

Just what is Just War Theory?

Andrew Valls sets out to determine whether terrorism can be justified. He uses the criterion of just war theory and specific definitions of both terrorism and the state against which terrorist acts are committed against to determine whether any terrorist acts can ever be considered just. Three main criteria include just cause, legitimate authority, and discrimination.

To best grasp the satisfaction of terrorism to just war theory's criteria, the pertinent terms are as follows. The "stipulative" meaning of terrorism for Valls is "violence committed by non state actors against persons or property for political reasons" (p. 2). Valls already established in a previous writing that a group of humans who possess their own economy, political system, currency, and the like comprise a "state". Thusly, a non state is a group of humans who do not.

One of the two main aspects of just war theory is "Jus ad Bellum." The concept deals with justifications for going to war. Within this category, "just cause" is presented by Valls as an initial normative reason for war. Essentially, a war is justified when a state is retaliating to defending itself against the "aggression" of other states. To be clear, Valls defines "aggression" as "the violation of [the states] territorial integrity of political independence" (p. 3). However, the definition is somewhat broad and flexible. Understandably, there must be a starting point from which to view and discuss acts, so the definition allows for various scenarios. One example that clearly falls into this scenario is Japan attacking the U.S. at Pearl Harbor and consequently "waking a sleeping giant." The U.S. then entered WWI clearly in defense.

Also within "Jus Ad Bellum" is the concept of "legitimate authority." The idea here is essentially only a state can justly declare war. Valls points out that "state violence" constitutes a war whereas "private violence" is simply a crime. It is here that a distinction is made which modifies the basic clause of "legitimate authority." Valls argues that a non state can declare war when the non state legitimately represents the rights of the people (p. 5). Many examples of this can be found in decolonization such as Algerian people gaining their independence from France through the National Liberation Front. Certainly seen as, and labeled negatively as, terrorists by France, the FLN used violence to win back the country to its people.

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“Jus in Bello,” the other side of just war theory, considers a state’s conduct during war. Even if there is a just reason for entering into a war, how a state conducts itself within war is also subject to moral scrutiny. The issue of “discrimination” falls into this category of just war theory. When a state discriminates in a war, the targets of violence are only legitimate persons. At first blush, combatants seem to be the obvious clear targets for a war.

However, military personnel are not always the most liable to attack or take “responsibility for an aggressive war” (p. 9). Comically, actor Will Smith shoots a young cardboard girl in target practice during the film “Men in Black” while the rest of his peers target the aliens and monsters. When asked why, he points out the little girl carrying books well beyond her grade level on the wrong side of town. The aliens, he says, are hanging out in various non-threatening ways.

Though the scene is funny, in real life foot soldiers have been faced with babies who explode and pregnant women who shoot. The notion that civilians are not combatants is no longer the case which makes discrimination vastly more difficult. Valls cites Holmes as providing somewhat of a solution by viewing a person’s “combatancy status” as a matter of degrees. The spectrum flows as follows:

Political leaders who undertake the aggression, followed by soldiers, contributors to the war, supporters, and finally, at the other end of the spectrum, non-contributors and non-supporters.
(p. 9)

Now, different citizens can be placed onto the spectrum and make discrimination somewhat less difficult. Unfortunately, as is true with any war, innocent life will still be lost. As long as these lives were not targeted, according to discrimination, the violence of the state is still just.

Using only a number of the many facets of criteria within just war theory as a starting point, it is increasingly clear that Valls is on to something. In his document, he does explore all the criteria within just war theory to adequately judge some “terrorist acts” committed by non-states. Naturally, Valls exhausts each criterion and concludes that yes, “terrorism understood as political violence committed by non-state actors,” can “satisfy” the criteria for a just war. By viewing war through a just terrorist’s eyes, the acts committed by states consequently are scrutinized as well. How just was the decision and consequent conduct in the war in Iraq? Would Americans begin to see the violent acts its country does as the violent acts they are? By understanding both just war theory and the new terrorist perspective, the lens with which non-states view their state can change drastically.