

Outline the key features of the just war theory essay sample



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The base of the Just War Theory starts with philosophers such as Aristotle and Cicero. Their first ideas of any war being 'just' involves the act of self-defence as the reason the war began. In their eyes, this reasoning made a war just. Ambrose of Milan and Augustine of Hippo developed this idea by coming up with a series of specifications for a war to be called 'just'. They took this idea from the existing Roman 'justum bellum' and the Old Testament, where it has been said that God has consented to war or even commanded it. Aquinas further developed Ambrose's theory, going more in depth to the reasoning behind it. Emperor Constantine elaborated on the theory and split it into three parts, after making it official law within the Roman Empire. The three parts that the Theory was split into are Jus Ad Bellum, Jus In Bello and Jus Post Bellum. Jus Ad Bellum is about justice in the decision to wage a war, Jus In Bello is about justice in the conduct of war and Jus Post Bellum is whether there was justice within the ending of the war.

Jus ad bellum is the most vital and important part of the theory. This is split into six categories: Just cause, legitimate authority, right intention, likelihood of success, proportionality and last resort. 'Just cause' is about whether the start of the war was correct, for example, if it was started in self defence or in the defence of others it would be 'just'. Legitimate authority means that the war must be fought by a recognised legal authority, for example, a voted government or a monarchy. This therefore automatically excludes civil wars from being 'just'. The next category is 'Right intention', this asks whether the intention of war was to protect others or yourself, or whether it was to cause destruction to anyone or anything. If the intention was good, or to self

defend, then the intention was right. An example of when intentions were questionable was when British and US troops decided to invade Iraq, going against the UNs decision.

Troops were sent in to, supposedly stop Saddam Hussein from using weapons of mass destruction that he was rumoured to be hiding. However, there was no evidence of these weapons existing, only rumours. Since the invasion, countless people have argued that the real intentions of the invasion were to exploit the land for oil resources, for the benefit of our own economies. Likelihood of success takes the probable number of deaths into account before the initiation of war. It is very closely related to Proportionality, which involves the use of no more force than is needed to achieve your goal. Proportionality is also about how equal the different sides of the war are, for example, when the US and Britain invaded Iraq the Iraqi army was much smaller and less equipped than the US and British troops, therefore the sides were not equal thus making this area of the war unjust.

Furthermore, the foreseen consequences to war also come into play within proportionality, for instance, will the good effect of achieving your goal will outweigh or equal the bad effects of going to war or not, every angle needs to be thought about before entering or initiating a war. The last of the six categories is ' Last Resort', which looks at whether going to war is the last possible cause of action. Many things can be done before going to war, for example, economic sanctions. Before the US and Britain invaded Iraq, there was an economic sanction against Iraq, however, Saddam Hussein

consistently refused to remove his troops from Kuwait or to comply with the UN regulations. Therefore, the invasion could be seen as a last resort from <https://assignbuster.com/outline-the-key-features-of-the-just-war-theory-essay-sample/>

this angle. *Just in bello* tackles how the war should be fought correctly. It looks at the proportion of force soldier's use in relation to the force being used on them and how ambitious the end goal is for them to achieve. Also, discrimination is not allowed in the sense that civilians should not be a target, and should be avoided at all costs.

However, this does not usually happen as civilians are killed in fighting every day and are often labelled as 'collateral damage'. Another concept is that prisoners of war should not be tortured, untreated for illness or harmed in any way. Retaliation towards the other side only to cause destruction, with no benefit towards the end goal, is considered wrong under 'No reprisals'. Also, no 'mala in se', which means 'evil in themselves', is referring to weapons and methods used during warfare which could cause serious destruction, for example, mass rapes, genocide, ethnic cleansing, biological weaponry or forcing soldiers to fight against their own side. All countries are required to obey all the international laws on weapons, this is the supposed reason that the US and Britain initiated a war in Iraq, as they believed that Saddam Hussein was illegally hiding 'weapons of mass destruction'.

Just post bellum is about the ending of the war and whether the shift from war to peace happens smoothly. A peace treaty, like that of WWI and WWII, should be fair, however, the treaties of WWI and II did place heavy demands on Germany - causing a huge strain on their economy. Rights of any defeated countries and their people should be fair and involve the right to life and the knowledge of liberty and sovereignty, along with aid towards the financial and general living standard the defeated country is left in. These

criteria should help each country to recover from the war, with as little civilian damage as possible.

To what extent are Pacifism and Just War Theory compatible?

The Just War Theory agrees with the fact that unnecessary violence during warfare is wrong. It states that civilians should not be affected during war, or at least for each side's intention to be that civilians are avoided. Also, the Just War Theory expresses the necessity for prisoners of war to be treated with full human rights and no violence is allowed to occur towards them and to even treat them for any sickness that may be either existing or gained. Violence is also not correct in the intentions of war within the Just War Theory. If the intention to go to war is to create damage and destruction then the war is not 'just'.

Pacifism agrees with these criteria, however, goes further in depth to say that violence is not allowed in any way. This is where the compatibility between the two disintegrates as the Just War Theory takes all aspects of the war into play and decides on whether the war is 'just', and a war can be 'just' even though violence has occurred. According to the Just War Theory, violence is acceptable within a war if there is legitimate reasoning behind it, and it is helping towards getting the end result needed, due to more people's lives being at risk if that war was not taking place.