

Just War Theory

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Ethics of Armed Conflict John W. Lango 2014-01-29 Just war theory exists to stop armies and countries from using armed force without good cause. But how can we judge whether a war is just? In this original book, John W. Lango takes some distinctive approaches to the ethics of armed conflict. DT A revisionist approach that involves generalising traditional just war principles, so that they are applicable by all sorts of responsible agents to all forms of armed conflict DT A cosmopolitan approach that features the Security Council DT A preventive approach that emphasises alternatives to armed force, including negotiation, nonviolent action and peacekeeping missions DT A human rights approach that encompasses not only armed humanitarian intervention but also armed invasion, armed revolution and all other forms of armed conflict Lango shows how these can be applied to all forms of armed conflict, however large or small: from interstate wars to UN peacekeeping missions, and from civil wars counter-insurgency and counter-terrorism operations.

Beyond Just War D. Chan 2016-06-01 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?'

Morality and War David Fisher 2011-03-03 With the ending of the strategic certainties of the Cold War, the need for moral clarity over when, where and how to start, conduct and conclude war has never been greater. There has been a recent revival of interest in the just war tradition. But can a medieval theory help us answer twenty-first century security concerns? David Fisher explores how just war thinking can and should be developed to provide such guidance. His in-depth study examines philosophical challenges to just war thinking, including those posed by moral scepticism and relativism. It explores the nature and grounds of moral reasoning; the relation between public and private morality; and how just war teaching needs to be refashioned to provide practical guidance not just to politicians and generals but to ordinary service people. The complexity and difficulty of moral decision-making requires a new ethical approach - here characterised as virtuous consequentialism - that recognises the importance of both the internal quality and external effects of agency; and of the moral principles and virtues needed to enact them. Having reinforced the key tenets of just war thinking, Fisher uses these to address contemporary security issues, including the changing nature of war, military pre-emption and torture, the morality of the Iraq war, and humanitarian intervention. He concludes that the just war tradition provides not only a robust but an indispensable guide to resolve the security challenges of the twenty-first century.

The Future of Just War Theory A. VAN LERSEL 2019-07 'Just war' is a disputed concept ever since its integration into Christian Ethics. The Roman Catholic Church has used the tradition of 'just war' for ages. It changed substantially since World War II and the Second Vatican Council. Also Pope Francis reassesses the use of force in international conflict. This book provides an in-depth insight in this ongoing reassessment of 'just war' as part of Catholic Social Teaching. It does defend nor attack this tradition, but it provides a conceptual and analytical framework to understand both this tradition and the reasons for its reassessment.

Modern Just War Theory Michael Farrell 2013-06-20

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 developments of the twentieth century, and discussions of key search 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

The Moral Status of Combatants Michael Skerker 2020-07-22 This book develops a new contractualist foundation for just war theory, which defends the traditional view of the moral equality of combatants and associated egalitarian moral norms. Traditionally it has been viewed that combatants on both sides of a war have the same right to fight, irrespective of the justice of their cause, and both sides must observe the same restrictions on the use of force, especially prohibitions on targeting noncombatants. Revisionist philosophers have argued that combatants on the unjust side of a war have no right to fight, that pro-war civilians on the unjust side might be targetable, and that lawful combatants on the unjust side might in principle be liable to prosecution for their participation on the unjust side. This book seeks to undercut the revisionist project and defend the traditional view of the moral equality of combatants. It does so by showing how revisionist philosophers fail to build a strong foundation for their arguments and misunderstand that there is a moral difference between collective military violence and a collection of individually unjustified violent actions. Finally, the book develops a theory defending the traditional view of military ethics based on a universal duty of all people to support just institutions. This book will be of much interest to students of just war theory, ethics philosophy, and war studies.

Just War Theory Mark Evans 2020-01-20 This book provides a stimulating discussion of, and introduction to, just war theory.

Just War Theory Thom Brooks 2012-10-19 Just War Theory raises some of the most pressing and important philosophical issues of our day. This book brings together some of the most important essays in this area written by leading scholars and offering significant contributions to how we understand just war theory.

Modern Just War Theory Michael Farrell 2013

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 developments of the twentieth century, and discussions of key search 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."

Thomas Aquinas on War and Peace Gregory M. Reichberg 2016-09-23 The first book-length study of Aquinas's teaching on just war, its antecedents, and its reception by subsequent thinkers.

Contextualizing Secession Bruno Coppieters 2003-07-17 In a world where the traditional territorial organisation of the state is coming under increasing challenge from pressures from above (globalisation) and from below (struggles for federalisation and secession), the theoretical and practical questions concerning secessionist struggles become ever more acute. It is these questions that this volume addresses. Why do some struggles for autonomy take acute forms, above all violent struggles for secession (for example, Chechnya), while others remain within the framework of constitutional politics (for example, Tatarstan and Quebec)? Under what conditions does a distinct political community have the right to secede from another, and how should this process be managed? Our ten case studies seek to answer these questions on the basis of the application of just war theory to the normative and practical issues concerning the secession struggles in these regions. The Introduction sets out the theoretical issues, and then each case study provides a rich mix of theoretical and empirical material, and some of the broader issues are then drawn together in the concluding chapter. The book focuses on four key themes that are central to the ethics of secession. The first examines normative issues, in particular the tension between 'choice' theories and those based on remedial 'just cause' arguments. The second discusses the problem of violence in secessionist struggles and the ensuing relationship between just war theory and the ethics of secession. The third problem is the relationship between nationhood and citizenship, and in particular the problem of applying what has now become a conventional distinction between ethnic and civic representations of the political community. Finally, the contentious issue of sovereignty and the way that it frames debates about self-determination. With each of these themes, the

application of general moral principles to particular historical contexts opens up new avenues of research. This book is essential reading for those who wish to understand both the theoretical and practical issues concerning secession struggles in the world today.

Routledge Handbook of Ethics and War Fritz Allhoff 2013-06-26 This new Handbook offers a comprehensive overview of contemporary extensions and alternatives to the just war tradition in the field of the ethics of war. The modern history of just war has typically assumed the primacy of four particular elements: *jus ad bellum*, *jus in bello*, the state actor, and the soldier. This book will put these four elements under close scrutiny, and will explore how they fare given the following challenges:

- What role do the traditional elements of *jus ad bellum* and *jus in bello*—and the constituent principles that follow from this distinction—play in modern warfare? Do they adequately account for a normative theory of war?
- What is the role of the state in warfare? Is it or should it be the primary actor in just war theory?
- Can a just war be understood simply as a response to territorial aggression between state actors, or should other actions be accommodated under legitimate recourse to armed conflict?
- Is the idea of combatant *qua* state-employed soldier a valid ethical characterization of actors in modern warfare?
- What role does the technological backdrop of modern warfare play in understanding and realizing just war theories?

Over the course of three key sections, the contributors examine these challenges to the just war tradition in a way that invigorates existing discussions and generates new debate on topical and prospective issues in just war theory. This book will be of great interest to students of just war theory, war and ethics, peace and conflict studies, philosophy and security studies.

Just War Theory Jean Bethke Elshtain 1992 Available Again! Long before the "shock and awe" campaign against Iraq in March 2003, debates swarmed around the justifications of the U.S.-led war to depose Saddam Hussein. While George W. Bush's administration declared a just war of necessity, opponents charged that it was a war of choice, and even opportunism. Behind the rhetoric lie vital questions: when is war just, and what means are acceptable even in the course of a just war? Originally published in 1991, in the wake of the first war against Iraq, *Just War Theory* explores this essential dilemma. With a new preface by the editor, the essays in this indispensable collection move beyond the theoretical origins of just war theory to examine issues faced by military strategists, politicians, social theorists, and anyone concerned with the provocations and costs of military action. Popular wisdom once claimed that notions of just war would become obsolete with the onset of "total warfare," characterized by attacks on civilians and indiscriminating weapons of mass destruction. While the last decade has been ripe with brutality, just war theory is more critical than ever to the future of international relations and public discourse. This readable collection is an invaluable introduction to the debate.

De Jure Belli Ac Pacis Libri Tres Hugo Grotius 1925

Just War Anthony F. Lang Jr. 2013-07-25 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 Theory and Non-State Actors Eric E. Smith 2020-03-20 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 challenges of globalization, terrorism, 24-hour international news coverage, super power collapse, weapons of mass destruction, and failed states, the author explores whether the historic bodies of knowledge governing decision makers 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.

Just War Against Terror Jean Elshtain 2008-08-04 Jean Bethke Elshtain advocates "just war" in times of crisis and mounts a reasoned attack against the anti-war contingent in American intellectual life. Advocating an ethic of responsibility, Elshtain forces us to ask tough questions not only about the nature of terrorism, but about ourselves. This paperback edition features a new introduction by the author, addressing the Iraq war and other events in the Middle East.

Just War as Christian Discipleship Daniel M. Jr. Bell 2009-10-01 This provocative and timely primer on the just war tradition connects just war to the concrete practices and challenges of the Christian life. Daniel Bell explains that the point is not simply to know the just war tradition but to live it even in the face of the tremendous difficulties associated with war. He shows how just war practice, if it is to be understood as a faithful form of Christian discipleship, must be rooted in and shaped by the fundamental convictions and confessions of the faith. The book includes a foreword by an Army chaplain who has served in Iraq and study questions for group use.

Just War Reconsidered James M. Dubik 2016-07-06 In the seminal *Just and Unjust Wars*, Michael Walzer famously considered the ethics of modern warfare, examining the moral issues that arise before, during, and after conflict. However, Walzer and subsequent scholars have often limited their analyses of the ethics of combat to soldiers on the ground and failed to recognize the moral responsibilities of senior political and military leaders. In *Just War Reconsidered: Strategy, Ethics, and Theory*, James M. Dubik draws on years of research as well as his own experiences as a soldier and teacher to fill the gaps left by other theorists. He applies moral philosophy, political philosophy, and strategic studies to historical and contemporary case studies to reveal the inaccuracies and moral bankruptcy that inform some of the literature on military ethics. Conventional just war theory adopts a binary approach, wherein political leaders have moral accountability for the decision to go to war and soldiers have accountability for fighting the war ethically. Dubik argues, however, that political and military leadership should be held accountable for the planning and execution of war in addition to the decision to initiate conflict. Dubik bases his sober reassessment on the fundamental truth that war risks the lives of soldiers and innocents as well as the political and social health of communities. He offers new standards to evaluate the ethics of warfare in the hope of increasing the probability that the lives of soldiers will not be used in vain and the innocent not put at risk unnecessarily.

Contingent Pacifism Larry May 2015-08-27 The first major philosophical treatment of contingent pacifism, offering an account of pacifism from the just war tradition.

The Just War Doctrine in Catholic Thought James B. Whisker 2020-12-30 "The just war theory is a doctrine, which is related to and at times interchangeable with such concepts as military tradition, military ethics,

the doctrines of military leaders, conflict theology, ethical policy-making, and military tactics and strategy. The purpose of the just war doctrine is to attempt to guarantee that a war is morally justifiable through a series of criteria, all of which must be met for a war to be considered just. The criteria are split into two groups: "right to go to war" (*jus ad bellum*) and "right conduct in war" (*jus in bello*). The first concerns the morality of going to war, and the second the moral conduct within war. Recently there have been calls for the inclusion of a third category of just war theory known as *jus post bellum* that is concerned with the morality of post-war settlement and reconstruction. Just war theory postulates that war, while terrible, is made less so with the right conduct. It also assumes that war is not always the worst option. Important responsibilities, undesirable outcomes, or preventable atrocities may justify war. There is a just war tradition, a historical body of rules or agreements that have applied in various wars across the ages. The just war tradition consists primarily of the writings of various philosophers and legal experts through history. This tradition examines both their philosophical visions of war's ethical limits and whether their thoughts have contributed to the body of conventions that have evolved to guide war and warfare"--

How We Fight Helen Frowe 2014-04-17 *How We Fight: Ethics in War* presents a substantial body of new work by some of the leading philosophers of war. The ten essays cover a range of topics concerned with both *jus ad bellum* (the morality of going to war) and *jus in bello* (the morality of fighting in war). Alongside explorations of classic *in bello* topics, such as the principle of non-combatant immunity and the distribution of risk between combatants and non-combatants, the volume also addresses *ad bellum* topics, such as pacifism and punitive justifications for war, and explores the relationship between *ad bellum* and *in bello* topics, or how the fighting of a war may affect our judgments concerning whether that war meets the *ad bellum* conditions. The essays take a keen interest in the micro-foundations of just war theory, and uphold the general assumption that the rules of war must be supported, if they are going to be supported at all, by the liability and non-liability of the individuals who are encompassed by those rules. Relatedly, the volume also contains work which is relevant to the moral justification of several moral doctrines used, either explicitly or implicitly, in just war theory: in the doctrine of double effect, in the generation of liability in basic self-defensive cases, and in the relationship between liability and the conditions which are normally appended to permissible self-defensive violence: imminence, necessity, and proportionality. The volume breaks new ground in all these areas.

Kant and the End of War Howard Williams 2012-01-06 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.

The Oxford Handbook of Ethics of War Seth Lazar 2018-01-12 Recent years have seen a resurgence of interest, among both philosophers, legal scholars, and military experts, on the ethics of war. Due in part due to post 9/11 events, this resurgence is also due to a growing theoretical sophistication among scholars in this area. Recently there has been very influential work published on the justification of killing in self-defense

and war, and the topic of the ethics of war is now more important than ever as a discrete field. The 28 commissioned chapters in this Handbook will present a comprehensive overview of the field as well as make significant and novel contributions, and collectively they will set the terms of the debate for the next decade. Lazar and Frowe will invite the leading scholars in the field to write on topics that are new to them, making the volume a compilation of fresh ideas rather than a rehash of earlier work. The volume will be divided into five sections: Method, History, Resort, Conduct, and Aftermath. The contributors will be a mix of junior and senior figures, and will include well known scholars like Michael Walzer, Jeff McMahan, and David Rodin.

New Interventionist Just War Theory Jordy Rocheleau 2021-11-23 This book offers a systematic critique of recent interventionist just war theories, which have made the recourse to force easier to justify. The work argues that these theories, including neo-traditionalist prerogatives to national leaders and a cosmopolitan human rights paradigm, offer criteria for war which are insufficient in principle and dangerous in practice. Drawing on a plurality of moral considerations, the book recommends a modified legalist national defense paradigm, which includes an atrocity threshold for humanitarian intervention and a legitimate authorization requirement. The plausibility of this restrictive framework is applied to case studies, including the long wars in Iraq and Afghanistan, ongoing targeted killing, and possible interventions in Syria and elsewhere. Various arguments which seek to loosen the criteria for war are also systematically analysed and criticized. This book will be of much interest to students of just war theory, military history, ethics, political philosophy, and International Relations.

The Just War Revisited Oliver O'Donovan 2003-10-16 Leading political theologian Oliver O'Donovan takes a fresh look at some traditional moral arguments about war. Christians differ widely on this issue. The book re-examines questions of contemporary urgency, including the use of biological and nuclear weapons, military intervention, economic sanctions, and the role of the UN. It opens with a challenging dedication to the new Archbishop of Canterbury and proceeds to shed light on vital topics with which that Archbishop and others will be very directly engaged. It should be read by anyone concerned with the ethics of warfare.

The Just War Tradition J. Daryl Charles 2014-03-11 Politicians, pundits, and scholars have cited the principles of "just war" to defend military actions from Iraq to Afghanistan to Libya. Other politicians, pundits, and scholars have cited just war principles to condemn those same military interventions. How can the same tradition lead to such sharply opposing conclusions? What is the just war tradition, and why is it important today? Authors David D. Corey and J. Daryl Charles answer those questions in this insightful exploration. A fascinating blend of history, theology, and political philosophy, *The Just War Tradition: An Introduction* traces the development of the tradition from its inception nearly two millennia ago. Corey and Charles illuminate how the various voices within the tradition—from Augustine and Aquinas, to Luther and Calvin, to Suárez and Locke, up to present-day commentators—relate to one another and to rival ways of understanding war and peace.

Just War Theory and Civilian Casualties Marcus Schulzke 2017-08-31 This book addresses the inadequacies of just war theory and international law regarding civilian rights, developing new principles of individual restorative justice.

Moral Victories Andrew R. Hom 2018-01-23 What does it mean to win a moral victory? Ideals of just and decisive triumphs often colour the call to war, yet victory is an increasingly dubious proposition in modern conflict, where negotiated settlements and festering violence have replaced formal surrenders. In the Just War and strategic studies traditions, assumptions about victory also underpin decisions to go to war but become more problematic in discussions about its conduct and conclusion. So although winning is typically considered the very object of war, we lack a clear understanding of victory itself. Likewise, we lack reliable resources for discerning a just from an unjust victory, for balancing the duty to fight ethically with the obligation to win, and for assessing the significance of changing ways of

war for moral judgment. Though not amenable to easy answers, these important questions are both perennial and especially urgent. This book brings together a group of leading scholars from various disciplines to tackle them. It covers both traditions of victory – charting the historically variable notion of victory and the dialogues and fissures this opens in the just war and strategic canons – along with contemporary challenges of victory— analysing how new security contexts put pressure on these fissures and working toward clearer ideas about victory today. The result is a wide-ranging and timely collection of essays that bridges the gap between ethical, strategic, and historical approaches to war and develops new ways of thinking about it as a practical and moral proposition.

Just War and Ordered Liberty Paul D. Miller 2021-01-07 When is war just? What does justice require? If we lack a commonly-accepted understanding of justice – and thus of just war – what answers can we find in the intellectual history of just war? Miller argues that just war thinking should be understood as unfolding in three traditions: the Augustinian, the Westphalian, and the Liberal, each resting on distinct understandings of natural law, justice, and sovereignty. The central ideas of the Augustinian tradition (sovereignty as responsibility for the common good) can and should be recovered and worked into the Liberal tradition, for which human rights serves the same function. In this reconstructed Augustinian Liberal vision, the violent disruption of ordered liberty is the injury in response to which force may be used and war may be justly waged. Justice requires the vindication and restoration of ordered liberty in, through, and after warfare.

The Alternatives to War James Pattison 2018-06-27 If states are not to go to war, what should they do instead? In *The Alternatives to War*, James Pattison considers the case for the alternatives to military action to address mass atrocities and aggression. The volume examines the normative issues raised by measures ranging from comprehensive economic sanctions, diplomacy, and positive incentives, to criminal prosecutions, nonviolent resistance, accepting refugees, and arming rebels. For instance, given the indiscriminateness of many sanctions regimes, are sanctions any better than war? Should states avoid 'megaphone diplomacy' and adopt more subtle measures? What, if anything, can nonviolent methods such as civilian defence and civilian peacekeeping do in the face of a ruthless opponent? Is it a serious concern that positive incentives can appear to reward aggressors? Overall, Pattison provides a comprehensive account of the ethics of the alternatives to war. In doing so, he argues that the case for war is weaker and the case for many of the alternatives is stronger than commonly thought. The upshot is that, when reacting to mass atrocities and aggression, states are generally required to pursue the alternatives to war rather than military action. The volume concludes that this has significant implications for pacifism, just war theory, and the responsibility to protect doctrine.

The Just War Myth Andrew Fiala 2008 Whether the Bush administration's actions in the run up to the invasion of Iraq were those of misguided idealists or cynical manipulators, their reliance on just war principles to justify their invasion illustrates the dangers of what Fiala (philosophy, California State U.) dubs the "just war myth." Whereas just war theory ought to guide us towards an understanding of how difficult it is to fight a war with justice, it is instead often used as a shield to fend off such judgments, thus becoming a myth that shelters war from criticism. Guided by this perspective, Fiala offers his thoughts on war and pacifism in general and, more specifically, on the invasion of Iraq and the "War on Terror." Annotation ©2008 Book News, Inc., Portland, OR (booknews.com).

Contemporary Just War Tamar Meisels 2017-08-18 This book offers a renewed defense of traditional just war theory and considers its application to certain contemporary cases, particularly in the Middle East. The first part of the book addresses and responds to the central theoretical criticisms levelled at traditional just war theory. It offers a detailed defense of civilian immunity, the moral equality of soldiers and the related dichotomy between *jus ad bellum* and *jus in bello*, and argues that these principles taken together amount to a morally coherent ethics of war. In this sense this project is traditional (or "orthodox"). In another

sense, however, it is highly relevant to the modern world. While the first part of the book defends the just war tradition against its revisionist critics, the second part applies it to an array of timely issues: civil war, economic warfare, excessive harm to civilians, pre-emptive military strikes, and state-sponsored assassination, which require applying just war theory in practice. This book sets out to reaffirm the basic tenets of the traditional ethics of war and to lend them further moral support, subsequently applying them to a variety of practical issues. This book will be of great interest to students of just war theory, ethics, security studies, war and conflict studies, and IR in general.

War and Individual Rights Kai Draper 2015-10-01 This study begins with the assumption that individual rights exist and stand as moral obstacles to the pursuit of national, no less than personal, interests. That assumption might seem to demand a pacifist rejection of all war, for any sustained war effort requires military operations that predictably kill many non-combatants, most of whom presumably have a right not to be killed. Yet the book concludes that sometimes recourse to war is justified. Its argument relies on the insights of John Locke to develop and defend a framework of rights to serve as the foundation for a new just war theory.

The Ethics of War and the Force of Law Uwe Steinhoff 2020-11-26 This book provides a thorough critical overview of the current debate on the ethics of war, as well as a modern just war theory that can give practical action-guidance by recognizing and explaining the moral force of widely accepted law. Traditionalist, Walzerian, and "revisionist" approaches have dominated contemporary debates about the classical jus ad bellum and jus in bello requirements in just war theory. In this book, Uwe Steinhoff corrects widely spread misinterpretations of these competing views and spells out the implications for the ethics of war. His approach is unique in that it complements the usual analysis in terms of self-defense with an emphasis on the importance of other justifications that are often lumped together under the heading of "lesser evil." It also draws on criminal law and legal scholarship, which has been largely ignored by just war theorists. Ultimately, Steinhoff rejects arguments in favor of "moral fundamentalism"—the view that the laws and customs of war must simply follow an immutable morality. In contrast, he argues that widely accepted laws and conventions of war are partly constitutive of the moral rules that apply in a conflict. The Ethics of War and the Force of Law will be of interest to scholars and advanced students working in just war theory, applied ethics, political philosophy, political theory, philosophy of law, and criminal and military law.

Just War Theory and Literary Studies Ty Hawkins 2021 This book questions when, why, and how it is just for a people to go to war, or to refrain from warring, in a post-9/11 world. To do so, it explores Just War Theory (JWT) in relationship to recent American accounts of the experience of war. The book analyses the jus ad bellum criteria of just war: right intention, legitimate authority, just cause, probability of success, and last resort before exploring jus in bello, or the law that governs the way in which warfare is conducted. By combining just-war ethics and sustained explorations of major works of twentieth and twenty-first century American war writing, this study offers the first book-length reflection on how JWT and literary studies can inform one another fruitfully. Ty Hawkins is Associate Professor and Chair of the Department of English at the University of Central Arkansas, USA. His previous works include *Reading Vietnam Amid the War on Terror* (2012). Andrew Kim is Director of the Center for the Advancement of the Humanities and Associate Professor of Theology at Marquette University, USA. He is the author of *An Introduction to Catholic Ethics since Vatican II* (2015).

Just War and Human Rights Todd Burkhardt 2017-02-21 Discusses how just war theory needs to be revised to better secure and respect human rights. Warfare in the twenty-first century presents significant challenges to the modern state. Serious questions have arisen about the use of drones, target selection, civilian exposure to harm, intervening for humanitarian reasons, and war as a means of forcing regime change. In *Just War and Human Rights* Todd Burkhardt argues that updating the laws of war and reforming just war theory is needed. A twenty-year veteran of the US Army, Burkhardt claims

that war is impermissible unless it is engaged, fought, and concluded with right intention. A state must not only have a just cause and limit its war-making activity in order to vindicate the just cause, but it must also seek to vindicate its just cause in a way that yields a just and lasting peace. A just and lasting peace is motivated by the just war tenant of right intention and predicated on the realization of human rights.

Therefore, human rights should not only dictate how a state treats its own people but also how a state treats the people of other countries, insulating them and protecting innocent civilians from the harms of war. "Todd Burkhardt, experienced American soldier and educator, has here crafted a clearly written and spirited book. It's timely and practical—analyzing drone strikes and post-conflict dilemmas—yet also reflective and theoretical—arguing that the rule of 'right intention' deserves far more prominence in just war theory than it has recently been given. Above all, this is a readable and constructive call to reform the laws of armed conflict in light of human rights values, especially as understood through the lens of John Rawls's theory of international justice. A welcome contribution to today's philosophy of war." — Brian Orend, author of *The Morality of War*, Second Edition *Just War Thinking* Eric Patterson 2009 *Just War Thinking* reconsiders the intersection between morality and pragmatics in foreign policy and modern warfare. The book argues that a political ethic of responsibility should motivate the contemporary application of military force by states in order to protect international security and human life, considering the challenges posed by today's new wars: targeted killing, humanitarian intervention, terrorism, jus post bellum, and the influences of public opinion and supranational institutions.

Necessity in International Law Jens David Ohlin 2016 This book traces the various uses of the concept of necessity in international law, with the goal of determining whether there is any over-arching unity to these uses across the sub-disciplines of international law. The authors not only discuss necessity in international humanitarian law (IHL) and jus in bello, but also aim to situate necessity as understood in IHL within a larger discourse of international law generally. They untangle the confusing and often inconsistent usages of the term "necessity" in these broad areas of international law, including human rights law. The authors argue that necessity in international law has three different conceptions that cut across the various domains: necessity as exception, necessity as license, and necessity as regulation. In this book, the authors describe how these conceptions differ, and analyze them from a normative standpoint, arguing that necessity by exception requires principled restrictions (as found in international criminal law). They go on to explore necessity as a license in IHL, and offer an articulate and workable standard for its curtailment. Further, the authors' methodology is to interrogate the basic theoretical structure of the law through philosophical investigations, including the analysis of historical and contemporary "Just War Theory," and to determine whether the law ought to be revised or not.

America and the Just War Tradition Mark David Hall 2019-03-30 *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 the justice of the conflict was a subject of debate at the time, and the extent to which the war measured up to traditional ad bellum and in bello 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.

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