

Morality and Contemporary Warfare

Morality and Contemporary Warfare discusses just war theory. It was written in 1999 by James Turner Johnson. Johnson is a professor in the Department of Religion at Rutgers University. The question of what is just warfare is not a new one. It has been around for as long as war has. Johnson believes that the underlying moral principles behind just war do not change. These moral concepts are derived from natural law, and they have been developed by centuries of philosophical and theological thought. Johnson discusses seven moral concepts of just war theory: just cause, competent authority, right intention, reasonable hope for success, proportionality of good over harm, last resort, and the goal of peace. Although the underlying principles do not change, their application to warfare does. The nature of war is always evolving. The goal of *Morality and Contemporary Warfare* is to apply these concepts to a new era of war.

Johnson begins by defining contemporary warfare. He believes that the last significant conversation about just war theory occurred during the Cold War. It was consumed by the threat of nuclear holocaust and the geopolitical battle between the ideologies of the East and the West. However, the nature of war and the international order has changed a great deal. Johnson claims that the time of large-scale conflicts between nation-states is over. Contemporary warfare is small regional conflicts motivated by ethnic, religious, and cultural differences. It is often one distinct group against another. There is no separation between combatant and non-combatant. Victory entails complete destruction or subjugation of the opposing side. This is a dangerous type of war. The possibility for horrors like genocide to occur is real. However, there is a new international order tasked with trying to regulate contemporary warfare. The carnage of the 20th century forced the creation or modification of multinational organizations and commonly held international laws. Organizations like the United Nations make decisions on contemporary war. They subject it to international laws and their underlying moral concepts.

Johnson separates the seven concepts into two groups, *jus ad bellum* and *jus in bello*. *Jus ad bellum* (Latin for right to war) deals with the moral principles that determine whether it is just to go to war. This includes the principles of: just cause, competent authority, right intention, proportionality of ends, last resort, reasonable hope of success, and the aim of peace. Proportionality of good over harm is broken up into proportionality of ends and proportionality of means. Johnson takes these *jus ad bellum* concepts and shows how they apply to contemporary warfare. He primarily focuses on just cause, competent authority, and right intention. These concepts have priority. They must be fulfilled in order for a war to be just. There are no exceptions. He only briefly discusses the other five. He says that they are almost always involved in the deliberation of the first three concepts, or that there may be a rare exception. An example of an exception would be the Polish resistance against Nazi invasion. They had no reasonable hope for success, yet were morally obligated to defend themselves.

Just cause in contemporary warfare involves three situations. First is self-defense against an armed attack. In the new international order, defense is the only just use of force. Any unprovoked attack violates the concept of just cause. Next is retaliation for an armed attack. The classical interpretation would replace retaliation with punishment. An example of this concept would be the invasion of Iraq in 1991 after their occupation of Kuwait. Finally, the last situation of just cause in contemporary war would be an international response to a violation of international law. An example would be the joint UN and NATO airstrikes in Bosnia in response to ethnic cleansing and attacks on non-combatants. The next concept is competent authority. Competent authority in contemporary warfare comes from the international community. This is opposed to the classical interpretation in which authority came from a sovereign political entity. Contemporary authority comes in the form of the UN resolutions and declarations from multi-national organizations. For warfare to be deemed just, it must be approved by the international community. Finally, right intention in contemporary warfare is closely related to the concept of

just cause. The three situations defining just cause defines right intention. It is not just to wage war to gain territory, or out of hatred, or over an ideological difference.

The last moral concept falls under *jus in bello* (Latin for law in waging war). It is the principle of proportionality in means. It applies after a war is deemed *jus ad bellum*. This is a broad concept and includes the idea of discrimination. It attempts to establish some equity in the conduct of war. The classical interpretation had little importance. It placed some restrictions on the types of weapons used. It also tried to limit the length and scale of conflicts. However, proportionality of means plays a significant role in contemporary warfare. The technological progress of the second half of the 20th century has changed the nature of war. There are entirely new classes of weapons that have unprecedented destructive power. An example would be weapons of mass destruction like chemical, nuclear, and biological weapons. In an attempt to promote proportionality of means, the international community has enacted treaties and laws to limit or ban the use of these new weapons. It is the duty of the international community to regulate these weapons in contemporary war.

The most important concept of *jus in bello* is discrimination. There needs to be a distinct line between combatant and non-combatant. Non-combatants are not to be touched. This moral principle was rarely followed in the past. The idea of total war was more common. Cities were bombed, pillaged, and razed. Johnson fears that contemporary warfare has renewed this practice. The trend of religious, ethnic, and cultural conflict has led to atrocities like genocide. Killing of non-combatants is common place. The classical reluctance to apply this trend must be changed in contemporary warfare. Treaties like the Geneva convention and the UN Declaration of Human Rights has done much to protect non-combatants. However, Johnson believes that the international community has not done enough. There can be no just warfare if non-combatants are intentionally targeted. These acts invalidate the other *jus ad bellum* moral concepts of just war theory.

Johnson presents a strong moral argument in *Morality and Contemporary Warfare*. His belief that the underlying moral concepts do not change is true. They are based on natural law. War is an inevitable part of our existence. It makes sense that there are a set of unchangeable laws that promote justice in it. All of Johnson's seven moral principles are based on reason. Simply by being human we understand them. We know that it is wrong to kill innocent civilians. We know that if we go to war it should be for the right reason, and that it should do more good than harm. The morality of warfare differs little from the morality of a single man. One side should treat the other the way they would want to be treated themselves. Even though war involves killing, we should not forfeit all of our morality while doing so. Johnson did a good job applying these concepts to the contemporary warfare of the post-Cold War era. The international order did change significantly in the second half of the 20th century. The effects of decolonization, East vs. West ideology, and the collapse of the Soviet Union changed the nature of warfare. The application of the moral concepts behind just war theory did need to be updated. However, I believe that they need to be updated again. Johnson authored his book two years before the 9/11 attacks. This event changed the nature of war. It ushered in the Global War on Terror. This new type of conflict is complex. The application of the seven moral concepts needs to be updated. How does an unmanned drone strike in a country that has not directly attacked us fit into just cause, aim of peace, and proportionality of ends and means? These are the moral questions that need to be addressed as the world enters year eighteen of the Global War on Terror.