"War is hell." General William Tecumseh Sherman’s warning to a graduating class of cadets in 1880 helps explain why war presents some of the most momentous ethical and political problems we face. War is systematized violence. A wrong decision may devastate or end thousands, even millions, of lives.

Philosophers traditionally distinguish two kinds of ethical questions concerning war. First is the issue of _jus ad bellum_—justice (in going) to war—which concerns the circumstances under which it is permissible to go to war. When may a nation declare war on another nation? Is it ever permissible for a nation to initiate a war? If so, when? Most people think a nation may defend itself from military attack. Other circumstances are less clear. May a nation declare war on nations allied with an attacker, who may be giving it economic and military aid? May a nation ever engage in preventive war, attacking in order to keep from being attacked?

These questions are perennial but have been given new dimensions by terrorism, the systematic use of violence against noncombatants to intimidate or coerce someone for political ends. Terrorism is plainly a form of aggression. Most philosophers hold that nations have a right to fight aggression for the same reason that individuals have rights to self-defense. Therefore, nations have a right to fight terrorism. But terrorists generally have no official affiliation with any nation. A country attacked by terrorists therefore may have no one to declare war against. There is no nation or identifiable group with whom to engage in diplomacy or deterrence. Terrorism, moreover, makes questions about preemptive war more acute. Especially in an age of biological, chemical, and nuclear weapons, waiting until _after_ a terrorist attack to take action may seem irresponsible.

Thomas Aquinas articulates classical just war theory to answer these questions. For a nation to wage a war justly, three conditions must be fulfilled. First, the party waging war must be a legitimate government. Second, there must be a just cause. Aquinas does not elaborate an account of what these might be, but he does give examples: A nation that seizes territory unjustly, or that refuses to make amends for wrongs inflicted by its citizens, deserves to be attacked. Whether the wrongs inflicted must be against citizens of the nation waging war, or whether they may be against citizens of another nation, even the nation to be attacked, Aquinas does not say. May a nation wage war to protect people from their own tyrannical governments? Third, the party waging war must be seeking to advance good and avoid evil. Cruelty, pride, greed, and the lust for power are not acceptable motives. Since “Seek good and avoid evil” is the fundamental precept of natural law, Aquinas’s third condition requires that a person wage war to uphold natural law. To phrase it another way, one must wage war not because it is to one’s advantage but because it is the right thing to do.

Later writers, most prominently Francisco de Vitoria, have added further conditions: that war be a last resort; that war have a reasonable likelihood of success; and that the goods to be gained outweigh the evils of warfare.

Hugo Grotius, often considered the father of international law, develops just war theory by way of what Michael Walzer calls the domestic analogy. The right of a nation to defend itself, Grotius argues, is analogous to (and in fact derived from) each individual’s right to defend him- or herself. The wrongs that would justify war are similarly analogous to the harms that would justify legal action against an individual. The basic just cause for waging war is thus an injury. It may of course be an actual injury resulting from an act of aggression on the part of another state. But it may also be injury resulting from the acts of citizens of another state who are not properly held accountable by that state and for which no compensation
is made. The injury need not even be actual; it is
enough if there is a threat of injury to persons and
property. I may defend myself against an attacker,
even with lethal force, before I have been injured; I
do not have to wait until I have been hurt. Similarly,
nations may defend themselves preemptively against
threats; they do not have to wait until they have been
attacked. But such a preemptive war must meet sev-
eral conditions. First, the danger must be immediate.
Second, it must be real; fear is not in itself a justifica-
tion for going to war. Third, there must be no less
extreme way of avoiding the danger.

Mahatma Gandhi argues for pacifism, maintaining
that war is always impermissible. Even under direct
attack, we are not morally justified in responding
with violence. It is better to be killed than to kill, in
Gandhi's view. Gandhi argues on both deontological
and consequentialist grounds. Killing and injuring
others for our own purposes are wrong in themselves.
Killing could be justified only on the condition that
the victim actually benefit from the killing. So, thus
euthanasia is not necessarily wrong—though Gandhi
thinks that, faced with a suffering human being, we
are never in a position to know with confidence that
it would be the right thing to do. In any case, that
makes no difference to the moral acceptability of war,
for no one thinks that enemy soldiers themselves are
better off dead or wounded. But even apart from its
intrinsic morality, Gandhi claims, violence is counter-
productive. War causes immense destruction; there is
always a better way. Nonviolent resistance takes great
courage, but it accomplishes great things.

Richard Posner and Gary Becker argue, on conse-
quentialist grounds, that preventive war is justified,
not only in the face of an immediate threat, as Gro-
tius insists, but even if the threat is not immediate.
Terrorism makes the argument for preventive war
stronger, they argue, for terrorists cannot be retali-
ated against, and hence deterred, in the way that
state agents can.
In order for a war to be just, three things are necessary. First, the authority of the sovereign by whose command the war is to be waged. For it is not the business of a private individual to declare war, because he can seek for redress of his rights from the tribunal of his superior. Moreover it is not the business of a private individual to summon together the people, which has to be done in wartime. And as the care of the common weal is committed to those who are in authority, it is their business to watch over the common weal of the city, kingdom or province subject to them. And just as it is lawful for them to have recourse to the sword in defending that common weal against internal disturbances, when they punish evil-doers, according to the words of the Apostle: “He beareth not the sword in vain: for he is God’s minister, an avenger to execute wrath upon him that doth evil”; so too, it is their business to have recourse to the sword of war in defending the common weal against external enemies. Hence it is said to those who are in authority: “Rescue the poor: and deliver the needy out of the hand of the sinner”; and for this reason Augustine says: “The natural order conducive to peace among mortals demands that the power to declare and counsel war should be in the hands of those who hold the supreme authority.”

Secondly, a just cause is required, namely that those who are attacked, should be attacked because they deserve it on account of some fault. Wherefore Augustine says: “A just war is wont to be described as one that avenges wrongs, when a nation or state has to be punished, for refusing to make amends for the wrongs inflicted by its subjects, or to restore what it has seized unjustly.”

Thirdly, it is necessary that the belligerents should have a rightful intention, so that they intend the advancement of good, or the avoidance of evil. Hence Augustine says: “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 evil-doers, and of uplifting the good.” For it may happen that the war is declared by the legitimate authority, and for a just cause, and yet be rendered unlawful through a wicked intention. Hence Augustine says: “The passion for inflicting harm, the cruel thirst for vengeance, an unpacific and relentless spirit, the fever of revolt, the lust of power, and such like things, all these are rightly condemned in war.”

**Whether it is lawful to kill a man in self-defense?**

It is written (Exodus 22:2): “If a thief be found breaking into a house or undermining it, and be wounded so as to die; he that slew him shall not be guilty of blood.” Now it is much more lawful to defend one’s
life than one's house. Therefore neither is a man guilty of murder if he kill another in defense of his own life.

Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention. Now moral acts take their species according to what is intended, and not according to what is beside the intention, since this is accidental. Accordingly the act of self-defense may have two effects: one is the saving of one's life, the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful, seeing that it is natural to everything to keep itself in "being," as far as possible. And yet, though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end. Wherefore if a man, in self-defense, uses more than necessary violence, it will be unlawful: whereas if he repel force with moderation his defense will be lawful, because according to the jurists, "it is lawful to repel force by force, provided one does not exceed the limits of a blameless defense." Nor is it necessary for salvation that a man omit the act of moderate self-defense in order to avoid killing the other man, since one is bound to take more care of one's own life than of another. But as it is unlawful to take a man's life, except for the public authority acting for the common good, as stated above (Article 3), it is not lawful for a man to intend killing a man in self-defense, except for such as have public authority; who while intending to kill a man in self-defense, refer this to the public good, as in the case of a soldier fighting against the foe, and in the minister of the judge struggling with robbers, although even these sin if they be moved by private animosity.

**Whether one is guilty of murder through killing someone by chance?**

On the contrary, Augustine says to Publicola (Ep. xlvii): "When we do a thing for a good and lawful purpose, if thereby we unintentionally cause harm to anyone, it should by no means be imputed to us." Now it sometimes happens by chance that a person is killed as a result of something done for a good purpose. Therefore the person who did it is not accounted guilty.

I answer that, according to the Philosopher (Phys. ii, 6) "chance is a cause that acts beside one's intention." Hence chance happenings, strictly speaking, are neither intended nor voluntary. And since every sin is voluntary, according to Augustine (De Ver. Relig. xiv) it follows that chance happenings, as such, are not sins.

Nevertheless it happens that what is not actually and directly voluntary and intended, is voluntary and intended accidentally, according as that which removes an obstacle is called an accidental cause. Wherefore he who does not remove something whence homicide results whereas he ought to remove it, is in a sense guilty of voluntary homicide. This happens in two ways: first when a man causes another's death through occupying himself with unlawful things which he ought to avoid: secondly, when he does not take sufficient care. Hence, according to jurists, if a man pursue a lawful occupation and take due care, the result being that a person loses his life, he is not guilty of that person's death: whereas if he be occupied with something unlawful, or even with something lawful, but without due care, he does not escape being guilty of murder, if his action results in someone's death.

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**QUESTIONS FOR REFLECTION**

1. Explain Aquinas's first condition for a just war.
2. What constitutes a "just cause"?
3. Are Aquinas's examples of just causes for war analogous to injuries suffered by individual people that might justify legal action? Why or why not?
4. What are acceptable motives for waging war, in Aquinas's view?
5. Think about applying Aristotle's schema for virtue to the issue of waging war: One must wage war at the right times, in the right circumstances, and for the right reason. (a) Is this virtue a mean between extremes? If so, describe them. (b) Compare the results to Aquinas's just war theory.
6. Aquinas's position on self-defense is known as the doctrine of Double Effect. Explain why.
7. What implications does Aquinas's view of killing in self-defense have for warfare?