Just War Theory A Reappraisal

New Interventionist Just War Theory

Brian Orend's The Morality of War promises to become the single most comprehensive and important book on just war for this generation. It moves far beyond the review of the standard just war categories to deal comprehensively with the new challenges of the conflict with terrorism. It thoughtfully reviews every major military conflict of the past few decades, mining them for implications of the evolving tradition of just war thinking. It concludes with a critical engagement with the major alternatives to just war thinking: pacifism and 'realism'. It is, in short, the most comprehensive and thoughtful assessment of all aspects of just war since Michael Walzer's classic Just and Unjust Wars. - Martin L. Cook, United States Air Force Academy

Logics of War

Philosophers have wrestled with the morality and ethics of war for nearly as long as human beings have been waging it. The death and destruction that unmasked warfare entails magnifies the moral and ethical challenges we face in conventional warfare and everyday society. Intrinsically linked are questions and perennial problems concerning what justifies the initial resort to war, which may be legitimately targeted in war, who should be permitted to wage the war, the collateral effects of military weaponry and the methods of determining and dealing with violations of the laws of war.

Victory

This book provides a comprehensive and unifying analysis of the moral, political, and social questions concerning the rise of drone warfare.

The Just War Tradition: Applying Old Ethics to New Problems

Contributors seek to promote controversial debate about emerging security threats and potential military responses.

Rethinking the Just War Tradition

This book is an examination of the permissions, prohibitions and obligations found in just war tradition, and the moral grounds for laws concerning war. Pronouncing an action or act of actions to be prohibited, permitted or obligatory by just war theory does not thereby establish the moral grounds of that prohibition, permission or obligation; nor does such a pronouncement have sufficient persuasive force to govern actions in the public arena. What are the moral grounds of laws concerning war, and what ought these laws to be? Adopting the distinction between jus ad bellum and jus in bello, the author argues that rules governing conduct in war can be morally grounded in a form of rule-consequentialism of negative duties. Looking towards the public rules, the book argues for a new interpretation of existing laws, and in some cases the implementation of completely new laws.

Just War and International Order

In original essays written by both senior scholars as well as rising younger scholars in the field of international ethics, this volume addresses the ethics of war in an era when non-state actors are playing an increasingly prominent role in armed conflict.

Thinking of Questions

The Just war tradition is central to the practice of international relations, in questions of war, peace, and the conduct of war in the contemporary world, but surprisingly few scholars have questioned the authority of the tradition as a source of moral guidance for modern statecraft. Just War: Authority, Tradition, and Practice brings together many of the most important contemporary writers on just war to consider questions of authority surrounding the just war tradition. Authority is critical in two key senses. First, it is central to framing the ethical debate about the justice or injustice of war, raising questions about the universality of just war and the tradition's relationship to religion, law, and democracy. Second, who has the legitimate authority to make just-war claims and declare and prosecute war? Such authority has traditionally been located in the sovereign state, but non-state and supra-state claims to legitimate authority have become increasingly important over the last twenty years as the just war tradition has been used to think about multilateral military operations, terrorism, guerrilla warfare, and sub-state violence. The chapters in this collection, organized around these two dimensions, offer a compelling reassessment of the authority issue's centrality in how we can, do, and ought to think about war in contemporary global politics.

Just War on Terror?

Drawing on a plurality of moral considerations, the book recommends a modified legalist national defense paradigm, offering criteria for war that is critical and dangerous in practice. Drawing on a plurality of moral considerations, the book recommends a modified legalist national defense paradigm, offering criteria for war that is critical and dangerous in practice. Drawing on a plurality of moral considerations, the book recommends a modified legalist national defense paradigm, offering criteria for war that is critical and dangerous in practice. Drawing on a plurality of moral considerations, the book recommends a modified legalist national defense paradigm, offering criteria for war that is critical and dangerous in practice.

The Renegotiation of the Just War Tradition and the Right to War in the Twenty-First Century

This book uses an historical body of knowledge, Just War Theory, as the basis for analyzing modern conflicts involving Armed Non-State Actors who employ force against states. As the global community faces the challenge of globalization, terrorism, 24-hour international news coverage, super power collapse, weapons of mass destruction, and failed states, the author explores whether the historic traditions of knowledge governing war in the present during conflict remain relevant. Tracing the evolution of Just War Theory, he analyzes circumstances involving Armed Non-State Actor (ANSA)
groups possessing powerful and destructive capabilities and a desire to use them, and pursues answers to the central research question: how does Just War Theory apply in modern scenarios involving ANSA groups who challenge the state and international institution’s monopoly on use of force?

The study finds that Just War Theory still has the capacity to accommodate modern day statecraft and application in scenarios involving Armed Non-State Actors. This book will be of great interest to those researching and studying in the fields of political theory, security studies, international relations, war and conflict studies, and public ethics.

UNDERSTANDING INTERNATIONAL RELATIONS

Committing one’s country to war is a grave decision. Governments often have to make tough calls, but none are quite so painful as those that involve sending soldiers into harm’s way, to kill and be killed. The idea of ‘just war’ informs how we approach and reflect on these decisions. It signifies the belief that while war is always a wretched enterprise it may in certain circumstances, and subject to certain restrictions, be justifiable. Justifying a long history that is usually traced back to the sunset of the Roman Empire, it has coalesced over time into a series of principles and moral categories—e.g., just cause, last resort, proportionality, etc.—that will be familiar to anyone who has ever entered a discussion about the rights and wrongs of war. Victory: The Triumph and Tragedy of Just War focuses both on how this particular tradition of thought has evolved over time and how it has informed the practice of states and the legal architecture of international society. This book examines the vexed position that the concept of victory occupies within this framework.

Just War

This book critically examines ‘just liberal violence’: forms of direct and structural violence that others may be ‘justly’ subjected to. Michael Neu focuses on liberal defences of torture, war and sweatshop labour respectively, and argues that (a) each of these defences fails and (b) all of them fail for similar reasons.

Just War Theory and Non-State Actors

Despite the disasters of Iraq, Afghanistan, Syria and ever more visible evidence of the horrors of war, the concepts of ‘Humanitarian intervention’ and ’just war’ enjoy widespread legitimacy and continue to exercise an unshakeable grip on our imaginations. Robin Dunford and Michael Neu provide a clear and comprehensive critique of both Just War Theory and the Responsibility to Protect (R2P) doctrine, deconstructing the philosophical, moral and political arguments that underpin them. In doing so, they show how proponents of ‘just war’ and R2P have tended to treat killing in a way which obscures the complex and messy reality of war, and pays little heed to the human impact of such conflicts. Going further, they provide answers to such difficult questions as ‘Surely it would have been just for us to intervene in the Rwandan genocide?’ An essential guide to one of the most difficult moral and political issues of our age.

Humanitarian Intervention

Unmanned combat vehicles, or in common parlance ‘drones’, have become a prominent instrument in US efforts to counter an objective (and subjective) cross-border terrorist threat with lethal force. As a result, critical questions abound on the legitimacy of their use. In a series of multidisciplinary essays by scholars with an extensive knowledge of international norms, this book explores the question of legitimacy through the conceptual lenses of legality, morality and efficacy. It then closes with the consideration of a policy proposal aimed at incorporating all three indispensable elements. The importance of this inquiry cannot be overstated. Non-state actors fully understand that attacking the much more powerful state requires moving the conflict away from the traditional battlefield where they are at an enormous disadvantage. Those engaging in terrorism seek to goad the ruling government into an overreaction, or abuse of power, to trigger a destabilization via an erosion of its legitimacy. Thus defending the target of legitimacy in this case, ensuring the use of deadly force is constrained by valid limiting principles, represents an essential strategic interest for the US. This book seeks to come grips with the question of what real world warfare by exploring if it can be used to preserve, rather than eat away at, legitimacy. After an extensive analysis of the three key parameters in twelve chapters, the practical proposition of establishing a ‘Drone Court’ is put forward and examined as a way of pursuing the goal of integrating these essential components to defend the citizenry and the legitimacy of the government at the same time.

The Ashgate Research Companion to Military Ethics

This book provides a stimulating discussion of, and introduction to, just war theory.

Kant and the End of War

At the opening of the twenty-first century, when obviously the world is still struggling with violence and conflict, many commentators argue that there are many reasons for supposing that restrictions on the use of force are growing. The establishment of the International Criminal Court, the growing sophistication of international humanitarian law and the ‘rebirth’ of the just war tradition over the last fifty years are all taken as signs of this trend. This book argues that, on the contrary, the just war tradition, allied to a historically powerful and increasingly dominant conception of politics in general, is complicit with an expansion of the grounds of supposedly legitimate force, rather than a restriction of it. In offering a critique of this trajectory, ‘Just War and International Order’ also seeks to illuminate a worrying trend for international order more generally and consider what, if any, alternative there might be to it.

Women Warriors in Romantic Drama

This book examines the manner by which the just war tradition has been invoked, engaged and developed in the context of the war on terror, paying particular attention to the questions of anticipatory war, humanitarian intervention, and punitive war.

After the Smoke Clears

The modern ethics of war is a field of disparate, competing voices based on often unexplored theological and metaphysical assumptions. Therese Feiler approaches them from the borderline area between systematics, philosophical theology and religious studies. With reference to G. W. F. Hegel’s and Karl Marx’s understanding that the perpetuation of war and its outcomes is a ‘negation of freedom’, Feiler identifies the logic and problem of mediation as the core concern of political ethics. Feiler unites five representative authors from now disparate strands of contemporary just war ethics, looking whether they offer a meaningful possibility of mediation and subsequent reconciliation: a sovereign realist and a cosmopolitan idealist; a rationalist individualist, an leftist Christian ethicist, and finally, an evangelical theologian. Opening the just war debate for comparative critical engagement, Feiler creates a fascinating study that locates a “dynamic point” at which faithful, free political action can be wrestled from irony, tragedy, and melancholic inertia in the face of totalitarian suffocation.

Self-Defence in International and Criminal Law

America and the Just War Tradition examines and evaluates each of America’s major wars from a just war perspective. Using moral analysis that is anchored in the just war tradition, the contributors provide careful historical analysis evaluating individual conflicts. Each chapter explores the causes of a particular war, the degree to which it can be justified, and the extent to which the war measured up to traditional just war criteria. Where appropriate, contributors offer post bellum considerations, insofar as justice is concerned with helping to offer a better peace and end result than what had existed prior to the conflict. This fascinating exploration offers policy guidance for the use of force in the world today, and will be of keen interest to historians, political scientists, philosophers, and theologians, as well as policy makers and the general reading public. Contributors: J. Daryl Charles, Darrell Cole, Timothy J. Demy, Jonathan H. Ebel, Laura Jane Gifford, Mark David Hall, Jonathan Den Hartog, Daniel Walker Howe, Kerry E. Irish, James Turner Johnson, Gregory R. Jones, Mackubin Thomas Owens, John D. Roche, and Rouven Steeves.

Geopolitics

Unlike most books on the ethics of war, this book rejects the ‘just war’ tradition, proposing a virtue ethics of war to take its place. Like torture, war cannot be justified. It answers the question: If war is a very great evil, would a leader with courage, justice, compassion, and all the other moral virtues ever choose to fight a war?

Ethics, Authority, and War

This book advances an interdisciplinary understanding of moral injury by analyzing the stories of military veterans of combat and peace missions. In the past decade, the concept of moral injury has emerged to address the potential moral impact of deployment. This book contributes to an interdisciplinary conceptualization of moral injury while, at the same time, critically evaluating the concept’s premises and implications. It paints an urgent and compassionate picture of the moral impact of soldiers’ deployment experience and the role of practical politics and public perceptions in moral injury. It does so by drawing on the experiences of close to a hundred Dutch veterans deployed to Bosnia (Srebrenica) and Afghanistan, and analyzing their stories from the perspectives of psychology, philosophy, theology and social sciences. Ultimately, this book advances the understanding of moral, political and societal dimensions of moral injury and contributes to practical efforts aimed at its prevention. This book will be of much interest to students of ethics and war, cultural anthropology, conflict studies and international relations.
The Morality of War

It has been increasingly impossible to think about our changing world without coming across the term ‘geopolitics.’ In the wake of the invasion and occupation of Iraq by the United States, United Kingdom, and others, geopolitics has been offered as an explanation for the occupation’s failure to remove the threat to US interests; or as a spirit for future action. But what is geopolitical? Drawing both on academic and political material, this book introduces readers to the concept of geopolitics, from the first usage of the term to its more recent reconceptualisations. The concept of geopolitics is introduced through four thematic sections: Imperial Geopolitics, Cold War Geopolitics, Geopolitics after the Cold War and Reconceptualising Geopolitics. Each section includes key writings from a range of diverse and leading authors such as Said, Agnew, Dalby, O Tuathail, Gregory, Barnett and Kaplan, and is accompanied by a critical introduction by the editors to guide the reader through the material. This Reader establishes the foundations of geopolitics while also introducing readers to the continuing significance of the concept in the 21st century. This Reader provides an essential resource that exposes students to original writing. The editors provide a pathway through the material with sections introductions to assist the readers understanding of the context of the material and impacts of the writings. The readings included draw from a range of authors, writing from a range of locations. The Reader concludes with the latest changes in geopolitical thought, incorporating feminist and other perspectives.

Beyond Just War

This Companion provides scholars and graduates, serving and retired military professionals, members of the diplomatic and policy communities concerned with security affairs and legal professionals who deal with military law and with international law with armed conflicts, with a comprehensive and authoritative state-of-the-art review of current research in the area of military ethics. Topics in this volume reflect both perennial and pressing contemporary issues in the ethics of the use of military force and are written by established professionals and respected commentators. Subjects are organized by three major perspectives on the use of military force: the decision whether to use military force in a given context; the matter of right conduct in the use of such force; and ethical responsibilities beyond the end of an armed conflict. Treatment of issues in each of these sections takes account of both present-day moral challenges and new approaches to these issues. The chapters in this book, written from a variety of disciplinary perspectives, turn to the use of armed force as such, and the ethical challenges it presents to modern armed forces and those of other major cultures. For this reason the volume concludes with chapters on ethics and war in the Islamic, Chinese, and Indian traditions, with the aim of integrating reflection on these approaches into the broad consideration of military ethics provided by this volume.

US Foreign Policy and the Gulf Wars

This broad-ranging introduction to the theory, practice and politics of humanitarian intervention in the contemporary world. This second edition has been fully updated and includes a new chapter on Libya and the Arab Spring.

Modern Just War Theory

In Civilization and its Discontents, Sigmund Freud argued that civilization itself is the major source of human unhappiness, insisting instincts and generating guilt. In Globalization and its Discontents, Joseph Stiglitz shows how the ‘economic architecture’ that produced globalization has also driven the backlash against it. This book brings together some of international law’s most outspoken ‘discontents’; those who situate their malaise in international law itself. Their shared objective is to expose international law’s complicity in the ongoing economic and financial global crises and to assess its capacity - and its will - to address it. Some, like Freud, view that which holds us together as an inevitable source of discontent. Others, like Stiglitz, draw on the energy of the backlash. How have these crises affected particular groups, sovereign states, and international law itself? How have they responded? When does crisis serve as a catalyst, and for what?

Military Robots

Once the smoke of the battlefield blows away, what are the moral requirements of the “victor”? While most studies of just war focus on the rationale for going to war and the conduct of the war, this important book examines the period after the conflict. What must be done to restore justice? In the words of the authors, “Victory is declared by presidents and other leaders, yet all too often no just peace is to be found in the wake of today’s conflicts. After the smoke clears, the powers that be may declare ‘mission accomplished!’ when, as Eisele long ago said, there really is no peace.” Alman and Winright provide readers with a clear, concise, balanced, and informed assessment of an important topic about contemporary war: the moral duties of Article 4 of the UN Charter prohibiting the threat or use of force in a peace-threatening situation. The book is divided into three parts: the first scrutinizes the moral duties of states in the post-conflict setting; the second explores the moral duties of third parties; and the third part examines the moral duties of the United Nations as an international forum for addressing the problems presented by the aftermath of armed conflict. The book will be invaluable for specialists in these disciplines, as well as for those interested in policy formation and the wider Middle East.

International Law and its Discontents

This ground-breaking 5-volume reference is a comprehensive print and electronic resource covering the history of warfare from ancient times to the present day, across the entire globe. Arranged in A-Z format, the Encyclopedia provides an overview of the most important events, people, and terms associated with warfare - from the Punic Wars to the Mongol conquest of China, and the War on Terror; from the Ottoman Sultan, Seliman 'the Magnificent', to the Soviet Military Commander, Georgi Konstantinovich Zhukov; and from the crossbow to chemical warfare. Individual entries range from 1,000 to 6,000 words with the longer, essay-style contributions giving a detailed analysis of key developments and ideas. Drawing on an experienced and internationally diverse editorial board, the Encyclopedia is the first to offer readers at all levels an extensive reference work based on the best and most recent scholarship. The online platform further provides interactive cross-referencing links and powerful searching and browsing capabilities within the work and across Wiley-Blackwell’s comprehensive online reference collection. Learn more at www.encyclopediaofwar.com. Selected by Choice as a 2013 Outstanding Academic Title Recipient of a 2012 PROSE Award honorable mention.

Carl Schmitt Today

Brought to light in this study is a connection between the treatment of war in Shakespeare’s plays and the issue of the ‘just war’. Both, in fact, are held loathed by many in the present day. In the first part, the study of the term ‘just war’ is placed in the context of the Shakespearean stage. The second part introduces the term ‘just war’ into the modern debate on just war theory. The study will be invaluable for specialists in these disciplines, as well as for those interested in policy formation and the wider Middle East.

Peace, War, and Christianity

This book offers a collection of critical engagements with the key tenets of just war theory, to evaluate its theoretical and practical credibility. Readers will be furnished with a rigorous and comprehensive assessment of the theory’s various elements in order to identify what might be salvaged and what might need revision.

Legitimacy and Drones

The US-led coalition which launched an invasion of Iraq on 20 March 2003 led to a decade-long military presence in the country. In the run-up to that invasion, many comparisons were made with the 1991 Gulf War. Ahmed Ijaz Malik takes these two instances of military intervention by Republican US governments to highlight how the official discourse of leaders and decision-makers is informed by foreign policy and its results. By taking these two examples, he examines how discourse affects real events, and the extent to which the legacy of the Cold War has influenced the decisions which US foreign policy has made. With analysis covering the war on terrorism and the US military intervention in Afghanistan, this is an essential read for students and experts alike interested in understanding the role foreign policy must play in ensuring the legitimacy of future military interventions.

Legitimising the Use of Force in International Politics

This collection examines the role of the just war tradition and its criteria in solving pressing present-day challenges. In particular, it deals with three types of challenges that are important to international politics. Two are related to war and peace. The first challenge is the execution of warfare in a new geopolitical environment characterized by new technologies and asymmetry of belligerents. The chapters in this book, written from a variety of disciplinary perspectives, turn to the just-war tradition as a means to attempt to resolve these tensions. This book was based on a special issue of the Journal of Military Ethics.  

Just War Theory

The paperback edition (published in 2016) includes a new preface with a discussion of recent examples. Kant stands almost unchallenged as one of the major thinkers of the European Enlightenment. This book brings the ideas of his critical philosophy to bear on one of the leading political and legal
questions of our age: under what circumstances, if any, is recourse to war legally and morally justifiable? This issue was strikingly brought to the fore by the 2003 war in Iraq. The book critiques the tradition of just war thinking and suggests how international law and international relations can be viewed from an alternative perspective that aims at a more pacific system of states. Instead of seeing the theory of just war as providing a stabilizing context within which international politics can be carried out, Williams argues that the theory contributes to the current unstable international condition. The just war tradition is not the silver lining in a generally dark horizon but rather an integral feature of the dark horizon of current world politics. Kant was one of the first and most profound thinkers to moot this understanding of just war reasoning and his work remains a crucial starting point for a critical theory of war today.

America and the Just War Tradition

This is not a conventional book. It is designed to stimulate and challenge all people who are curious to find out about the world they inhabit and their place within it. It does this by suggesting questions and lines of questioning on a wide range of topics. The book does not provide answers or model arguments but prompts people to create their own questions and a reading log or journal. To this end, almost all questions have a list of books or articles to provide a starter for stimulating further reading. Once you start, you will be hooked! Never stop questioning.

Shakespeare and the Just War Tradition

Women Warriors in Romantic Drama advances scholarship on late eighteenth- and early nineteenth-century theater by bringing together, for the first time, female and male dramatists as well as British, German, Irish, and French writers, thinkers, actors, and philosophers. This transnational perspective allows Women Warriors in Romantic Drama to make the provocative claim that in some instances, the violence of the French Revolution—and especially women's participation in it—advances proto-feminist concerns.

Just War and the Responsibility to Protect

With issues of war and peace at the forefront of current events, an informed Christian response is needed. This timely volume answers 104 questions from a just-war perspective, offering thoughtful yet succinct answers. Ranging from the theoretical to the practical, the volume looks at how the just-war perspective relates to the philosopher, historian, statesman, theologian, combatant, and individual—with particular emphases on its historical development and application to contemporary geopolitical challenges. Forgoing ideological extremes, Charles and Demy give much attention to the biblical teaching on the subject as they provide moral guidance. A valuable resource for considering the ethical issues relating to war, Christians will find this book’s user-friendly format a helpful starting point for discussion.

Just War Theory

The book provides a broad and interdisciplinary approach to the doctrine of self-defence in both domestic criminal and international law. In particular it focuses on the requirement of imminence, which deals with the question of when individuals or States may legitimately resort to defensive force against a serious danger or harm. Drawing from scholarship across law, history, politics and philosophy, this book explores the permissibility of employing preventive force under the law of individual and national self-defence. The book illustrates how the law of international self-defence, and in particular the requirement of imminence, has been subjected to controversy in parallel with its domestic counterpart. In both disciplines the debate over imminence is centred on similar concerns, issues and tensions despite the fact the arguments put forward are designed to address different scenarios. The book surveys the roots, role, rationale, and objectives of self-defence and questions whether the requirement of imminence should be removed from the traditional contours of the self-defence doctrine in national and international law.

Just Liberal Violence

Contributions to Illuminations: A Scarecrow Press Series of Guides to Research in Religion provide students and scholars, lay readers and clergy, with a road map to research in key areas of religious study. All commonly constructed with introductions to the topic and reviews of key thinkers, concepts, and events, each volume includes surveys of the primary and secondary sources, with critical evaluations of their places in the canon of thought and research on the topic. Focusing primarily on the knowledge required by today’s students and scholars, each guide is a must-have for any student of religion. The twentieth century saw an explosion of wars and an accompanying explosion of literature on the morality of war. Thinking among Christian clerics and scholars on the idea of “just war” shifted with developments on the battlefield. Alternatives to just war theory, such as pacifism and realism, found new proponents in the published work of the neo-Anabaptists and Niebhurians. Meanwhile, proponents of Christian just war theory had to address challenges from competing ideologies as well as those presented by the changing nature of warfare. Modern Just War Theory: A Guide to Research, by scholar and librarian Michael Farrell, serves as a manual for students and scholars studying Christian just war theory, helping them navigate the wealth of just war literature produced in the twentieth and twenty-first centuries. Farrell’s guide provides an introduction to the major developments of just war theory in the twentieth century, including sections on how to research just war theory, an overview of some of the most important theorists and contributions to the twentieth century, and discussions of key terms and related topics. Farrell then surveys and evaluates key primary and secondary sources for researchers on just war theory, as well as related sources on Christian realism and the responses of just war theorists to proponents of pacifism and secular just war theories. Modern Just War Theory will appeal to students and scholars of theology, military history, international law, and Christian ethics.

Moral Injury and Soldiers in Conflict

Following the 9/11 attacks by Al-Qa‘ida, President Bush declared war on terror. In the succeeding years, Western governments have struggled to find the right way to respond to the new and deadly threat posed by terrorism. With the election of President Obama the rhetoric has softened and policies have been adjusted but the underlying problems and challenges remain the same. Meanwhile, the war on terrorism in Afghanistan has been intensified. Drawing on just war teaching as developed within both Christian and Muslim traditions, this book examines whether, and how, liberal democracies can combat the new global terrorism both effectively and justly. The authors, including distinguished academics from both sides of the Atlantic, Christian and Muslim theologians, former senior civil servants and a General, deploy a wide range of experience and expertise to address one of the most difficult and pressing ethical challenges to contemporary society.

The Encyclopedia of War, 5 Volume Set

This book addresses the criticisms and explores new angles to just war thinking, analyzing its practical adequacy in the face of modern-day realities. It is written with the aim of stimulating debate, recasting or revivifying critical reservations, but also powerfully demonstrating how just war theory cannot be ignored if we take seriously the moral questions warfare forces upon us.