



**JUST WAR THEORY:  
Introduction to Just War  
Week #1: 14 September 2008**

**GOALS/PURPOSE OF STUDYING JWT**

**CLASS OVERVIEW: Organization of the Next Eight Weeks (*subject to change!*)**

- Week #1: Introduction
- Week #2: Greek, Roman, and Early Christian Philosophy
- Week #3: Saint Augustine
- Week #4: Saint Thomas Aquinas
- Week #5: Christian Humanists, Scholastics, and Reformers
- Week #6: Modern Interpretations of Just War
- Week #7: The Soldier on the Battlefield: Duties & Challenges
- Week #8: The Church on the Battlefield: Chaplains, the Church, and Just War Theory

**JUST WAR THEORY CRITERIA: Terms and Definitions**

***Jus Ad Bellum* Criteria:**

**The Justice Of War (I.e., When is it *Permissible* for a Nation to go to War?)**

**1) *Just Cause*:**

The reason for resorting to war must, itself, be a just reason. Traditionally, just causes have included the defense of the innocent against armed attack, the recovery of persons or property wrongly taken, or the punishment of evil.

**2) *Right Intention*:**

The outward disposition of the parties contemplating war is not a sufficient guide as to whether the resort to war is actually justified; the invisible (but no less real) inward disposition is also important. The *internal motivation* itself must be just. Evidence of right intention might include the pursuit of peace negotiations to avoid war, the avoidance of potentially unreasonable demands, etc. A right intention would not involve the desire for territorial expansion, or a desire for vengeance or domination.

3) ***Competent Authority:***

The decision to go to war can be weighed and declared only by the state, not by an individual citizen. The state is that person or body with no political superior.

4) ***Last Resort:***

Not even those authorized to declare war are justified in doing so if there be any reasonable means to avoid it. That is, the prevailing circumstances must clearly indicate that no means short of war would be sufficient to obtain satisfaction for just grievances or wrongs against the state.

5) ***Proportionality:***

The moral good expected to result from the war must exceed the amount of evil expected naturally and unavoidably to be entailed by war.

6) ***Peace as the Ultimate Objective of War:***

The end of violence, the avoidance of future violence, and, to the greatest extent possible, the establishment or restoration of happiness and human flourishing- in short, a just and lasting peace- must be *the* end toward which the war is fought.

***Jus in Bello Criteria:***

**Justice *Within* War (I.e., How does a Nation Fight in a Just Manner?)**

1) ***Discrimination/Distinction:***

Belligerent parties must distinguish between combatants and non-combatants, with the former normally constituting the only acceptable objects of violent action. Traditionally, non-combatants have included wounded soldiers, prisoners of war (i.e., those who have surrendered), clergymen, women not in the military, children, the aged, and the infirm, all of whom are presumed not to be engaged in the war effort.

2) ***Proportionality:***

The force used must be proportional to the wrong endured and to the possible good that may come. Violent means that cause gratuitous suffering or otherwise cause unnecessary harm fall outside the scope of what is "proportional." This principle prohibits torture and has served to justify limitations on, for example, the kinds of weapons that can be used.

This principle differs from the *jus ad bellum* principle of proportionality:

- *Jus ad bellum* proportionality is essentially a utilitarian calculation of expected outcomes before the decision is made to go to war

- *Jus in bello* proportionality pertains to actions permissible to be taken once the war has begun.

**3) *Military Necessity:***

The principle of military necessity goes hand-in-hand with that of proportionality: An attack 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 not be excessive in relation to the direct and concrete military advantage anticipated.