The Future of Just War

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INTRODUCTION

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Critical scholarship questions the ontological and epistemological constructions that are taken to be “natural,” a “given,” or too long-standing to question.¹ Like security studies, terrorism studies, or international relations, the Just War tradition also contains such assumptions.² The Just War tradition assumes a particular epistemic perspective: in this current global system, the state is the legitimate authority able to possess right intention, justify cause, and maneuver last resort and is the sole entity in possession of the ability to direct proportionate and discriminate violence. The presumptions in favor of the state can quickly lead to further presumptions that the state always acts justly when it wages war, that conventional weapons do not violate discrimination and proportionality, and that civilians, and not military forces, are at the center of a state’s consideration of moral harm. Such thinking creates operational binaries: states are always the legitimate author and nonstate actors illegitimate;³ the use of conventional weapons always falls within discrimination and proportionality, and nuclear weapons do not; military leaders need to consider the moral harm to noncombatants but not necessarily to soldiers.

These operational binaries often lead to uncritical assessments of claims about war and justice. Epistemic assumptions and hermeneutics need to be challenged and rescripted in light of an international system where nonstate actors, including rebel groups, terrorist movements, criminal syndicates, and corporations, engage in political violence, where state-to-state wars are on the decline, and where the imperative to reconfigure sovereignty as a system of shared responsibility for individual well-being so as to require intervention for humanitarian purposes is becoming more accepted. Moreover, even when states do engage in war, their methods, strategies, and weapons are often presumed to be just even if they break the norms of war and the international system. Both by the immediate presumption of state legitimacy and through the claim of supreme emergency, state violations of international norms are often allowed to “slide.” Just as previous periods of political crisis have caused the tradition to change and grow,⁴ these new developments provide the prospect for similar
growth and transformation. Thus, this collection argues, within the spirit of the tradition, that as a *tradition* without a singular defining voice that has evolved over millennia the Just War tradition needs to critically engage some of the practices that have been epistemologically written out of or not-as-of-yet dealt with by *jus ad bellum*, by *jus in bello*, and in the continued emergence of *jus post bellum*. The chapters in this volume come together to point to the erosion of epistemic norms for mutuality, reciprocity, and moral agency as well to argue for the continued complication of conflating sovereignty with legitimacy.

While the chapters in this volume support the Just War tradition, they are also mindful of criticisms toward it. Prominent American pacifist Stanley Hauerwas states that “violence used in the name of justice . . . is simply a matter of the power of some over others.” Speaking from within the tradition, Nick Rengger has stated, “Just War is still just war.” Being aware that when power and force are used there are always costs has typically imbued the tradition with intention, meditation, and caution. Yet, contemporary policy invocations of Just War, such as the Bush administration’s use of it to justify the wars in Afghanistan and Iraq, undermines these nuanced and careful considerations. The administration reached the decision to wage war and then deployed Just War terminology to create a moralistic justification for its political choice. The Bush Doctrine, in particular, sought to capture the language of preemptive self-defense to wage war against states that supported or harbored terrorists. By eliding preemptive self-defense against imminent threat and preventive war against a future threat, the Bush Doctrine and its wars threatened to dilute Just War principles by utilizing the moral language of the tradition to serve political purposes. This manipulation is not limited to policy circles; it was also found in scholarship that supported both wars, such as Jean Bethke Elshtain’s *Just War against Terror*, in which she argued that the hegemony of the United States necessitated intervention in Afghanistan and that the United States had fulfilled enough *jus ad bellum* criteria to do so legitimately.

Yet, there was a significant backlash to Elshtain’s reasoning within academic communities and later to President Bush’s manipulation of *jus ad bellum* criteria, particularly “preemptive” self-defense. Thus, one potential response to this misuse of the Just War tradition is cynicism about the utility of discourse about war and morality. In contrast, *The Future of Just War* takes seriously the possibility of applying the principles of the Just War tradition to contemporary normative problems while being wary of the (mis)use of power. Specifically, the
book uses emerging or evolving issues to explore the demands, limitations, and promise of the Just War tradition.

THE TRADITION AND THE MARGINS

As a tradition, Just War scholarship has been able to adapt to contemporary crises and situations. Such adaptation spurs debate and conversation—a method and means of pushing its thinking forward. With a few notable exceptions, like Eric A. Heinze and Brent J. Steele’s 2009 volume and Laura Sjoberg’s feminist critique of the war in Iraq, the recent proliferation of Just War literature remains welded to traditional (conceivably outdated) conceptualizations of Just War; for instance, chapters in this book argue that Just War needs to be pushed to deal with substate actors within the realm of legitimate authority, the ongoing issue with private military companies, and the indiscriminate and disproportionate rapid deployment of conventional weapons under Conventional Prompt Global Strike, and reciprocity when casualty aversion has become a key operational objective. These developments challenge traditional Just War assumptions like the preference in favor of the state or the dichotomy between conventional and nuclear weapons. These underpinnings, which in many cases date back centuries, cannot be applied to contemporary challenges in the absence of new interpretation.

The need to bring interpretation and understanding back into Just War reasoning also addresses another trend that potentially marginalizes the tradition. As recent policymakers or scholars have tried to make the Just War criterion legalistic, as in Elshtain’s *Just War against Terror*, they have weakened the tradition’s ability to draw from and adjust to its contemporaneous setting. It is particularly troubling that some scholars have begun conflating the tradition with an epic battle of good versus evil. While it is true that the tradition is rooted in moral and normative perspectives, typically tied to Catholic theology, Just War scholars in the 1600s, particularly Alberico Gentili, recognized that no one had a full grasp on which side of a war lay the ultimate good or a blessing from God. Mutuality then applies: two enemy states may be at war, but they are at war together, and from this “brotherhood of death” the methods and means of fighting war have been established in the tradition. As a result, *jus in bello* rules came to be as significant as *jus ad bellum* considerations. This tension, though, persists. Contemporary warfare has transformed this mutuality by introducing
a problematic power dynamic between those lucky enough to have advanced technology and those who do not.

It has been long held that the achievement of justice can come only through serious consideration and thought—this can be traced throughout Western thought—from Plato to present scholars, such as Tarik Kochi and Virginia Held. There are, of course, exceptions to this, and such exceptions make this book possible; these include but are not limited to Michael Gross’s well-received *Moral Dilemmas of Modern War* and the Just War classic, Michael Walzer’s *Just and Unjust Wars*. Yet, legalism inhibits such reflection and meditation on what it means to achieve justice in the contemporary setting.

Furthermore, there is growing concern that the check-mark legalism with the addition of positivist “rationale-ity” has begun to define Just War policy-making. This legalism reflects not only the aforementioned epistemological starting point but also how such thinking intersects with other binaries in International Relations. In *Sovereignty, Rights, and Justice*, Chris Brown argues that the Westphalian system has constructed states as “insiders” and nonstates as “outsiders.” And while we must recognize that states do provide security and stability, it is when one does not reflect on the reification of power that one becomes perhaps too comfortable with how it may be used to create, replicate, and maintain structural and actual violence. Parallels may be drawn to Just War thinking.

Brown delineates how intervention for humanitarian purposes previous to the end of the Cold War were only staged by the West for people that were Western or held Western attributes—for instance, intervention in Lebanon to protect and aid Maronite Christians. As Sebastian Kaempf mentions here and in previous publications, the Just War tradition has been brushed with more than a twinge of Western superiority. During colonialism and imperialism, Just War criteria were only applicable to wars between Europeans (white and Christian). Further, in the tradition, states as insiders are granted automatic legitimacy. Such insider status does not have to be a negative. As Luke Glanville argues in his chapter, sovereignty can be a starting point for intervening in humanitarian crises. Yet, we still have to engage carefully with this construction of legitimacy.

In contemporary classics, such as Walzer’s *Just and Unjust Wars*, and more recent well-regarded work by Bellamy (*Just Wars*) and the more controversial Elshtain, legitimate statehood is conflated with a liberal democracy that is respectful of human rights (at least within its borders) and pits this norma-
tively framed state against “exTRANormal” actors. This exiles actors who do not reflect such figurative and actual characteristics from the tradition, as argued here by Caron E. Gentry. Such a dichotomy cannot stand as interstate wars are on the decline and as civil and extranormal wars are happening with increased frequency. Questions that arise from current conflicts, both interstate wars and failed state conflicts, include how to best intervene, not just for civilians there but for military personnel, as complicated here by Kimberly A. Hudson and Dan Henk, as well as how is a better peace best secured, as discussed in Robert E. Williams Jr.’s *jus post bellum* chapter.

It seems to be somewhat forgotten that Just War thinking is meant to limit and slow the process to war. As Nick Rengger has written, Just Wars are limited as well as few and far between. Although this statement stems more from pessimism about human nature’s (in)ability to handle power, if we hold tightly to Just War dictums and only go to war when it is just, then we will not be going to war often. Nicholas Fotion adds to this: Just War thinking “should prevent war if it is to be good for anything.”

Yet the issues that need to be addressed by the tradition are not just within *jus ad bellum*; epistemic problems are also embedded in the construction of *jus in bello* methodology. Many *jus in bello* norms, including command responsibility, implicitly assume the hierarchical structure associated with a state military, as well as a sharp divide between combatants and civilians. Both of these assumptions become problematic. Peter W. Singer has done an excellent job bringing attention to technology, which can be problematic with respect to the problem of distinguishing between combatants and civilians from afar. Amy E. Eckert’s piece in this volume incorporates private military companies (PMCs), which fall outside the hierarchical structure of state militaries and, because they are formally civilians who are performing military functions, erode the line between combatants and civilians. The reintroduction of private force as a significant factor in conflict introduces a fluidity to conflict that poses problems for *jus ad bellum* criteria, most notably the reasonable chance of success. Brent J. Steele and Eric A. Heinze further contribute to this conversation in their chapter by questioning how unmanned aerial vehicles (UAVs) challenge the autonomy, intentionality, and responsibility foundations of moral agency. Sebastian Kaempf’s chapter engages this as well by challenging how risk aversion has fundamentally eroded reciprocity in *jus in bello*.

The essays in this book seek to reorient the tradition around its core concerns of preventing the unjust use of force by states and limiting the harm
inflicted on vulnerable populations such as civilian noncombatants and prisoners of war. Traditional Just War criteria have become weakened through their use (or abuse) in providing moralistic justification for war. In addition, the increasing complexity of twenty-first-century warfare poses new problems that the tradition has yet to confront. The pursuit of these challenges involves both a reclaiming of traditional Just War principles, such as reciprocity, as well as the application of Just War principles to emerging issues, such as the growing use of robotics in war or the privatization of force. The essays share a commitment to the idea that the tradition requires a rigorous application of “Just War” principles rather than the satisfaction of a checklist of criteria to be met before waging just “war” in the service of national interest.

THE STRUCTURING OF THE BOOK

As alluded to above, the chapters engage common themes of sovereignty and mutuality. The first shared theme deals with the Just War tradition’s conflation of sovereignty with moral agency and legitimacy, which has become increasingly in need of being problematized. Several chapters in the volume offer insight into how state sovereignty is the “center of gravity” within the Just War tradition. From this center, ideas of moral and political legitimacy as well as legitimating norms revolve. This can be both harmful and helpful. Both Caron E. Gentry’s and Laura Sjoberg’s chapters conclude that sovereignty and legitimate authority’s historic conceptualizations have lent themselves to problematic performances of morality and power politics. Yet, sovereignty still grants a method for acting and means of responsibility taking, which is troubled by Harry D. Gould’s deconstruction of Double Effect in his chapter. While the “Responsibility to Protect” (R2P) doctrine erodes sovereignty through the authority of suprastate organizations and by weakening it with the acceptance of intervention for humanitarian purposes, Luke Glanville’s chapter also offers how sovereignty creates a moral imperative. Finally, Robert E. Williams Jr.’s introduction to *jus post bellum* argues that a responsibility to ethically resolve war exists, relating it to human rights and state sovereignty.

The second theme engages the important epistemic platforms upon which the Just War tradition has been built in a conceptualization of mutuality. The following chapters build upon one another nicely as Brent J. Steele and Eric A. Heinze argue how unmanned aerial vehicles have fundamentally altered responsibility and sovereignty in international affairs and the Just War tradi-
tion. From this idea of responsibility integral to mutuality, Amy E. Eckert’s chapter articulates a disconnect in the tradition between the current usage of the private military industry and a reasonable chance of success. Alexa Royden’s examination of Just War thinking on nuclear weapons and the understood mutual risk in deployment demonstrates how this has led to an uncritical acceptance of rapid deployment of conventional weapons, which may result in indiscriminate and disproportionate noncombatant death. Sebastian Kaempf’s chapter highlights how an overcommitment to protecting soldiers’ lives in U.S. military policy has betrayed notions to reciprocity and mutuality. Alternatively, Kimberly A. Hudson and Dan Henk’s piece on human security actually argues that relevant emerging policies put the mental and physical health of U.S. soldiers in harm’s way.

As we encourage the reader to find these themes throughout the chapters, we have still opted to structure the book in a straightforward and traditional manner through the use of the core concepts of the Just War tradition: *jus ad bellum*, *jus in bello*, and *jus post bellum*. In the *jus ad bellum* section, we begin with Caron E. Gentry’s chapter on legitimate authority, followed by Kimberly A. Hudson and Dan Henk’s chapter, as they both question epistemic frameworks with the tradition as opposed to the material concerns, as explored in the following chapters by Luke Glanville’s examination of the duty to enter humanitarian interventions, and Amy E. Eckert’s criticism of the growing reliance upon PMCs.

In “Epistemic Bias,” Caron E. Gentry establishes that legitimate authority, as both procedural and moral in scope, has become tied to state sovereignty and authority. From its earliest articulations legitimate authority was diffused across a range of political and religious authorities, all of which wielded some degree of sovereign authority. However, the present-day application of legitimate authority more often than not ties this criteria to state authority solely. This has led to the operation of an epistemic bias in international affairs to more often than not treat the actions of states as legitimate and the actions of nonstate actors, such as politically violent ones, as wholly illegitimate. This is a problematic that must be undone.

Kimberly A. Hudson and Dan Henk turn mutuality inward when they examine how the change in *jus in bello* tactics places U.S. troops inadvertently in harm’s way. “Strategizing in an Era of Conceptual Change: Security, Sanctioned Violence, and New Military Roles” argues that *jus in bello* rules have long sought to protect those involved in conflict, including soldiers, and to maximize
the proportional goodness achieved by military activities in relation to harm done. These rules are premised on the assumption that the military’s primary function is the management and protection of force. Hudson and Henk argue that this is no longer the only, or even the primary, function of state militaries, which are now dispatched for operations like peacekeeping and humanitarian assistance. These types of operations generate new requirements for combatants in accomplishing their missions. These new functions require intelligence activities including understanding social networks in a variety of cultures, building rapport across cultural difference, and pursuing cooperative activities with members of partner nation militaries, noncombatants, and international organizations.

Luke Glanville’s chapter, “Is Just Intervention Morally Obligatory?,” examines the notion that, in those instances where humanitarian intervention is understood to be a just response to mass atrocities, it ought to be understood not merely as a right but as a duty incumbent upon states and upon the international community more broadly. This idea can be found in the writings of some early Just War thinkers who framed the rescue of populations as a duty rather than a discretionary right. It is also a key aspect of the present-day “responsibility to protect” concept, though it is one whose meaning and implications have not yet been fully thought through. The chapter seeks to trace the historical development of this idea and offers some insights into present-day questions about who in particular might bear this duty of intervention in certain circumstances, and whether or not the duty might be enforceable.

In the following chapter, “Private Military Companies and the Reasonable Chance of Success,” Amy E. Eckert takes up another, the reliance on private force. Eckert argues that the growing reliance upon the employment of private military companies by the supposed legitimate state has altered reasonable chance of success. Although the Just War tradition evolved when the use of private force was commonplace, the tradition has also evolved to reflect the state’s consolidation of the legitimate right to use force. While the decision to wage war remains with the political leadership of states, the use of PMCs requires that we rethink many of the *jus ad bellum* criteria that apply to this decision, particularly the principle of reasonable chance of success. Whether a war is likely to be successful depends on a calculation of each party’s relative capabilities. With the growth of the private military industry, these capabilities can increase substantially and instantaneously with the stroke of a pen. Yet the involvement of PMCs raises some important questions about this *jus ad bel-*
lum principle. Using the involvement of the PMC Executive Outcomes in Sierra Leone to get at some of the issues surrounding reasonable chance of success, this chapter asks what success really means in the context of *jus ad bellum* and how the growing role of the private sphere can change the moral reasoning surrounding this principle specifically and *jus ad bellum* more generally. Eckert argues that a critical approach to the application of *jus ad bellum* norms like the reasonable possibility of success requires that they be applied on an ongoing basis rather than in a one-time manner prior to initiating a war.

The *jus in bello* section begins with Sebastian Kaempf’s chapter on risk aversion policies in warfare before moving rather seamlessly to Brent J. Steele and Eric A. Heinze’s chapter on how military technology advances have changed understandings of moral legitimacy in war. Alexa Royden’s chapter contrasting the rather permissible usage of highly destructive conventional weapons with nuclear weapons builds upon the previous two chapters. The following two chapters by Harry D. Gould and Laura Sjoberg, respectively, examine ideas of agency and responsibility. Gould looks at the effectiveness of personal immunity and the principle of Double Effect, whereas Sjoberg argues that the noncombatant immunity principle is dead in contemporary conflicts due to gendered assumptions and norms in war regarding women and men.

Sebastian Kaempf’s chapter, “Postheroic U.S. Warfare and the Moral Justification for Killing in War,” takes on the problem of impunity and risk aversion policies. This chapter conducts a theoretical investigation into the challenges that the advent of casualty-averse and posthuman American warfare poses to both the laws of war and the ethics of the use of force. It focuses primarily on the question of when it is permissible to kill (another person) in war rather than the more specific question of when it is permissible to kill noncombatants. If the fundamental principle of the morality of warfare is a right to exercise self-defense within the conditions of mutual imposition of risk, then the emergence of extreme forms of asymmetrical warfare represents a deep challenge. This challenge is posed by contemporary U.S. warfare: the United States is the first actor in the history of warfare who can kill without suffering the risk of dying in return. Such a deployment of force might be politically justified, but in this case we might no longer be able to appeal to the morality of warfare to justify this mode of combat.

Kaempf argues that reciprocity (conditions of mutual imposition of risk) is the key conceptual condition upon which the moral and legal permission for killing in war rests. He goes on to argue that it then demonstrates how reci-
procity implicitly assumes a certain degree of symmetry between warring factions. In the case of contemporary U.S. warfare, conditions of asymmetry have emerged on such a historically unprecedented scale that they have started to push beyond the conditions of reciprocity. The rise of American casualty-aversion is the core driving force behind the implementation of military reforms that have started to allow the U.S. military to kill without suffering the risk of dying in return. These developments are pushing the American war machine beyond the principles underpinning the ethics and laws of war.

In their chapter, “From Smart to Autonomous Weapons: Confounding Territoriality and Moral Agency,” Brent J. Steele and Eric A. Heinze interrogate how advances in military technology have affected our moral thinking about the legitimacy of war in profound ways. In this chapter, they argue that one of the most recent advances in military technology—that of unmanned and computer-guided weapons systems—effectively circumvent certain foundational principles of *jus in bello*. While uavs and computer-based targeting systems supposedly enhance the precision of military attacks as well as minimize risks to combatants and noncombatants alike, Steele and Heinze argue the following three points. First, while these developments are hardly sui generis in terms of their implications for Just War, they substantially remove human agency from wartime decisions, thus creating a situation where there may be no identifiable agent(s) to hold morally responsible if these weapons systems fail. Second, while the notion of “intent” has always been seen as a problematic Just War precept, the use of uavs takes this notion to the point of near absurdity, especially if humans begin to trust (as they have in certain cases with uavs) the judgment of machines more than their own. Finally and more broadly, when used in a nonterritorial postmodern “war on terror” epoch, uavs extend the “battle space” into a third dimension. Having advanced and defended these three assertions, the chapter concludes that while the these technologies demonstrate problems for the notion of “Just” War in terms of justice, it is nevertheless the sine qua non of twenty-first-century manifestation of *jus in bello*. In essence, Just War practitioners, and contemporary Just War defenders, find in the uav their technological soul mate.

Alexa Royden’s chapter, “An Alternative to Nuclear Weapons? Proportionality, Discrimination, and the Conventional Global Strike Program,” argues that while the invention of the atom bomb forever altered the potential conduct of war, militaries became too reliant upon, if not complacent with, the deployment of conventional weapons. In part responsible for the twentieth-century resur-
gence in the Just War tradition, nuclear weapons, due to their sheer destructive power, are generally perceived to violate two of the central criteria associated with *jus in bello*, or justice in war: discrimination and proportionality. Nonetheless, certain scenarios persist in which the use of nuclear bombs, under very specific conditions, could prove advantageous, specifically as a means of destroying underground stockpiles of nuclear, chemical, or biological weapons. Consequently, the United States has focused significant effort and invested considerable resources in the construction of a range of advanced conventional capabilities that would alleviate reliance upon this nuclear option. The emergence of a new and seemingly uniquely destructive form of weapons had the effect of licensing the use of conventional weapons virtually without question because they did not inherently violate norms of discrimination and proportionality. Conventional weapons, unlike most weapons of mass destruction, do not suffer the inherent stigmas associated with their just use, and as a result they are often perceived as a legitimate alternative to nuclear weapons. Such an assumption, however, has received little focused attention and is open to debate. This chapter explores this debate and considers the extent to which conventional “super” bombs meet *jus in bello* criteria. By examining specific weapons, including the Daisy Cutter, the Massive Ordnance Penetrator, and the Prompt Global Strike system, it will be possible to ascertain their relative justness vis-à-vis nuclear weapons. More importantly, this chapter takes issue with the lack of stigma attached to conventional weapons that are as destructive as weapons of mass destruction.

In “Rethinking Intention and Double Effect,” Harry D. Gould returns to the established notions that actions can have both foreseen and unforeseen effects as well as intended and unintended consequences and looks for the relationship between these two outcomes. It is sometimes argued that not all foreseen consequences are intended. In ascriptions of responsibility, the latter types of cases are problematic. If an agent foresees that a certain outcome will result from his or her action, we are faced with the question of whether the agent is *morally* responsible for the outcome—one of the great questions of both ethics and moral theology. The question is brought into sharp relief when the not specifically intended consequence is something that agents are normally forbidden to bring about. In the literature, this situation is normally called a “double effect,” and a rule for determining when a foreseen but not specifically intended bad (or indeed forbidden) consequence does or does not disallow the intended act has been worked out under the label the Doctrine of Double Effect (DDE).
DDE raises a number of interesting questions for Ethics and International Relations (EIR) beyond just its immediate usage as a test for the permissibility of a proposed action; implicit in the formulations of the doctrine are a number of issues about agency and intention that speak to debates in International Relations about the agency and personality of states. Why has EIR paid so little attention to DDE? One of the doctrine’s key concerns or applications has historically been the use of force, and while DDE is often mentioned in texts on the ethics of the use of force, there is remarkably little sustained analysis and almost no challenging of the logic of the DDE or the conclusions its use yields.

Laura Sjoberg’s chapter, “Just War without Civilians,” critiques the noncombatant immunity principle as shallow, outdated, infeasible, underspecified, ineffective, biased, and susceptible to manipulation. In previous work Sjoberg has argued that these flaws are the result of and reflective of the immunity principle’s inseparability from gendered sex role stories about male “just warriors” and female “beautiful souls” that legitimate war, fantasize protection, and render actual protection impossible. More recently, Sjoberg and Jessica Peet have recognized that these gendered narratives also provide belligerents with a warrant and a justification to victimize civilians (as a proxy for women) intentionally. This chapter asks what Just War theories would look like if wars were not fought “for” women, “over” women, attacking women, or “protecting” women. It proposes revising Just War theorizing, putting aside the gendered combatant/civilian dichotomy—that is, Just War “without civilians.”

Finally, Robert E. Williams Jr.’s chapter, “Jus post Bellum: Justice in the Aftermath of War,” serves as the conclusion to the project and speaks to the emerging literature on jus post bellum. As one of the leading scholars on jus post bellum, Williams is prompted by the problems associated with the American occupation of Iraq. Although “just peace” has been a concern within the field of conflict resolution for many years, and some antecedents of contemporary thought on jus post bellum can be found in the writings of the classic Just War thinkers, the idea that the principles of a just peace might be developed as an extension of the Just War tradition is relatively new. This chapter surveys the development of jus post bellum thought and evaluates its potential for transforming the way we think about the Just War. It concludes by suggesting that jus post bellum is best understood as a set of principles that facilitates the transition from a belligerent rights regime to a more expansive human rights regime as war gives way to peace.
Notes


3. Some scholars, notably Michael Walzer, address the question of intervention by outside powers in civil wars, supporting counterintervention when another outside power has already upset the balance between the factions. Otherwise, the tradition has been largely moot on the subject of noninternational armed conflict. See also John Williams, “Space, Scale and Just War: Meeting the Challenge of Humanitarian Intervention and Trans-national Terrorism,” Review of International Studies 34, no. 4 (2008).


5. Stanley Hauerwas, The Peaceable Kingdom (South Bend, Ind.: University of Notre Dame Press, 1983), 114.


12. Kaempf, this volume.


18. See also Heinze and Steele, *Ethics, Authority, and War*.

19. Rengger, “Just War against Terror.”


22. Sjoberg, *Gender, Justice, and the Wars in Iraq*.