

Just War: Principles and Concepts

Gifts of Finest Wheat

Fr. Josh Miller



I. The Over-Arching Rules...

- “All citizens and all governments are obliged to work for the avoidance of war.” (CCC #2308)
 - “Blessed are the peacemakers.” (Mt 5:9)
- War is, therefore, **always the result of a failure** on behalf of one or more parties to safeguard the peace.

I. The Over-Arching Rules...

However...

- Absolute pacifism is not a requirement of Christianity.
 - The Church acknowledges that there are certain circumstances in which military force is *just/justified*.
 - Justice & Charity sometimes require defensive force, even domestically.

I. The Over-Arching Rules...

- “The strict conditions for *legitimate defense by military force* require rigorous consideration. The gravity of such a decision makes it subject to rigorous conditions of moral legitimacy...” (CCC #2309).
 - Thus, one must carefully weigh the decision to employ force.
 - **Seven chief principles** allow us to objectively weigh whether or not to engage in war.

II. The Seven Criteria

- The Seven Criteria are referred to as *jus ad bellum*, evaluating whether or not there is justification to wage war.
- In order to wage morally justified war, *all seven criteria must be met*.
 - A failure to meet one of these criteria has the potential to render war a morally illicit act.

II. The Seven Criteria

#1) Last Resort

- Maintaining that war is the result of *failure*, force must only be used as a “last resort.”
 - All other avenues which might lead to a peaceful outcome must be exhausted.
 - Diplomacy, bargaining, etc.

II. The Seven Criteria

#2) Just Cause

- Exactly as it sounds: one must have a “just cause” to wage war.
- “Force may be used only to correct a grave, public evil, i.e., aggression or massive violation of the basic rights of whole populations.”

- USCCB, *The Harvest of Justice is Sown in Peace*

- Must be some clear, imminent danger.
 - Thus, legitimate force is based on self-defense...
 - ...or to assure basic rights.

II. The Seven Criteria

#2) Just Cause (cont'd)

- Applications & Questions
 - A nation attacks another nation?
 - A nation looks to redress past wrongs?
 - A nation looks to reclaim lost land?
 - A nation is denied water from a neighboring nation with plenty of it?

II. The Seven Criteria

#3) Comparative Justice

From the USCCB:

“While there may be rights and wrongs on all sides of a conflict, to override the presumption against the use of force the injustice suffered by one party must significantly outweigh that suffered by the other.”

- Acknowledges a reality: Often, *both* nations have legitimate grievances against one another.

II. The Seven Criteria

#3) Comparative Justice (cont'd)

- ...and while each may have grievances, these in themselves do not constitute justification for the use of force.
 - Thus, one party's grievances must outweigh the other party's – significantly, taking into account the other conditions for Just War.
- Examples & Questions

II. The Seven Criteria

#4) Legitimate Authority

From the USCCB:

“Only duly constituted public authorities may use deadly force or wage war.”

- Addresses the question of *who* can legitimately use force/wage war.
- Examples/Questions

II. The Seven Criteria

#5) Right Intention

From the USCCB:

“Force may be used only in a truly just cause and solely for that purpose.”

- Why this clause?
 - Ensures proper motivation, and that one does not use an otherwise just reason for force to justify other motivations...
 - Examples/Questions

II. The Seven Criteria

#6) Probability of Success

From the USCCB:

“Arms may not be used in a futile cause or in a case where disproportionate measures are required to achieve success.”

- The “futile cause” relates to a situation where there is no probability of success – even when the cause is a just one.
 - Why?
- “Disproportionate measures?” Discussed later.

II. The Seven Criteria

#7) Proportionality

From the USCCB:

“The overall destruction expected from the use of force must be outweighed by the good to be achieved.”

- Thus, the “good” must outweigh the “bad.” when waging war.
- Examples and Questions.

II. The Seven Criteria

In Summary...

- All of the Seven Criteria listed above must be satisfied in order to justify war/force.
- Checks and balances: See how they safeguard against abuses.

III. Morality in War: *Jus In Bello*

- It is not enough that war be waged for a just *reason*.
 - It must also be waged in a morally just way.
 - This we call *jus in bello*...
 - ...which is guided by *three principles*.

III. Morality in War: *Jus In Bello*

#1) Noncombatant Immunity

From the USCCB:

“Civilians may not be the object of direct attack, and military personnel must take due care to avoid and minimize indirect harm to civilians.”

- Notice some distinctions.
 - Civilians may not be the object of *direct attack*.
 - This means that in no way is it ever morally permissible to willfully and directly injure/kill the civilian population.

III. Morality in War: *Jus In Bello*

#1) Noncombatant Immunity (cont'd)

- Thus, only military targets can be the object of direct attack.
- *However*, a direct attack on a military target can sometimes result in unintended civilian casualties.
 - “Collateral Damage” – the Principle of Double-Effect.

III. Morality in War: *Jus In Bello*

#1) Noncombatant Immunity (cont'd)

- Examples of Collateral Damage/Double-Effect:
Does it apply, or doesn't it?
 - Shooting through a hostage to kill the target?
 - Aerial bombing a school when it houses weapons?
 - Carpet bombing?
 - Osama bin Laden on a mountaintop with school children?
 - Other examples or questions.

III. Morality in War: *Jus In Bello*

#1) Noncombatant Immunity (cont'd)

- Overall, notice the responsibility a nation has to *minimize civilian casualties*.
- Double-Effect does not give us the license to be ambivalent about civilian deaths.

III. Morality in War: *Jus In Bello*

#2) Proportionality

From the USCCB:

“In the conduct of hostilities, efforts must be made to attain military objectives with no more force than is militarily necessary and to avoid disproportionate collateral damage to civilian life and property.”

- *Translation*: Don't bring a sledgehammer to a ball peen job.

III. Morality in War: *Jus In Bello*

#2) Proportionality (cont'd)

- Why?
 - Reduces the chance for civilian casualties/unneeded destruction...
 - Plus, it's just good common sense.
- Examples/Questions

III. Morality in War: *Jus In Bello*

#3) Right Intention

From the USCCB:

“Even in the midst of conflict, the aim of political and military leaders must be peace with justice, so that acts of vengeance and indiscriminate violence, whether by individuals, military units or governments, are forbidden.”

- To sum it up: *Stick to the Point.*

III. Morality in War: *Jus In Bello*

#3) Right Intention (cont'd)

- Vengeance/retribution are never proper motivations to *start a war or engage in combat*.
- One must see an individual act as pertaining to the whole of the intended outcome/reason for the war.
- “Keep the big picture in mind.”
- Examples/Questions

IV. Other Considerations

The Use of Atomic Weapons

- “Nuclear war-fighting is rejected in Church teaching because it cannot ensure noncombatant immunity and the likely destruction and lingering radiation would violate the principle of proportionality. Even the limited use of so-called “mini-nukes” would likely lower the barrier to future uses and could lead to indiscriminate and disproportionate harm. And there is the danger of escalation to nuclear exchanges of cataclysmic proportions.” – Archbishop Edwin F. O’Brien

IV. Other Considerations

The Use of Atomic Weapons (cont'd)

“Both the Holy See and our Bishops’ Conference have spoken about the strategy of nuclear deterrence as an interim measure. As the U.S. bishops wrote in 1983: “Deterrence is not an adequate strategy as a long-term basis for peace; it is a transitional strategy justifiable only in conjunction with resolute determination to pursue arms control and disarmament.” – Archbishop Edwin F. O’Brien

IV. Other Considerations

Modern-Era Application of Just War Theory

- What constitutes an “imminent threat” today, vs. in previous eras?

