have destroyed the Israelis, if left alive. God did not set the Israelis to conquer other nations

this way. There has always been a buffer zone around the country of Israel because this land was promised to them by God. In order to keep the borders clean from attack and moral corruption they had to defend themselves. Hence, the creation of a buffer zone. It should be noted that the Israelis were to make peace before they went into battle, as well Deuteronomy Lord of war I believe God is against war, even though he allows war under certain circumstances. Is it evil for them to use guns against lawbreakers? In some circumstances people get killed by these guns. The LORD is a man of war: And they dwelt in their steads until the captivity. This can best be given by means of the following rules which spell out the application of justice to war. All aggression is condemned; only defensive war is legitimate. The only legitimate intention is to secure a just peace for all involved. Neither revenge nor conquest nor economic gain nor ideological supremacy are justified. War may only be entered upon when all negotiations and compromise have been tried and failed. Since the use of military force is the prerogative of governments, not of private individuals, a state of war must be officially declared by the highest authorities. The weaponry and the force used should be limited to what is needed to repel the aggression and deter future attacks, that is to say to secure a just peace. Total or unlimited war is ruled out. Notice in Isaiah that God "will teach us of his ways, and we will walk in his paths. And many people shall go and say, Come ye, and let us go up to the mountain of the LORD, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths: And he shall judge among the nations, and shall rebuke many people: The most important thing we can be doing in a time of war is to be praying for godly wisdom for our leaders, praying for the safety of our military, praying for quick resolution to conflicts, and praying for a minimum of casualties among civilians on both sides Philippians 4: This anti war example was fused into Jesus Christ who did not defend himself when questioned by his persecutors in a court of law , instead he faced them head on, with no weapons, and was turned into a bloody mess. For example, regarding the Iraq war, Christians ask, "Was this war justified?"

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Given just cause and right intention, the just war theory asserts that there must be a reasonable probability of success. The principle of reasonable success is consequentialist in that the costs and benefits of a campaign must be calculated.

Pre-Christian[edit] The Indian Hindu epic, the Mahabharata , offers one of the first written discussions of a "just war" dharma-yuddha or "righteous war". In it, one of five ruling brothers asks if the suffering caused by war can ever be justified, and then a long discussion ensues between the siblings, establishing criteria like proportionality chariots cannot attack cavalry, only other chariots; no attacking people in distress , just means no poisoned or barbed arrows , just cause no attacking out of rage , and fair treatment of captives and the wounded. At the beginning of the war, there is the discussion of "just conduct" appropriate to the context of war. A study found that the just war tradition can be traced as far back as to Ancient Egypt, "demonstrating that just war thought developed beyond the boundaries of Europe and existed many centuries earlier than the advent of Christianity or even the emergence of Greco-Roman doctrine. Although, it is well known that Julius Caesar did not often follow these necessities. Saint Augustine[edit] Augustine of Hippo claimed that, while individuals should not resort immediately to violence, God has given the sword to government for good reason based upon Romans In Contra Faustum Manichaeum book 22 sections 69â€”76, Augustine argues that Christians, as part of a government, need not be ashamed of protecting peace and punishing wickedness when forced to do so by a government. Augustine asserted that this was a personal, philosophical stance: The sacred seat of virtue is the heart. They who have waged war in obedience to the divine command, or in conformity with His laws, have represented in their persons the public justice or the wisdom of government, and in this capacity have put to death wicked men; such persons have by no means violated the commandment, "Thou shalt not kill. But, say they, the wise man will wage Just Wars. As if he would not all the rather lament the necessity of just wars, if he remembers that he is a man; for if they were not just he would not wage them, and would therefore be delivered from all wars. Mark Mattox writes that, for the individual Christian under the rule of a government engaged in an immoral war, Augustine admonished that Christians, "by divine edict, have no choice but to subject themselves to their political masters and [should] seek to ensure that they execute their war-fighting duty as justly as possible. Proper Authority is first: Third, peace must be a central motive even in the midst of violence. Soldiers must also fight for this intention. Both are fountains of knowledge; both come from God. Please help improve this section by adding citations to reliable sources. Unsourced material may be challenged and removed. February Learn how and when to remove this template message The School of Salamanca expanded on Thomistic understanding of natural law and just war. It stated that war is one of the worst evils suffered by mankind. Diplomatic resolution is always preferable, even for the more powerful party, before a war is started. Examples of "just war" are: In self-defense, as long as there is a reasonable possibility of success. Preventive war against a tyrant who is about to attack. War to punish a guilty enemy. A war is not legitimate or illegitimate simply based on its original motivation: It is necessary that the response be commensurate with the evil; use of more violence than is strictly necessary would constitute an unjust war. Governing authorities declare war, but their decision is not sufficient cause to begin a war. If the people oppose a war, then it is illegitimate. The people have a right to depose a government that is waging, or is about to wage, an unjust war. Once war has begun, there remain moral limits to action. For example, one may not attack innocents or kill hostages. It is obligatory to take advantage of all options for dialogue and negotiations before undertaking a war; war is only legitimate as a last resort. Under this doctrine expansionist wars, wars of pillage, wars to convert infidels or pagans , and wars for glory are all inherently unjust. Doctrine[edit] The just war doctrine of the Catholic Church â€”sometimes mistaken as the "just war theory" [23] [24] â€”found in the Catechism of the Catholic Church , in paragraph , lists four strict conditions for "legitimate defense by military force": It is important to remember that "it is one thing to wage a war of self-defence; it is quite another to seek to impose domination on another nation. The possession of war potential does not justify the use of force for political or military objectives. Nor does the mere fact that war has unfortunately broken out mean that all is fair between the warring parties". The Charter of the United

Nations intends to preserve future generations from war with a prohibition against force to resolve disputes between States. Like most philosophy, it permits legitimate defence and measures to maintain peace. In every case, the charter requires that self-defence must respect the traditional limits of necessity and proportionality. Therefore, engaging in a preventive war without clear proof that an attack is imminent cannot fail to raise serious moral and juridical questions. International legitimacy for the use of armed force, on the basis of rigorous assessment and with well-founded motivations, can only be given by the decision of a competent body that identifies specific situations as threats to peace and authorizes an intrusion into the sphere of autonomy usually reserved to a State. Although the criticism can be made that the application of just war theory is relativistic, one of the fundamental bases of the tradition is the Ethic of Reciprocity, particularly when it comes to in bello considerations of deportment during battle. If one set of combatants promise to treat their enemies with a modicum of restraint and respect, then the hope is that other sets of combatants will do similarly in reciprocation, a concept not unrelated to the considerations of Game Theory. Just war theorists combine a moral abhorrence towards war with a readiness to accept that war may sometimes be necessary. The criteria of the just war tradition act as an aid to determining whether resorting to arms is morally permissible. Just war theories are attempts "to distinguish between justifiable and unjustifiable uses of organized armed forces"; they attempt "to conceive of how the use of arms might be restrained, made more humane, and ultimately directed towards the aim of establishing lasting peace and justice". Soviet leader Vladimir Lenin defined only three types of just war [31], all of which share the central trait of being revolutionary in character. In that manner, Lenin shunned the more common interpretation of a defensive war as a just one -- often summarized as "who fired the first shot? Which side initiated aggressions or had a grievance or any other commonly considered factor of jus ad bellum mattered not at all, he claimed; if one side was being oppressed by the other, the war against the oppressor would always be, by definition, a defensive war anyway. Any war lacking this duality of oppressed and oppressor was, in contradistinction, always a reactionary, unjust war, in which the oppressed effectively fight in order to protect their own oppressors: Clearly, the application of the term "defensive" war, or war "for the defence of the fatherland" in such a case would be historically false, and in practice would be sheer deception of the common people, of philistines, of ignorant people, by the astute slaveowners. Precisely in this way are the present-day imperialist bourgeoisie deceiving the peoples by means of "national ideology" and the term "defence of the fatherland" in the present war between slave-owners for fortifying and strengthening slavery. A war is unjust, on the other hand, when a people try to impose domination on another people, or try to retain an already existing coercive rule over them. The just war theory prevailing for most of the last two centuriesâ€”that violence is an evil that can, in certain situations, be condoned as the lesser of evilsâ€”is relatively young. Although it has inherited some elements the criteria of legitimate authority, just cause, right intention from the older war theory that first evolved around AD, it has rejected two premises that underpinned all medieval just wars, including crusades:

4: What does just war theory mean?

The Just War theory specifies conditions for judging if it is just to go to war, and conditions for how the war should be fought.

CCC The Catechism of the Catholic Church, in paragraphs , authoritatively teaches what constitutes the just defense of a nation against an aggressor. Called the Just War Doctrine, it was first enunciated by St. Augustine of Hippo AD. Over the centuries it was taught by Doctors of the Church, such as St. Thomas Aquinas, and formally embraced by the Magisterium, which has also adapted it to the situation of modern warfare. The following explanation of Just War Doctrine follows the schema given in the Catechism. Righteous versus Unrighteous Anger Anger is a desire for revenge. Anger is the passion emotion by which a man reacts to evil, real or apparent, and seeks vindication of his rights, that is, justice. By itself the passion is neither moral or immoral, but becomes so by reason or its being ordered or disordered - that is, reasonable according to the circumstances. An ordered anger is directed to a legitimate object, and, with an appropriate degree of vehemence. An inordinate anger is directed either to an illegitimate object, or, with an unreasonable vehemence. Thomas Aquinas notes, vice may be by defect, as well as excess. So, the presence of evil should provoke a righteous anger, which if absent constitutes a sinful insensibility. Consider the just anger of the Lord to the presence in the Temple of the money-changers and the action He took John 2: Provoked by this offense against His Father, Jesus formed whips and drove them from the Temple. Righteous anger, and the acts which flow from it, intend the correction of vice both for the good of the individual sinner and the common good , the restoring of the order of justice disturbed by sin, and the restraint of further evil. On the other hand, unjust anger seeks to do evil to another for its own sake, the harm to body or soul that it entails. While one may desire, and employ, physical force for the sake of correction, restraint of evil and restoring justice, even if it entails injury and death, one may never desire it for its own sake. To desire grave injury or death would be gravely sinful. A Christian may never, of course, desire the damnation of the evil doer. Charity requires that we will the good, especially the ultimate good, salvation, for every human being. Unfortunately, the entertainment media often promotes an image of anger and vengeance which is closer to blood lust than to justice. Peace - the Work of Justice and the Tranquility of Order Whether it is justice within society, or the interior justice of holiness, peace is its fruit. Righteous anger, and the means it employs, should not knowingly produce less justice and less peace than existed before evil intervened. Human prudence, however, is fallible. It cannot necessarily predict the ploys of the adversary, both human and demonic. In addition, fallen human nature is inclined to sin, and thus prone to respond with excess to provocation. Thus, even virtue and a well-formed conscience can fail to produce the desired result of justice and peace. Great restraint must be shown, therefore, in the use of violence to achieve justice. In addition to the efforts of those who work assiduously for peace, "the peacemakers", society needs the example of those who renounce violence altogether. Their "witness to the gravity of the physical and moral risks of recourse to violence, with all its destruction and death" should serve to restrain the use of even justified force. Such conscientious objection is a valuable service to society. As the Catechism makes clear, it must be accompanied by the willingness to serve in other capacities cf. Just War All citizens and all governments are obliged to work for the avoidance of war. Despite this admonition of the Church, it sometimes becomes necessary to use force to obtain the end of justice. This is the right, and the duty, of those who have responsibilities for others, such as civil leaders and police forces. While individuals may renounce all violence those who must preserve justice may not do so, though it should be the last resort, "once all peace efforts have failed. Vatican II, Gaudium et spes 79, 4] As with all moral acts the use of force to obtain justice must comply with three conditions to be morally good. First, the act must be good in itself. The use of force to obtain justice is morally licit in itself. Second, it must be done with a good intention, which as noted earlier must be to correct vice, to restore justice or to restrain evil, and not to inflict evil for its own sake. Thirdly, it must be appropriate in the circumstances. An act which may otherwise be good and well motivated can be sinful by reason of imprudent judgment and execution. In this regard Just War doctrine gives certain conditions for the legitimate exercise of force, all of which must be

met: The power of modern means of destruction weighs very heavily in evaluating this condition" [CCC]. The responsibility for determining whether these conditions are met belongs to "the prudential judgment of those who have responsibility for the common good. The Church greatly respects those who have dedicated their lives to the defense of their nation. Gaudium et spes 79, 5]" However, she cautions combatants that not everything is licit in war. Actions which are forbidden, and which constitute morally unlawful orders that may not be followed, include: Given the modern means of warfare, especially nuclear, biological and chemical, these crimes against humanity must be especially guarded against. In the end it is not enough to wage war to achieve justice without treating the underlying causes. The Church has no illusions that true justice and peace can be attained before the Coming of the Lord. It is the duty of men of good will to work towards it, nonetheless. In the words of the spiritual dictum, we should work as if everything depended upon our efforts, and pray as if everything depended upon God. Answered by Colin B.

5: War (Stanford Encyclopedia of Philosophy)

Ending a war: Jus post bellum In recent years, some theorists, such as Gary Bass, Louis Iasiello and Brian Orend, have proposed a third category within Just War theory. *Jus post bellum* concerns justice after a war, including peace treaties, reconstruction, war crimes trials, and war reparations.

References and Further Reading 1. Introduction Historically, the just war tradition--a set of mutually agreed rules of combat--may be said to commonly evolve between two culturally similar enemies. That is, when an array of values are shared between two warring peoples, we often find that they implicitly or explicitly agree upon limits to their warfare. It is only when the enemy is seen to be a people, sharing a moral identity with whom one will do business in the following peace, that tacit or explicit rules are formed for how wars should be fought and who they should involve and what kind of relations should apply in the aftermath of war. In part, the motivation for forming or agreeing to certain conventions, can be seen as mutually benefiting--preferable, for instance, to the deployment of any underhand tactics or weapons that may provoke an indefinite series of vengeance acts, or the kinds of action that have proved to be detrimental to the political or moral interests to both sides in the past. Regardless of the conventions that have historically formed, it has been the concern of the majority of just war theorists that the lack of rules to war or any asymmetrical morality between belligerents should be denounced, and that the rules of war should apply to all equally. That is, just war theory should be universal, binding on all and capable in turn of appraising the actions of all parties over and above any historically formed conventions. The just war tradition is indeed as old as warfare itself. Early records of collective fighting indicate that some moral considerations were used by warriors to limit the outbreak or to rein in the potential devastation of warfare. They may have involved consideration of women and children or the treatment of prisoners enslaving them rather than killing them, or ransoming or exchanging them. Commonly, the earlier traditions invoked considerations of honor: Robison notes that honor conventions are also contextually slippery, giving way to pragmatic or military interest when required. The just war theory also has a long history. Parts of the Bible hint at ethical behavior in war and concepts of just cause, typically announcing the justice of war by divine intervention; the Greeks may have paid lip service to the gods, but, as with the Romans, practical and political issues tended to overwhelm any fledgling legal conventions: Augustine provided comments on the morality of war from the Christian perspective railing against the love of violence that war can engender as did several Arabic commentators in the intellectual flourishing from the 9th to 12th centuries, but the most systematic exposition in the Western tradition and one that still attracts attention was outlined by Saint Thomas Aquinas in the 13th century. In the *Summa Theologiae*, Aquinas presents the general outline of what becomes the traditional just war theory as discussed in modern universities. He discusses not only the justification of war but also the kinds of activity that are permissible for a Christian in war see below. The most important of these writers are: In the twentieth century, just war theory has undergone a revival mainly in response to the invention of nuclear weaponry and American involvement in the Vietnam war. Conference proceedings are regularly published, offering readers a breadth of issues that the topic stirs: What has been of great interest is that in the headline wars of the past decade, the dynamic interplay of the rules and conventions of warfare not only remain intact on the battlefield but their role and hence their explication have been awarded a higher level of scrutiny and debate. In the political circles, justification of war still requires even in the most critical analysis a superficial acknowledgement of justification. But, arguably, such acts do remain atrocities by virtue of the just war conventions that some things in war are deemed to be inexcusable, regardless of the righteousness of the cause or the noise and fog of battle. Yet increasingly, the rule of law - the need to hold violators and transgressors responsible for their actions in war and therefore after the battle - is making headway onto the battlefield. In chivalrous times, the Christian crusader could seek priestly absolution for atrocities committed in war, a stance supported by Augustine for example; today, the law courts are seemingly less forgiving: Nonetheless, the idealism of those who seek the imposition of law and responsibility on the battlefield cf. And in some cases, no just war conventions and hence no potential for legal acknowledgement of malfeasance, exist at all; in such

cases, the ethic of war is considered, or is implicitly held to be, beyond the norms of peaceful ethics and therefore deserving a separate moral realm where "fair is foul and foul is fair" Shakespeare, Macbeth I. In such examples e. The continued brutality of war in the face of conventions and courts of international law lead some to maintain that the application of morality to war is a nonstarter: But there are those of a more skeptical persuasion who do not believe that morality can or should exist in war: But as there are several ethical viewpoints, there are also several common reasons laid against the need or the possibility of morality in war. Generally, consequentialists and act utilitarians may claim that if military victory is sought then all methods should be employed to ensure it is gained at a minimum of expense and time. However, intrinsicists who claim that there are certain acts that are good or bad in themselves may also decree that no morality can exist in the state of war: Alternatively, intrinsicists may claim that possessing a just cause the argument from righteousness is a sufficient condition for pursuing whatever means are necessary to gain a victory or to punish an enemy. A different skeptical argument, one advanced by Michael Walzer, is that the invention of nuclear weapons alters war so much that our notions of morality and hence just war theories become redundant. However, against Walzer, it can be reasonably argued that although such weapons change the nature of warfare for example, the timing, range, and potential devastation they do not dissolve the need to consider their use within a moral framework: Whilst skeptical positions may be derived from consequentialist and intrinsicist positions, they need not be. Consequentialists can argue that there are long-term benefits to having a war convention. For example, by fighting cleanly, both sides can be sure that the war does not escalate, thus reducing the probability of creating an incessant war of counter-revenges. Intrinsicists, on the other hand, can argue that certain spheres of life ought never to be targeted in war; for example, hospitals and densely populated suburbs. The inherent problem with both ethical models is that they become either vague or restrictive when it comes to war. Consequentialism is an open-ended model, highly vulnerable to pressing military or political needs to adhere to any code of conduct in war: In principle such a prescription is commendable, yet the nature of war is not so clean cut when military targets can be hidden amongst civilian centers. Against these two ethical positions, just war theory offers a series of principles that aim to retain a plausible moral framework for war. From the just war *jus ad bellum* tradition, theorists distinguish between the rules that govern the justice of war *jus ad bellum* from those that govern just and fair conduct in war *jus in bello* and the responsibility and accountability of warring parties after the war *jus post bellum*. The three aspects are by no means mutually exclusive, but they offer a set of moral guidelines for waging war that are neither unrestricted nor too restrictive. The problem for ethics involves expounding the guidelines in particular wars or situations. One can immediately detect that the principles are not wholly intrinsicist nor consequentialist they invoke the concerns of both models. Whilst this provides just war theory with the advantage of flexibility, the lack of a strict ethical framework means that the principles themselves are open to broad interpretations. Examining each in turn draws attention to the relevant problems. Possessing just cause is the first and arguably the most important condition of *jus ad bellum*. Most theorists hold that initiating acts of aggression is unjust and gives a group a just cause to defend itself. But unless "aggression" is defined, this proscription is rather open-ended. The onus is then on the just war theorist to provide a consistent and sound account of what is meant by just cause. Whilst not going into the reasons why the other explanations do not offer a useful condition of just cause, the consensus is that an initiation of physical force is wrong and may justly be resisted. Self-defense against physical aggression, therefore, is putatively the only sufficient reason for just cause. Nonetheless, the principle of self-defense can be extrapolated to anticipate probable acts of aggression, as well as in assisting others against an oppressive government or from another external threat interventionism. Therefore, it is commonly held that aggressive war is only permissible if its purpose is to retaliate against a wrong already committed for example, to pursue and punish an aggressor, or to pre-empt an anticipated attack. In recent years, the argument for preemption has gained supporters in the West: By acting decisively against a probable aggressor, a powerful message is sent that a nation will defend itself with armed force; thus preemption may provide a deterrent and a more peaceful world. Unfortunately, false flag operations tend to be quite common. Realists may defend them on grounds of a higher necessity but such moves are likely to fail as being smoke screens for political rather than moral interests. War should always be

a last resort. This connects intimately with presenting a just cause "all other forms of solution must have been attempted prior to the declaration of war. The resulting damage that war wrecks tends to be very high for most economies and so theorists have advised that war should not be lightly accepted: Yet the just war theorist wishes to underline the need to attempt all other solutions but also to tie the justice of the war to the other principles of jus ad bellum too. The notion of proper authority seems to be resolved for most of the theorists, who claim it obviously resides in the sovereign power of the state. But the concept of sovereignty raises a plethora of issues to consider here. If a government is just, i. A historical example can elucidate the problem: What allegiance did the people of France under its rule owe to its precepts and rules? A Hobbesian rendition of almost absolute allegiance to the state entails that resistance is wrong so long as the state is not tyrannical and imposes war when it should be the guardian of peace ; whereas a Lockean or instrumentalist conception of the state entails that a poorly accountable, inept, or corrupt regime possesses no sovereignty, and the right of declaring war to defend themselves against the government or from a foreign power is wholly justifiable. The notion of proper authority therefore requires thinking about what is meant by sovereignty, what is meant by the state, and what is the proper relationship between a people and its government. The possession of right intention is ostensibly less problematic. The general thrust of the concept being that a nation waging a just war should be doing so for the cause of justice and not for reasons of self-interest or aggrandizement. Putatively, a just war cannot be considered to be just if reasons of national interest are paramount or overwhelm the pretext of fighting aggression. According to Kant, possessing good intent constitutes the only condition of moral activity, regardless of the consequences envisioned or caused, and regardless, or even in spite, of any self interest in the action the agent may have. The extreme intrinsicism of Kant can be criticized on various grounds, the most pertinent here being the value of self-interest itself. Acting with proper intent requires us to think about what is proper and it is not certain that not acting in self interest is necessarily the proper thing to do. On the other hand, a nation may possess just cause to defend an oppressed group, and may rightly argue that the proper intention is to secure their freedom, yet such a war may justly be deemed too expensive or too difficult to wage; i. On that account, the realist may counter that national interest is paramount: The issue of intention raises the concern of practicalities as well as consequences, both of which should be considered before declaring war. The next principle is that of reasonable success. This is another necessary condition for waging just war, but again is insufficient by itself. Given just cause and right intention, the just war theory asserts that there must be a reasonable probability of success. The principle of reasonable success is consequentialist in that the costs and benefits of a campaign must be calculated. However, the concept of weighing benefits poses moral as well as practical problems as evinced in the following questions. Should one not go to the aid of a people or declare war if there is no conceivable chance of success? Is it right to comply with aggression because the costs of not complying are too prohibitive? Would it be right to crush a weak enemy because it would be marginally costless? Is it not sometimes morally necessary to stand up to a bullying larger force, as the Finns did when Russia invaded in , for the sake of national self-esteem or simple interests of defending land? Historically, many nations have overcome the probability of defeat: Victory, victory at all costs, victory in spite of all terror; victory, however long and hard the road may be; for without victory, there is no survival. However, the thrust of the reasonable success principle emphasizes that human life and economic resources should not be wasted in what would obviously be an uneven match. For a nation threatened by invasion, other forms of retaliation or defense may be available, such as civil disobedience, or even forming alliances with other small nations to equalize the odds. The final guide of jus ad bellum is that the desired end should be proportional to the means used. This principle overlaps into the moral guidelines of how a war should be fought, namely the principles of jus In bello. With regards to just cause, a policy of war requires a goal, and that goal must be proportional to the other principles of just cause. For example, if nation A invades a land belonging to the people of nation B, then B has just cause to take the land back.

6: Just War in the Catechism of the Catholic Church

What is a Just War? What is a Just War? Six conditions must be satisfied for a war to be considered just: The war must be for a just cause. The war must be lawfully declared by a lawful authority.

Just cause is usually specified as follows: To suggest some specific examples of what is and is not substantial aggression, usually the taking of hostages is regarded as substantial aggression while the nationalization of particular firms owned by foreigners is not so regarded. But even when substantial aggression occurs, frequently nonbelligerent correctives are neither hopeless nor too costly. And even when nonbelligerent correctives are either hopeless or too costly, in order for there to be a just cause, belligerent correctives must be neither hopeless nor too costly. Traditional just war theory assumes, however, that there are just causes and goes on to specify just means as imposing two requirements: While the just means conditions apply to each defensive action, the just cause conditions must be met by the conflict as a whole. It is important to note that these requirements of just cause and just means are not necessarily about war at all. Essentially, they constitute a theory of just defense that can apply to war but can also apply to a wide range of defensive actions short of war. So first one needs to address this challenge. The practical test that is frequently appealed to in order to distinguish between foreseen and intended elements of an action is the Counterfactual Test, according to which two questions are relevant: If an agent answers "yes" to the first question and "no" to the second, some would conclude that 1 the action is an intended means to the good consequences, 2 the good consequences are an intended end, and 3 the evil consequences are merely foreseen. But how well does this Counterfactual Test work? Lackey argues that the test gives the wrong result in any case where the "act that produces an evil effect produces a larger good effect" , p. He cites the bombing of Hiroshima, Japan, as an example. That bombing is generally thought to have had two effects: Now suppose we were to asked: Truman have dropped the bomb if only the shortening of the war would have resulted but not the killing of the Japanese civilians? And suppose that the answer to the first question is that Truman would have dropped the bomb if only the shortening of the war would have resulted but not the killing of Japanese civilians, and that the answer to the second question is that Truman would not have dropped the bomb if only the Japanese civilians would have been killed and the war not shortened. Lackey concludes from this that the killing of civilians at Hiroshima, self-evidently a means for shortening the war, is by the Counterfactual Test classified not as a means but as a mere foreseen consequence. On these grounds Lackey rejects the Counterfactual Test as an effective device for distinguishing between the foreseen and the intended consequences of an action. Unfortunately, this is to reject the Counterfactual Test only because one expects too much from it. It is to expect the test to determine all the following: In fact, this test is capable of meeting only the first two of these expectations. To determine whether the evil consequences are simply foreseen, however, an additional test is needed, which can be called the Nonexplanation Test. According to this test the relevant question is: Does the bringing about of the evil consequences help explain why the agent undertook the action as a means to the good consequences? If the answer is "no," that is, if the bringing about of the evil consequences does not help explain why the agent undertook the action as a means to the good consequences, the evil consequences are merely foreseen. But if the answer is "yes," the evil consequences are an intended means to the good consequences. Of course, there is no guaranteed procedure for arriving at an answer to the Nonexplanation Test. Nevertheless, when we are in doubt concerning whether the evil consequences of an act are simply foreseen, seeking an answer to the Nonexplanation Test will tend to be the best way of reasonably resolving that doubt. For, according to the usual account, Truman ordered the bombing to bring about the civilian deaths, which by their impact on Japanese morale were expected to shorten the war. So, by the Nonexplanation Test, the civilian deaths were an intended means to the good consequences of shortening the war. Just war theory has been challenged in various ways. Three of the most important are a conventionalist challenge to just means, a collectivist challenge to just means, and a feminist objection to just cause and just means. A Conventionalist Challenge to Just Means The criteria of just means have been incorporated to some degree into the military codes of different nations and adopted as international law. George Mavrodes contends that the criteria of just means

ought to be met simply because they have been incorporated into military codes or adopted as international law. Mavrodes arrives at this conclusion largely because he finds the standard attempts to specify the convention-independent basis for condition 2 of just means to be so totally unsuccessful. All such attempts, Mavrodes claims, are based on an identification of innocents with noncombatants. But by any plausible standard of guilt and innocence with moral content, Mavrodes contends, noncombatants can be guilty and combatants innocent. For example, noncombatants who are doing everything in their power to support an unjust war financially would be morally guilty, and combatants who were forced into military service and intended never to fire their weapons at anyone would be morally innocent. Consequently, the guilt-innocence distinction will not support the combatant-noncombatant distinction. Hoping to support the combatant-noncombatant distinction, Mavrodes suggests that the distinction might be grounded on a convention to observe it. This would mean that our moral obligation to abide by condition 2 of just means would be a convention-dependent obligation. Nevertheless, Mavrodes does not deny that we have some convention-independent obligations. Our obligation to refrain from wantonly murdering our neighbors is given as an example of a convention-independent obligation, as is our obligation to reduce the pain and death involved in combat. But to refrain from harming noncombatants when harming them would be the most effective way of pursuing a just cause is not included among our convention-independent obligations. Still, Mavrodes does not claim that our obligation to refrain from harming noncombatants is purely convention-dependent. He allows that, in circumstances in which the convention of refraining from harming noncombatants does not exist, we might still have an obligation to unilaterally refrain from harming noncombatants, provided that our action will help give rise to a convention prohibiting such harm with its associated good consequences. According to Mavrodes, our primary obligation is to maximize good consequences, and this obligation requires that we refrain from harming noncombatants when that will help bring about a convention prohibiting such harm. By contrast, someone who held that our obligation to refrain from harming noncombatants was purely convention-dependent would never recognize an obligation to unilaterally refrain from harming noncombatants. On a purely convention-dependent account, obligations can only be derived from existing conventions; the expected consequences from establishing a particular convention could never ground a purely convention-dependent obligation. But while Mavrodes does not claim that our obligation to refrain from harming noncombatants is purely convention-dependent, he does claim that this obligation generally arises only when there exists a convention prohibiting such harm. According to Mavrodes, the reason for this is that, generally, only when there exists a convention prohibiting harm to noncombatants will our refraining from harming them, while pursuing a just cause, actually maximize good consequences. But is there no other way to support our obligation to refrain from harming noncombatants? Mavrodes would deny that there is. There are at least two ways to understand how this obligation is supported. Some would claim that we ought not to wantonly kill our neighbors because this would not maximize good consequences. Others would claim that we ought not to wantonly kill our neighbors, even if doing so would maximize good consequences, simply because it is not reasonable to believe that our neighbors are engaged in an attempt on our lives. Both of these ways of understanding how the obligation is supported account for the convention-independent character of the obligation, but the second approach can also be used to show how our obligation to refrain from harming noncombatants is convention-independent. According to this approach, since it is not reasonable to believe that noncombatants are engaged in an attempt on our lives, we have an obligation to refrain from harming them. So interpreted, our obligation to refrain from harming noncombatants is itself convention-independent, although it will give rise to conventions. Of course, some may argue that whenever it is not reasonable to believe that persons are engaged in an attempt on our lives, an obligation to refrain from harming such persons will also be supported by the maximization of good consequences. Still, even if this were true, which seems doubtful, all it would show is that there exists a utilitarian or forward-looking justification for a convention-independent obligation to refrain from harming noncombatants; it would not show that such an obligation is a convention-dependent obligation, as Mavrodes claims. A Collectivist Challenge to Just Means According to a collectivist challenge to just means, more people should be included under the category of combatants than the standard interpretation of just means allows. Just

means, as noted earlier, imposes two requirements: According to advocates of this challenge to just means, the problem is that the standard interpretation of 1 does not assume that the members of a society are collectively responsible for the actions of their leaders unless they have taken radical steps to oppose or disassociate themselves from those actions, for example, by engaging in civil disobedience or by emigrating. Some of those who press this objection against the just means criteria of just war theory, like Gregory Kavka , contend that the members of a society can be directly threatened with nuclear attack to secure deterrence, and so reject noncombatant immunity, but then deny that carrying out such an attack could ever be morally justified. Others, like James W. Child , reject both noncombatant immunity and proportionality by contending that the members of a society who fail to take the necessary radical steps can be both indirectly threatened and indirectly attacked with what would otherwise be a disproportionate attack. In response to this collectivist challenge the first thing to note is that people are more responsible for disassociating themselves from the unjust acts of their leaders than they are for opposing those same acts. In support of this collectivist challenge to just war theory Child offers the example of a member of a board of directors of a company that is engaging in the immoral and illegal activity of pouring large quantities of arsenic into the public water supply as a matter of ongoing operations. When the policy is before the board, she votes no but does nothing else. Later, when sued in tort or charged in crime with these transgressions of duty, she pleads that she voted no. Child argues that mere formal dissent in this case does almost nothing to relieve her liability, legal or moral. But while one might agree with Child that in this case the member of the board of directors had at least the responsibility to disassociate herself from the actions of the board by resigning, this does not show that farmers and teachers are similarly responsible for disassociating themselves from the unjust action of their leaders either by engaging in civil disobedience or by emigrating. This is because neither their contributions to the unjust actions of their leaders nor the effect of their disassociation on those unjust actions would typically be significant enough to require such a response. This is not to deny that some other response e. A Feminist Challenge to Just Cause and Just Means A formidable challenge to both the just cause and just means criteria of just war theory comes from feminism. According to the feminist challenge to just war theory, sexism and militarism are inextricably linked in society. They are linked, according to Betty Reardon , because sexism is essentially a prejudice against all manifestations of the feminine, and militarism is a policy of excessive military preparedness and eagerness to go to war that is rooted in a view of human nature as limited to masculine characteristics. Seen from a militarist perspective, other nations are competitive, aggressive, and averse to cooperation, the same traits that tend to be fostered primarily in men in a sexist society. By contrast, the traits of openness, cooperativeness, and nurturance that promote peaceful solutions to conflicts tend to be fostered primarily in women, who are then effectively excluded from positions of power and decision making in a sexist society. Consequently, if people are to rid society of militarism, Reardon argues, they need to rid society of sexism as well. But even granting that sexism and militarism are inextricably linked in society in just the way Reardon maintains, how does this effect the validity of just war theory? As just war theory expresses the values of proportionality and respect for the rights of innocents, how can it be linked to militarism and sexism? The answer is that the linkage is practical rather than theoretical. If the leaders in militarist-sexist society have been socialized to be competitive, aggressive, and averse to cooperation, then they will tend to misapply just war theory when making military decisions. This represents an important practical challenge to just war theory. And the only way of meeting this challenge seems to be to rid society of its sexist and militarist attitudes and practices so as to increase the chances that just war theory will be correctly applied in the future. Of course, still other challenges could be raised to just war theory but, in large measure, just war theory has stood the test of time. Moreover, if the theory can be reconciled with the most morally defensible form of pacifism, such that the only wars and large-scale conflicts that definitely satisfy the requirements of just war theory are the only wars and large-scale conflicts to which antiwar pacifists cannot reasonably object, then it is really hard to see how the theory could be displaced.

7: BBC - Ethics - War: What is a Just War?

Just War Theory traditionally has two sets of criteria. The first establishing jus ad bellum, the right to go to war; the second establishing jus in bello, right conduct within war. [10] In addition, some scholars have recently considered a third criteria, jus post bellum, right conduct after war.

In it, one of five ruling brothers asks if the suffering caused by war can ever be justified, and then a long discussion ensues between the siblings, establishing criteria like proportionality chariots cannot attack cavalry, only other chariots, no attacking people in distress, just means no poisoned or barbed arrows, just cause no attacking out of rage, and fair treatment of captives and the wounded. Christian theory of the just war begins with Augustine of Hippo [8] and Thomas Aquinas. Second, just war must be waged by a properly instituted authority such as the state. Third, peace must be a central motive even in the midst of violence. Given that war is one of the worst evils suffered by mankind, the adherents of the School reasoned that it ought to be resorted to only when it was necessary in order to prevent an even greater evil. A diplomatic agreement is preferable, even for the more powerful party, before a war is started. Examples of "just war" are: In self-defense, as long as there is a reasonable possibility of success. If failure is a foregone conclusion, then it is just a wasteful spilling of blood. Preventive war against a tyrant who is about to attack. War to punish a guilty enemy. A war is not legitimate or illegitimate simply based on its original motivation: It is necessary that the response be commensurate to the evil; use of more violence than is strictly necessary would constitute an unjust war. Governing authorities declare war, but their decision is not sufficient cause to begin a war. If the people oppose a war, then it is illegitimate. The people have a right to depose a government that is waging, or is about to wage, an unjust war. Once war has begun, there remain moral limits to action. For example, one may not attack innocents or kill hostages. It is obligatory to take advantage of all options for dialogue and negotiations before undertaking a war; war is only legitimate as a last resort. Under this doctrine, expansionist wars, wars of pillage, wars to convert infidels or pagans, and wars for glory are all inherently unjust. Francisco de Vitoria criticized the conquest of America by the Kingdom of Spain. With Alberico Gentili and Hugo Grotius just war theory was replaced by international law theory, codified as a set of rules, which today still encompass the points commonly debated, with some modifications. More recently, the Catechism of the Catholic Church, in paragraph, lists four strict conditions for "legitimate defense by military force": The power as well as the precision of modern means of destruction weighs very heavily in evaluating this condition. While Nicholas Adams claims such views have a long tradition, critics claim the application of Just War is only relativistic, and directly contradicts more universal philosophical traditions such as the Ethic of reciprocity. The criteria of the just war tradition act as an aid to determining whether resorting to arms is morally permissible. Just War theories are attempts "to distinguish between justifiable and unjustifiable uses of organized armed forces"; they attempt "to conceive of how the use of arms might be restrained, made more humane, and ultimately directed towards the aim of establishing lasting peace and justice. Anarcho-capitalist scholar Murray Rothbard stated, "a just war exists when a people tries to ward off the threat of coercive domination by another people, or to overthrow an already-existing domination. A war is unjust, on the other hand, when a people try to impose domination on another people, or try to retain an already existing coercive rule over them. The just war theory prevailing for most of the last two centuries â€” that violence is an evil which can in certain situations be condoned as the lesser of evils â€” is relatively young. Although it has inherited some elements the criteria of legitimate authority, just cause, right intention from the older war theory that first evolved around A. The first establishing jus ad bellum, the right to go to war; the second establishing jus in bello, right conduct within war. Jus ad bellum Just cause The reason for going to war needs to be just and cannot therefore be solely for recapturing things taken or punishing people who have done wrong; innocent life must be in imminent danger and intervention must be to protect life. A contemporary view of just cause was expressed in when the US Catholic Conference said: Some theorists such as Brian Orend omit this term, seeing it as fertile ground for exploitation by bellicose regimes. Competent authority Only duly constituted public authorities may wage war. The importance of this condition is key. Plainly, we cannot have a genuine process of judging a just war

within a system that represses the process of genuine justice. A just war must be initiated by a political authority within a political system that allows distinctions of justice". Probability of success Arms may not be used in a futile cause or in a case where disproportionate measures are required to achieve success; Last resort Force may be used only after all peaceful and viable alternatives have been seriously tried and exhausted or are clearly not practical. It may be clear that the other side is using negotiations as a delaying tactic and will not make meaningful concessions. Proportionality The anticipated benefits of waging a war must be proportionate to its expected evils or harms. This principle is also known as the principle of macro-proportionality, so as to distinguish it from the jus in bello principle of proportionality. In modern terms, just war is waged in terms of self-defense, or in defense of another with sufficient evidence. Jus in bello Once war has begun, just war theory Jus in bello also directs how combatants are to act or should act: Distinction Just war conduct should be governed by the principle of distinction. The acts of war should be directed towards enemy combatants, and not towards non-combatants caught in circumstances they did not create. The prohibited acts include bombing civilian residential areas that include no military targets and committing acts of terrorism or reprisal against civilians. Proportionality Just war conduct should be governed by the principle of proportionality. An attack cannot be launched on a military objective in the knowledge that the incidental civilian injuries would be clearly excessive in relation to the anticipated military advantage principle of proportionality. Military necessity Just war conduct should be governed by the principle of minimum force. An attack or action must be intended to help in the military defeat of the enemy, it must be an attack on a military objective, and the harm caused to civilians or civilian property must be proportional and not excessive in relation to the concrete and direct military advantage anticipated. This principle is meant to limit excessive and unnecessary death and destruction. Fair treatment of prisoners of war Enemy soldiers who surrendered or who are captured no longer pose a threat. It is therefore wrong to torture them or otherwise mistreat them. Soldiers may not use weapons or other methods of warfare which are considered evil, such as mass rape, forcing soldiers to fight against their own side or using weapons whose effects cannot be controlled e. Catholic church, issued a letter that all Catholics were to support the war. Our Lord Jesus Christ does not stand for peace at any price Every true American would rather see this land face war than see her flag lowered in dishonor I wish to say that, not only from the standpoint of a citizen, but from the standpoint of a minister of religion I believe there is nothing that would be of such great practical benefit to us as universal military training for the men of our land. If by Pacifism is meant the teaching that the use of force is never justifiable, then, however well meant, it is mistaken, and it is hurtful to the life of our country. And the Pacifism which takes the position that because war is evil, therefore all who engage in war, whether for offense or defense, are equally blameworthy, and to be condemned, is not only unreasonable, it is inexcusably unjust. Jus post bellum concerns justice after a war, including peace treaties , reconstruction, war crimes trials, and war reparations. Orend, for instance, proposes the following principles: Just cause for termination A state may terminate a war if there has been a reasonable vindication of the rights that were violated in the first place, and if the aggressor is willing to negotiate the terms of surrender. These terms of surrender include a formal apology, compensations, war crimes trials and perhaps rehabilitation. Alternatively, a state may end a war if it becomes clear that any just goals of the war cannot be reached at all or cannot be reached without using excessive force. Right intention A state must only terminate a war under the conditions agreed upon in the above criteria. Revenge is not permitted. The victor state must also be willing to apply the same level of objectivity and investigation into any war crimes its armed forces may have committed. Public declaration and authority The terms of peace must be made by a legitimate authority, and the terms must be accepted by a legitimate authority. Discrimination The victor state is to differentiate between political and military leaders, and combatants and civilians. Punitive measures are to be limited to those directly responsible for the conflict. Truth and reconciliation may sometimes be more important than punishing war crimes. Proportionality Any terms of surrender must be proportional to the rights that were initially violated. Draconian measures, absolutist crusades and any attempt at denying the surrendered country the right to participate in the world community are not permitted. Alternative theories Militarism " Militarism is the belief that war is not inherently bad but can be a beneficial aspect of society. Realism " The core proposition of realism is a

skepticism as to whether moral concepts such as justice can be applied to the conduct of international affairs. Instead, a state should place an emphasis on state security and self-interest. One form of realism "descriptive realism" proposes that states cannot act morally, while another form "prescriptive realism" argues that the motivating factor for a state is self-interest. Just wars that violate Just Wars principles effectively constitute a branch of realism. To the extent that this is interpreted as a legitimate government, this leaves little room for revolutionary war or civil war, in which an illegitimate entity may declare war for reasons that fit the remaining criteria of Just War Theory. This is less of a problem if the "just authority" is widely interpreted as "the will of the people" or similar. Article 3 of the Geneva Conventions side-steps this issue by stating that if one of the parties to a civil war is a High Contracting Party in practice, the state recognised by the international community, both Parties to the conflict are bound "as a minimum, the following [humanitarian] provisions. The methods of nonviolent action permit the waging of political struggle without resort to violence. Historical evidence and political theory can be examined to determine whether nonviolent struggle can be expected to be effective in future conflicts. If nonviolent action is determined effective, then the requirements for "just war" are not met. Breaking such moral rules is never legitimate and therefore is always unjustifiable. Pacifists extend humanitarian concern not just to enemy civilians but also to combatants, especially conscripts. Just War critics have included Ben Salmon , who was sentenced to death during World War I later revised to 25 years hard labor for desertion and spreading propaganda. In addition, if a free country is itself subject to foreign aggression, it is morally imperative for that nation to defend itself and its citizens by whatever means necessary. Thus, any means to achieve a swift and complete victory over the enemy is imperative. This view is prominently held by Objectivists.

8: Just war theory : definition of Just war theory and synonyms of Just war theory (English)

Just War Theory is a two-part framework for thinking about war. C. A. J. Coady: Morality and Political Violence 1) The reason for using coded language and euphemism to speak of corpses and slaughter would seem to be precisely the reason why many generals are now conversant in the idiom of just war theory as well.

Traditionalists and Revisionists Contemporary just war theory is dominated by two camps: Their views on the morality of war are substantially led by international law, especially the law of armed conflict. They aim to provide those laws with morally defensible foundations. Civilians may not be targeted in war, but all combatants, whatever they are fighting for, are morally permitted to target one another, even when doing so foreseeably harms some civilians so long as it does not do so excessively. Most revisionists are moral revisionists only: Some, however, are both morally and legally revisionist. Among its key contributions were its defence of central traditionalist positions on national defence, humanitarian intervention, discrimination, and combatant equality. Revisionist criticism of combatant equality and discrimination followed Holmes ; McMahan ; Norman They have accordingly sought firmer foundations for broadly traditionalist positions on national defence Benbaji ; Moore , humanitarian intervention Coady , discrimination Rodin b; Dill and Shue ; Lazar c , and especially combatant equality Zohar ; Kutz ; Benbaji ; Shue ; Steinhoff ; Emerton and Handfield ; Benbaji We will delve deeper into these debates in what follows. First, though, some methodological groundwork. Traditionalists and revisionists alike often rely on methodological or second-order premises, to the extent that one might think that the first-order questions are really just proxy battles through which they work out their deeper disagreements Lazar and Valentini forthcoming. Readers are directed to the excellent work of philosophers and intellectual historians such as Greg Reichberg, Pablo Kalmanovitz, Daniel Schwartz, and Rory Cox to gain further insights about historical just war theory see, in particular, Cox ; Kalmanovitz ; Reichberg ; Schwartz In particular, we should prescribe morally justified laws of war. We then tell individuals and groups that they ought to follow those laws. On the second approach, we should focus first on the moral reasons that apply directly to individual and group actions, without the mediating factor of institutions. We tell individuals and groups to act as their moral reasons dictate. Indirect consequentialists believe these institutions are justified just in case they will in fact have better long-run results than any feasible alternative institutions see Mavrodes ; Dill and Shue ; Shue ; Waldron Non-contractualist deontologists and direct- or act-consequentialists tend to prefer the interactional approach. Their central question is: This focus on killing might seem myopicâ€”war involves much more violence and destruction than the killing alone. However, typically this is just a heuristic device; since we typically think of killing as the most presumptively wrongful kind of harm, whatever arguments one identifies that justify killing are likely also to justify lesser wrongs. And if the killing that war involves cannot be justified, then we should endorse pacifism. Any normative theory of war should pay attention both to what the laws of war should be, and to what we morally ought to do. These are two distinct but equally important questions. And they entail the importance of a third: Too much recent just war theory has focused on arguing that philosophical attention should be reserved to one of the first two of these questions Buchanan ; Shue , ; Rodin b. Not enough has concentrated on the third though see McMahan ; Lazar a. Although this entry touches on the first question, it focuses on the second. Addressing the first requires detailed empirical research and pragmatic political speculation, both of which are beyond my remit here. Addressing the third takes us too deep into the minutiae of contemporary just war theory for an encyclopaedia entry. Rule-consequentialists need an account of the good bad that they are hoping that the ideal laws of war will maximise minimise in the long run. This means, for example, deciding whether to aim to minimise all harm, or only to minimise wrongful harm. But to follow this course, we need to know which harms are extra-institutionally wrongful. Similarly, contractualists typically acknowledge various constraints on the kinds of rules that could form the basis of a legitimate contract, which, again, we cannot work out without thinking about the extra-institutional morality of war Benbaji We can start by thinking about actual wars and realistic wartime scenarios, paying attention to international affairs and military history. Or, more clinically, we can construct hypothetical cases to isolate variables and test their impact on our intuitions. Some

early revisionists relied heavily on highly artificial cases e. They were criticized for this by traditionalists, who generally use more empirically-informed examples Walzer Revisionists can pay close attention to actual conflicts e. Traditionalists can use artificial hypotheticals e. Abstraction forestalls unhelpful disputes over historical details. It also reduces bias—we are inclined to view actual conflicts through the lens of our own political allegiances. But it also has costs. We should be proportionately less confident of our intuitions the more removed the test case is from our lived experience. How can we trust our judgements about such cases more than we trust our views on actual, realistic scenarios? Artificial hypotheticals have their place, but any conclusions they support must be tested against the messy reality of war. The second divide is related to the first. Reductivists think that killing in war must be justified by the same properties that justify killing outside of war. Non-reductivists, sometimes called exceptionalists, think that some properties justify killing in war that do not justify killing outside of war. A paradigm reductivist, by contrast, might argue that justified wars are mere aggregates of justified acts of individual self- and other-defence see Rodin ; McMahan a. Reductivists are much more likely to use far-fetched hypothetical cases, since they think there is nothing special about warfare. The opposite is true for exceptionalists. Many traditionalists replied by rejecting reductivism, arguing that there is something special about war that justifies a divergence from the kinds of judgements that are appropriate to other kinds of conflict Zohar ; Kutz ; Benbaji ; Dill and Shue Again, some philosophers buck these overarching trends for reductivist traditionalist arguments, see e. But this masks a deeper methodological disagreement: Should we model justified killing in war on justified killing outside of war? Or, in focusing on the justification of killing in war, might we then discover that there are some non-canonical cases of permissible killing outside of war? My own view is that thinking about justified killing outside of war has its place, but must be complemented by thinking about war directly. Next, we can distinguish between individualists and collectivists; and we can subdivide them further into evaluative and descriptive categories. Evaluative collectivists think that collectives can matter independently of how they contribute to individual well-being. Descriptive individualists think that any act that might appear to be collective is reducible to component acts by individuals. Descriptive collectivists deny this, thinking that some acts are irreducibly collective. And again there are outliers—individualist traditionalists e. War is a useful test case for theories of collective action and the value of collectives, but no more than that. Intuitions about war are no substitute for a theory of collective action. Perhaps some collectives have value beyond their contribution to the well-being of their members. For example, they might instantiate justice, or solidarity, which can be impersonally valuable Temkin It is doubtful, however, that groups have interests independent from the well-being of their members. On the descriptive side, even if we can reduce collective actions to the actions of individual members, this probably involves such complicated contortions that we should seriously question whether it is worth doing Lazar b. More recently, they have added an account of permissible action post-war, or jus post bellum. Others suggest an independent focus on war exit, which they have variously called jus ex bello and jus terminatio Moellendorf ; Rodin a. These Latin labels, though unfortunately obscurantist, serve as a useful shorthand. When we refer to ad bellum justice, we mean to evaluate the permissibility of the war as a whole. This is particularly salient when deciding to launch the war. But it is also crucial for the decision to continue fighting. Jus ex bello, then, fits within jus ad bellum. The jus in bello denotes the permissibility of particular actions that compose the war, short of the war as a whole. Jus ad bellum typically comprises the following six principles: Reasonable Prospects of Success: Typically the jus in bello list comprises: These all matter to the ethics of war, and will be addressed below. However, it is unhelpful to view them as a checklist of necessary and sufficient conditions. To get an intuitive grasp on necessity and proportionality, note that if someone threatens my life, then killing her would be proportionate; but if I could stop her by knocking her out, then killing her would be unnecessary, and so impermissible. The necessity and proportionality constraints have the same root: Harms and indeed all bads that we cause must therefore be justified by some positive reason that counts in their favour—such as good achieved or evil averted Lazar a. Both the necessity and proportionality constraints involve comparing the bads caused by an action with the goods that it achieves. They differ only in the kinds of options they compare. The use of force is proportionate when the harm done is counterbalanced by the good achieved in averting a threat. To

determine this, we typically compare the candidate course of action with what would happen if we allowed the threat to eventuate. Of course, in most cases we will have more than one means of averting or mitigating the threat. And a harmful option can be permissible only if all the harm that it involves is justified by a corresponding good achieved. If some alternative would as successfully avert the threat, but cause less harm, then the more harmful option is impermissible, because it involves unnecessary harm. We determine its proportionality by comparing it with the harm suffered if T should come about. In my view, we should simply expand this so that the necessity constraint compares all your available options bar none. Then proportionality would essentially involve comparing each option with the alternative of doing nothing, while necessity would involve comparing all options including doing nothing in terms of their respective balances of goods and bads. On this approach, necessity would subsume proportionality. But this is a technical point with little substantive payoff. More substantively, necessity and proportionality judgements concern consequences, and yet they are typically made *ex ante*, before we know what the results of our actions will be.

9: Just War Principles

A just war needs to be in response to a wrong suffered. Self-defense against an attack always constitutes a just war; however, the war needs to be fought with the objective to correct the inflicted wound. 4. Probability of Success. In order for a war to be just, there must be a rational possibility of success.

Messenger Broadly speaking, when it comes to war, there are three moral positions available to us. We can adopt the pacifist position of rejecting the morality of war at all; the realist position that sees war not as a moral enterprise, but as a function of amoral national interest; or the just war position that, under certain conditions, war may be morally permissible, or even necessary. Most people, even if unaware of it, adopt a form of Just War Theory JWT, which has informed international law and is frequently invoked by political leaders in discussions of war. JWT has a long history. Traditionally, JWT comprises of three separate areas: Pre-war considerations Jus ad bellum is concerned with those matters that are necessary in order for the decision to go to war to be a morally good or permissible one. For this reason, it has typically been considered the domain of political leaders. Jus ad bellum comprises of several conditions, each of which have to be satisfied for it to be morally justifiable to engage in war. Just cause is usually considered the most important criterion of jus ad bellum. It requires, simply, that political communities may wage war only in response to particular serious wrongdoing, and only in response to serious wrongdoing. The most common justification for war is the crime of aggression – the violation of the political sovereignty or territorial integrity of another political community. Indeed, recent movements have argued that states have a responsibility to protect the victims of aggression. Right intention requires that the reasons that justify the war also be the reasons why the political leaders commit to military action. This matters mainly because to accept the huge moral harms of war for some lesser goal is disproportionate and vicious, but also because wrongly-intended wars are more likely to justify other moral violations. Ukrainians in military uniforms take up positions as they attend a military training session organized for civilians, in Kiev, Ukraine, June 21, Proportionality and probability of success recognise the harm that even just wars can inflict on the global community and on the innocent. It therefore requires that political leaders can reasonably anticipate that the general, impartial state of affairs will be better off if war is engaged in rather than if it is not. Disproportionate wars cause more harm on the general community than they prevent, and this is no more true than in cases where war is fought against impossible odds. Thus, war can only be just if we can reasonably anticipate achieving success although success may mean different things in different contexts. Last resort is also based in the recognition that war should not be engaged in unless all other reasonable diplomatic options, sanctions, and other less severe measures have been exhausted. This is again predicated on the belief that war punishes not only the guilty but the innocent as well. Conduct of war Jus in bello regards the morally correct ways in which war can be waged. It is therefore seen as more obviously relevant to warfighters and their officers than to politicians, although the political leadership should never encourage or authorise actions such as torture that violate in bello norms. The first of the principles that JWT insists be upheld in the conflict of war is that of discrimination. Crucially, warfighters may never intentionally attack a person who is innocent. Conventionally, this has been understood to mean that only enemy combatants may be targeted, and that civilians must never be intentionally harmed. But there has been some recent debate to suggest that only unjust combatants that is, combatants fighting for an unjust cause are legitimate targets of attack. The argument is that those who are fighting for a just cause have done nothing wrong; that is, nothing to forfeit their right against being killed. In the relevant sense, so the argument goes, they are innocent. Young Druze cleric from the Golan Heights stand on top of an old Israeli tank to watch fighting near the Druze village of Hadar background on the Syrian side of the border with Israel, June 20, The idea here is that collateral damage may at times be inescapable in war, and that when collateral damage is reasonably guarded against but still cannot be avoided, the attackers are not morally responsible for those deaths because they were unintended. The deaths are, morally speaking, tragic, but not ones that a person ought to be punished for. Intentionally targeting civilians, by contrast, is a profound moral and legal offence, and ought to be punished with the full force of the law. As with the ad bellum version, proportionality

requires that the force used by warfighters not be excessive to the morally acceptable goals of their operation. It prevents the use of unnecessarily harmful force. A military response to the deaths of three Israeli youths last year might have been justified, but the overwhelming missile strikes authorised by Israeli Prime Minister Binyamin Netanyahu were demonstrably disproportionate. Resolution of conflict Jus post bellum is a new and growing area of scholarship although some thinkers, such as Immanuel Kant, considered the subject hundreds of years ago, is a response to recent post-war experiences. This approach aims to provide a moral framework for the transition from the state of war to a continuing state of peace; in particular, following an intervention by a third party into another conflict. It is likely that a robust jus post bellum will address some elements of both these concerns, but difficulties arise quickly. Without appropriate international legal mechanisms and financial support for the victims of injustice, the enforcement of strict responsibilities on interveners is likely to discourage states from intervening when otherwise they might. But the claim of JWT is that the framework it provides will assist us in identifying some of the possible moral issues with any of these.

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