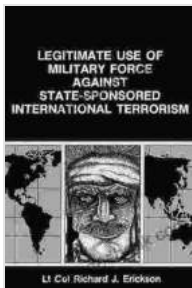


The Just War Tradition and the Customary Law of Armed Conflict Justice

The just war tradition is a set of ethical principles that guide the use of force in war. It has its roots in ancient Greek and Roman philosophy, and has been developed over centuries by Christian theologians, philosophers, and legal scholars. The just war tradition holds that war is sometimes morally justified, but only if it meets certain criteria.



The Legitimate Use of Military Force: The Just War Tradition and the Customary Law of Armed Conflict (Justice, International Law and Global Security)

by Rachel Winston

★★★★☆ 4 out of 5

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File size : 9853 KB
Text-to-Speech : Enabled
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 320 pages
Screen Reader : Supported



The criteria for a just war are typically divided into two categories: ***jus ad bellum*** and ***jus in bello***. ***Jus ad bellum*** refers to the criteria for going to war, while ***jus in bello*** refers to the criteria for conducting war. The ***jus ad bellum*** criteria include the following:

- **Just cause:** The war must be fought for a just cause, such as self-defense or the defense of others.
- **Right intention:** The war must be fought with the right intention, such as to achieve justice or to protect the innocent.
- **Last resort:** War must be a last resort, after all other peaceful means of resolving the conflict have failed.
- **Probability of success:** There must be a reasonable chance of success in achieving the war's objectives.
- **Proportionality:** The harm caused by the war must not be disproportionate to the good that is expected to be achieved.

The *jus in bello* criteria include the following:

- **Distinction:** Belligerents must distinguish between combatants and non-combatants, and must not target non-combatants.
- **Proportionality:** The force used must be proportionate to the military advantage gained.
- **Necessity:** The force used must be necessary to achieve the military objective.
- **Humanity:** Belligerents must treat each other humanely, even in the heat of battle.

The just war tradition has been criticized on a number of grounds. Some critics argue that it is too idealistic and that it is impossible to apply its principles in the real world of war. Others argue that it is too anthropocentric and that it does not give enough weight to the interests of

non-human animals. Despite these criticisms, the just war tradition remains a valuable framework for thinking about the ethics of war.

The customary law of armed conflict is a body of law that governs the conduct of war. It is based on the customs and practices of states, and is binding on all states, whether or not they have ratified any treaties on the subject. The customary law of armed conflict includes the following principles:

- **The principle of distinction:** Belligerents must distinguish between combatants and non-combatants, and must not target non-combatants.
- **The principle of proportionality:** The force used must be proportionate to the military advantage gained.
- **The principle of necessity:** The force used must be necessary to achieve the military objective.
- **The principle of humanity:** Belligerents must treat each other humanely, even in the heat of battle.

The customary law of armed conflict is an important part of international law. It helps to protect civilians from the effects of war, and it ensures that belligerents conduct themselves in a humane manner.

The just war tradition and the customary law of armed conflict justice are two important frameworks for thinking about the ethics of war. They provide a set of principles that can help us to assess the morality of war and to ensure that war is conducted in a just and humane manner.



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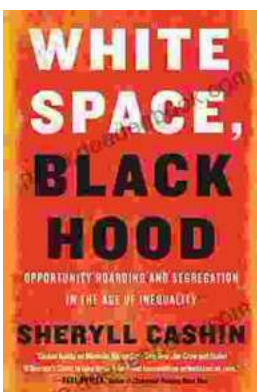
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