



Are There Just Wars?

- Principles of Just War
- America's Post Cold War Experience





Are There Just Wars?

- Criteria of Just War
 - Jus ad Bellum
 - Jus in Bello





Are There Just Wars?

- Criteria of Just War
 - Jus ad Bellum (Justice in the Resort to War)
 - Jus in Bello (Justice in the Conduct of War)





Are There Just Wars?

- Criteria of Just War
 - Jus ad Bellum
 - Jus in Bello
- America's Post Cold War Experience
 - Persian Gulf War
 - Afghanistan
 - Iraq





Are there Just Wars?

- Can there be a just war?
 - Pacifist argument that war is never justified
- Is there a place for morality in war?
 - Wars must be won with minimum of expense and time
 - Morality does not exist in state of war
 - Morality only relevant to peaceful situations





Just War Theory

- The Just War Tradition
 - Long tradition on morality of warfare
 - Articulates criteria for judging if
 - War is justified (*Jus ad Bellum*)
 - War is fought by just means (*Jus ad Bello*)





Just War Theory

- The Just War Tradition
 - Long tradition on morality of warfare
 - Articulates criteria for judging if
 - War is justified (*Jus ad Bellum*)
 - War is fought by just means (*Jus ad Bello*)
- Origins usually traced to Western theology
 - Similar idea in Islamic theology
 - Secular influences also important





Just War Theory

- Origins

- Saint Augustine (5th century)

- Earliest extended treatment of topic

- 'But the wise man, they say, will wage just wars. Surely if he remembers that he is a human being, he will rather lament the fact that he is faced with the necessity of waging just wars; for if they were not just, he would not have to engage in them, and consequently there would be no wars for a wise man.' From *The City of God* (427)





Just War Theory

- Origins

- Saint Augustine (5th century)
 - Earliest extended treatment of topic
- Saint Thomas Aquinas (13th century)
 - First systematic criteria of just war
 - Lawful authority
 - Undertaken with just cause
 - Right intention





Just War Theory

- Origins

- Saint Augustine (5th century)
 - Earliest extended treatment of topic
- Saint Thomas Aquinas (13th century)
 - First systematic criteria of just war
- Subsequent developments
 - Christian theology
 - Secular moral philosophy





What are the Criteria for Just War?

- Focus on *Jus ad Bellum*
- Drawn from several sources
 - Michael Walzer, *Just and Unjust Wars* (1977)
 - Conference of Catholic Bishops
- Emphasis on ethical/moral tradition not legal issues





Jus ad Bellum

- **Just cause**

- War can only be waged for legitimate reasons
 - In defense of self or others against violent aggression
 - To restore a just peace
 - 'the damage inflicted by the aggressor on the nation or community of nations [is] lasting, grave and certain' (*The Catechism of the Catholic Church* #2309)





Jus ad Bellum

- **Just cause**
- **Right authority**
- War can only be waged for legitimate reasons
- Only legitimate authority can declare war
 - Usually taken to mean sovereign state or its representative





Jus ad Bellum

- **Just cause**
- **Right authority**
- **Right intention**
- War can only be waged for legitimate reasons
- Only legitimate authority can declare war
- Motive for responding must be just
 - Acquiring territory or resources or power not permitted
 - Must be limited ends to just objective





Jus ad Bellum

- **Just cause**
 - **Right authority**
 - **Right intention**
 - **Last resort**
- War can only be waged for legitimate reasons
 - Only legitimate authority can declare war
 - Motive for responding must be just
 - War must be last viable alternative





Jus ad Bellum

- **Just cause**
 - **Right authority**
 - **Right intention**
 - **Last resort**
 - **Proportionality**
- War can only be waged for legitimate reasons
 - Only legitimate authority can declare war
 - Motive for responding must be just
 - War must be last viable alternative
 - Must be confident war does more good than harm





Jus ad Bellum

- **Just cause**
 - **Right authority**
 - **Right intention**
 - **Last resort**
 - **Proportionality**
 - **Reasonable hope**
- War can only be waged for legitimate reasons
 - Only legitimate authority can declare war
 - Motive for responding must be just
 - War must be last viable alternative
 - Must be confident war does more good than harm
 - Must have grounds to believe cause can be achieved





America's Post Cold War *Wars*

- Persian Gulf War
 - Just cause?
 - Right authority?
 - Right intention?
 - Last resort?
 - Proportionality?
 - Reasonable hope?





America's Post Cold War *Wars*

- **Persian Gulf War**

- **Just cause**

- Self defense or defense of others is just cause.

- **Right authority**

- Legitimate U.S. authorities authorized military action

- Right intention?

- Last resort?

- Proportionality?

- **Reasonable hope**

- No question about prospects for success





America's Post Cold War *Wars*

- **Persian Gulf War**

- **Right intention**

- Defense of Kuwait or preserving access to oil?

- **Last resort**

- Would economic sanctions have worked?

- **Proportionality**

- Ground war was narrowly focused.
- Was bombing Baghdad necessary?





America's Post Cold War *Wars*

- Afghanistan
 - Just cause?
 - Right authority?
 - Right intention?
 - Last resort?
 - Proportionality?
 - Reasonable hope?





America's Post Cold War *Wars*

- Iraq
 - Just cause?
 - Right authority?
 - Right intention?
 - Last resort?
 - Proportionality?
 - Reasonable hope?





America's Post Cold War *Wars*

- Iraq

- Just cause?

- **Right authority**

- Legitimate U.S. authorities authorized military action

- Right intention?

- Last resort?

- Proportionality?

- **Reasonable hope**

- No question about prospects for success





America's Post Cold War *Wars*

● Iraq

● **Just cause**

- Can pre-emptive war ever be just?
- Does WMD justify pre-emptive or preventive war?

● **Right intention**

- Were dangers of WMD the real reason for war?

● **Last resort**

- Was there more room for negotiation?

● **Proportionality**

- Are Iraqis better off now than before?
- Was bombing Baghdad necessary?

