



Just War Tradition: A Reference Guide

A resource from the United States Army
Chaplain Center & School



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Historic Approaches to War:

- **Pacifism** – Peace is the absence of deadly force. There is no moral justification for using deadly force. Avoiding deadly force is always right no matter the threat. Moral people cannot support the use of deadly force. Rulers do not have the moral right to take life.
- **Just War** – Peace respects the established order. JW opposes the use of deadly force except to restrain and oppose serious injustice. War is a regrettable but tragic necessity. Rulers have a duty to uphold justice by waging war. Combatants and non-combatants are distinguished and treated differently.
- **Holy War/Crusade/Jihad** – Peace is submitting to an ideal rule and authority. War is usually waged for religious reasons. The act of such war is deemed holy and moral restraint is irrelevant. Any opposition is viewed as evil. No distinction is observed between combatants and noncombatants.
- **Total War** – Peace is the goal and the sooner the conclusion of hostilities the better. TW is no holds barred. Rules are non-existent when combat is initiated. War is also viewed as means of vengeance or punishment upon an enemy. No distinction between combatants and noncombatants is necessary. During the American Civil War, General Sherman’s “March to the Sea” is an example of TW practices for the sake of ending war.



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22. ARMY CHAPLAIN TENDING BRITISH GRAVES.

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Just War Tradition:

Introduction – Just War is traced back originally to early Greek and Roman thought and practice. Philosophers such as Plato, Aristotle, and Cicero contributed to its development. It is also rooted in biblical revelation and Hebrew practice. Both classical and biblical roots are intertwined and later expanded by prominent Christian theologians such as Ambrose, Augustine, and Thomas Aquinas.

War is strictly a civil affair and leaders are morally responsible for vindicating justice, protecting the weak, and opposing any form of tyrannical aggression. War is a temporary state in the social order with peace as the intended goal. Violence is a known aspect of war but JWT strives to limit this factor to a minimum. With JWT the desired outcome is surrender and the enemy is treated with respect and mercy. War conducted justly should result in one's enemy being returned to a state of brother or neighbor.



Moral Principles of Just War Tradition:

Note, the following is not an exhaustive list but an academically accepted compilation. There is not one authoritative source for JWT but principles are derived from numerous reputable sources. This aspect reflects the slight differences that are found when researching and discussing JWT. This resource engages the three most common JWT principles of: Jus ad Bellum, Jus in Bello, and Jus post Bellum.

JUS AD BELLUM

Principles that must be met before going to war

- **Just Cause** – cause for going to war must be just such as vindication of justice, restoration of a just international order, protection of innocent human life, or restoration of basic human rights
- **Competent Authority** – war can only be initiated by those who have full authority and bear responsibility for the welfare of their society; it is a function of the state
- **Comparative Justice** – war can only be initiated justly if the moral merit clearly outweighs the moral merit of the enemy, justice must rest on our side
- **Right Intention** – intention for initiating war must be morally right, to restore a just peace would be a form of right intention; punishment, humiliation, or vengeance would be improper intentions for war
- **Last Resort** – war is only justified if all other nonviolent alternatives have been exhausted; diplomacy and economic sanctions are examples of measures taken prior to resorting to war
- **Probability of Success** – war is not justified if success of such efforts is clearly futile, it would be irrational to initiate a war if victory appears unachievable
- **Proportionality of Projected Results** – the good of going to war must outweigh the costs of going to war particularly in relation to human life and physical property
- **Right Spirit** – disposition or spirit of those deciding to initiate war must be one of defining war as a regrettable necessity, this factor prevents clouded judgement and improper motives for those who declare war

JUS IN BELLO

Principles for restraining the use of force in war

- **Proportionality in the Use of Force** – the response of force must not exceed the nature of the aggression shown by the enemy, no act of war should generate more harm than good, the level of force should be the minimum needed to achieve a just objective
- **Discrimination** – in war an intentional distinction must be made between combatants and noncombatants, only combatants should be engaged with deadly force
- **Avoidance of Evil Means** – there can be no use of evil means to achieve just objectives in war, employing evil means to secure victory results in deeming the original cause as unjust; an example of inherently evil means is executing prisoners of war or destroying holy sites
- **Good Faith** – the enemy even in war should be treated in good faith and with respect to maintain human dignity
- **Probability of Success** – the moral conduct of war requires that those responsible for conducting war must bring it to a just conclusion (honorable surrender) if victory becomes impossible, such a surrender or conclusion is their duty
- **Proportionality of Projected Results** – if costs of war exceed original projections such as life and property – it is the responsibility of leaders conducting war to stop fighting in a certain fashion to minimize costs or ultimately bring war to a just conclusion; one does not continue to wage a war that far exceeds original projected cost of results
- **Right Spirit** – according to JWT Soldiers must demonstrate love not hatred while fighting their enemy, Soldiers should regret using deadly force against an enemy while remaining ready to use such force to restore peace

JUS POST BELLUM

Principles for conduct at conclusion of war (Note this is a fairly recent proposed addition to JWT. Critics of this addition argue that JWT properly applied already results in peace, restored social order, and the original aggressor being responsible for post war rebuild and restitution.)

- **Post-war Order** – war should not end without some minimal form of restored political and social order
- **Post-war Restitution** – justice requires that attacked parties and victims of war be compensated in some form for their losses
- **Post-war Punishment** – justice demands that punishment and consequences be enacted for suffering of victims of war, there must be a penalty upon the aggressors for violence that warranted the initiation of just war
- **Post-war Reconciliation** – just peace is the objective of just war but a desired outcome is that parties at war be restored from a state of hostility to a state of partnership or even friendship, the enemy of yesterday should become a brother today if war is concluded justly; such reconciliation ensures a lasting peace, protects human life, promotes international security, and prevents renewal of hostilities



JUST WAR QUOTES:

The only excuse, therefore, for going to war is that we may live in peace unharmed; and when the victory is won, we should spare those who have not been blood-thirsty and barbarous in their warfare.
Cicero 106-43 BC

Peace should be the object of your desire; war should be waged only as a necessity, and waged only that God may by it deliver men from the necessity and preserve them in peace.
Augustine (354-430)

True religion looks upon as peaceful those wars that are waged not for motives of aggrandizement, or cruelty, but with the object of securing peace, of punishing evildoers, and of uplifting the good.
Thomas Aquinas (1225-1274)

For if the sword were not on guard to preserve peace, everything in the world would be ruined because a lack of peace. Therefore, such a war is only a very brief lack of peace that prevents an everlasting and immeasurable lack of peace, a small misfortune that prevents a great misfortune.
Martin Luther (1483-1546)

To hurt and to destroy are incompatible with the character of the godly; but to avenge the afflictions of the righteous at the command of God, is neither to hurt nor to destroy.
John Calvin (1509-1564)

The restraint of war is the beginning of peace.
Michael Walzer (1935 -)

The just war tradition represents the coalescence of the major effort Western culture has made to regulate and restrain violence.
James Turner Johnson (1938 -)

The restraints that are applicable during a period of hostilities can only have as their purpose the mitigation of human suffering and the protection of those fundamental human rights which survive even in war.
Robert W. Tucker (1924 -)

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