As the previous chapter provided an account of the first Thomistic just war criterion of legitimate authority, our attention now turns to the remaining criteria of just cause and right intention. Importantly, in contrast to some contemporary just war thinkers who treat just war criteria in a “check-list” manner, moving from one criterion to the next without giving due attention to the interplay of the criteria, the Thomistic just war criteria are inherently interconnected. That is why the classical bellum justum emphasized moral judgment. It is this emphasis on judgment that lets O’Donovan argue as follows regarding the foremost purpose of just war: “It was never anything other than a practical proposal for the radical correction of the praxis of war, and the extent to which its conceptions are not followed is the extent to which they have not been attended to.” Just cause and right intention, in particular, must be seen holistically and therefore are discussed together in one chapter.

As will become apparent, the Thomistic understanding of just cause breaks with Walzerians and revisionists on the question of retribution but shares their concern that the Caroline standard of preemptive self-defense is too restrictive. Regarding right intention, the virtue-based account of Aquinas differs distinctively from the Walzerian idea, while revisionists tend to ignore the criterion altogether. This chapter not only discusses the differences between Walzerians’, revisionists’, and Aquinas’s conceptualizations but also points out how those differences apply to vis. The chapter begins with an overview of the contemporary consensus against war as retribution. It then turns to the classical understanding of just war, which considered retribution as the prototypical just cause. In addition, the treatment of just cause engages with the question of whether self-defense may include anticipatory rationales. Next the chapter discusses right intention, arguing that while contemporary just war thinkers have paid little attention to this criterion, it had pride of place in the classical bellum justum.
Most contemporary just war thinking, including Walzerians and revisionists, as well as international law, concentrates on self-defense as just cause for war. While recently there has been an increased interest in questions of other-defense, such as the “responsibility to protect,” it seems fair to argue that self-defense remains the primary just cause for the overwhelming majority of just war thinkers. Accounts that provide a defense of war as punishment remain a minority position. In contrast to large parts of the academic debate, however, punitive practices are very much a part of international conduct today, although they are often not acknowledged as such. The modern theoretical near-consensus about the morally problematic nature of punitive force also deviates markedly from one reading of the Thomistic just war, which accepted self-defense as just cause for war but focused on retribution instead. This natural law–based reasoning considered the use of force primarily as a means to reestablish a state of justice that had been disrupted by prior wrongdoing.

Seen from a historical perspective, today’s limitation of just cause to primarily self-defense has been the result of a changed understanding of political authority as well as of prudential considerations. Enshrined in the Westphalian settlement, this new understanding no longer followed the understanding of the prince as a divinely instituted avenger of justice who held responsibility for the common good. After 1648 the ruler was commonly considered the representative of the people only, who had been entrusted with the people’s fundamental right of self-defense. The new understanding of sovereignty, moreover, limited the ruler’s responsibility for the common good to the people entrusted to him/her within a defined territory, whereas the earlier understanding had also emphasized the common good of all humankind. As a result, the Westphalian principles of political sovereignty and territorial integrity effectively superseded the earlier responsibility for the common good of all humankind which, in principle, allowed for intervening in other rulers’ affairs in response to grave injustice. In addition, the concern to stop rulers from intervening in each other’s affairs over the issue of religion contributed to the limitation of just cause to self-defense. The dreadful experience of modern warfare added, several centuries later, further prudential concerns that resulted in the UN framework and just war theory’s contemporary near-consensus about self-defense as the only just cause for war between states.

The idea of retribution as a just cause for war has overwhelmingly been rejected in today’s conversation about the morality of war. Walzer, while attributing a place to punishment “once the aggressor state has been militarily repulsed,” rejects the idea of war as a means of punishment. Representing the
revisionist side, McMahan denies the legitimacy of retributive war as “the worst sort of vigilante action.” Among today’s critics of punitive war, David Luban has arguably provided the most comprehensive argument against retribution as a just cause for war. To begin with, a distinction needs to be made between retribution and vengeance. As Luban explains, the former “is undertaken for moral reasons as a practice of justice” while the latter “is undertaken out of rage and hatred.” Luban is correct to note that of these two rationales, only retribution marks a licit moral basis for punitive force. He subsequently argues that war as punishment is unjustifiable for five particular reasons: “(1) It places punishment in the hands of a biased judge, namely the aggrieved party, which (2) makes it more likely to be vengeance than retributive justice. (3) Vengeance does not follow the fundamental condition of just retribution, namely proportionality between punishment and offense. (4) Furthermore, punishment through warmaking punishes the wrong people and (5) it employs the wrong methods.”

To add more detail, the “biased judgment objection,” according to Luban, holds that all states believe they are acting for a just cause and that the acts of injustice committed by the other side deserve to be punished. Consequently, belligerents are unable to objectively judge each other’s guilt, which, however, is the necessary prerequisite for an impartial judgment. Rodin captures this concern with an illustration he draws from the domestic context: “This is why it is always unjust for a participant in a dispute to administer or determine punishment in his own case, and why we insist that judges or committee members stand down from a case if their personal interests are involved. While it is not inconceivable that such persons will act impartially, it is far from likely and cannot be relied upon.” As a result of this bias, the cause of retribution might turn into “an open invitation to self-serving, unfair, overly harsh, and excessive punishment.” In other words, when the in-principle justifiable just cause of retribution degenerates into vengeance, the crucial determination for just retribution—namely, to find the right balance between punishment and wrongdoing—inevitably fails. Rowan Williams, drawing on Aquinas, puts this idea succinctly: “An act of private redress, private vengeance, vigilantism, or whatever, may purport to punish inordinate behaviour but it only deals with the offense to the individual, not the offense to the social body; thus it fails to heal the social body and even makes the wound worse.” Regarding his fourth objection, Luban essentially argues that even if retributive war could be justified it would be indiscriminate and therefore unjust. While it might be possible, in theory, to only hit the guilty elements of the state that the just side seeks to punish, this argument does not withstand a reality check. In Luban’s eyes, war tends to cause large-scale destruction, and even limited war unleashes indiscriminate force. The conclusion he draws from this judgment is that “if war is retributive punishment, we must acknowledge that it is collective punishment,
Indeed collective corporal punishment.” Finally, closely related to the argument that war as retribution is necessarily indiscriminate, Luban suggests that the methods commonly employed in war rarely allow for exclusively striking at the unjust belligerent’s guilty elements and more often than not hit civilians, too.

In addition to Luban’s moral objections against war as punishment, Lang has raised the practical concern that while punitive practices continue to be a part of international relations, they have failed to achieve the aim for which they have been employed—namely, to create a more just international order: “Attempts to enforce compliance with norms, rules and laws at the international level result in unjust policies and political disorder.” In this respect, one might add the concern, succinctly raised by Moyn, that the increasingly humanized way of war, such as the precision-strike capabilities of armed drones, has facilitated forever wars that are almost unlimited in time and space, a regime of vis perpetua. To me it seems that, especially with regard to targeted killing, there is a link between the impression that war has become more humane and the choice to allow the retributive rationale back in. Of course such a link, if it exists, does not guarantee that retributive force will achieve the stated goals, an aspect Lang seeks to direct attention to.

**AQUINAS ON JUST CAUSE AND RIGHT INTENTION**

Having laid out the contemporary near-consensus against retribution, I now turn to Aquinas’s understanding of just war as encapsulated in his conceptualization of the criteria of just cause and right intention.

**The Criterion of Just Cause**

Luban’s rejection of retribution as a just cause for war, like the general contemporary near-consensus about self-defense as only just cause, contrasts markedly with one particular reading of Aquinas. In what follows, this understanding of the just war is presented in conversation with the current consensus position. As E. B. F. Midgley noted, Thomas generally received the traditional Christian teaching of the just war and gave it a systematic formulation. Aquinas largely developed his thinking on bellum justum as the right of an injured state to wage war in order to heal a violation of justice and with the goal of protecting the common good. Thomas thus effectively distinguished between two forms of just war: war as defense of the common good and war as punishment. As Elshtain put it, the peace sought by classical thinkers “was not just any peace, but a just peace that leaves the world better off than it was prior to the resort to force.” Aquinas defined just cause as follows: “Secondly, a just cause is required,
namely that those who are attacked, should be attacked because they deserve it on account of some fault.” Thus for Thomas war aimed “to restore a peace that has been disrupted (or threatened) by a particularly egregious wrong.” In the words of Vanderpol, just war served the function of “vindicative justice.” It is not surprising then, as Johnson notes, that Aquinas did not even list the self-defense rationale in his discussion of just war, as he considered the right of self-defense an inherent right of both individuals and states.

While the retributionist reading of Aquinas has historically been the dominant one, the liabilist reading introduced by Vitoria and elaborated on by Molina is today the reigning one in just war debate. For example, revisionists advocate a liability reading of the use of force in self-defense and discount a deserts-based account. McMahan explicitly distinguishes his moral liability account from an account based on moral culpability. In particular, he points to the difference between the instrumental and noninstrumental nature of the concepts:

Desert is noninstrumental. If a person deserves to be harmed, there is a moral reason for harming him that is independent of the further consequences of harming him. Giving him what he deserves is an end in itself. Although a deserved harm is bad for the person who suffers it, it is, from an impersonal point of view, intrinsically good. By contrast, a person is liable to be harmed only if harming him will serve some further purpose—for example, if it will prevent him from unjustly harming someone, deter him (or perhaps others) from further wrongdoing, or compensate a victim of his prior wrongdoing. The goal is internal to the liability, in the sense that there is no liability except in relation to some goal that can be achieved by harming a person.

Based on the instrumental nature of liability, McMahan stresses that the requirement of necessity is inherent to it. Consequently, he arrives at the limitation of just cause for war to self-defense by following his liabilist reading. In contrast, moral culpability, McMahan argues, is not ruled by necessity because the good gained from meting out a deserved punishment is not instrumental and therefore there is no necessity requirement beyond the act of punishment itself.

**Punishment as Just Cause for War**

It is important to note that the concept of punishment is not limited to retribution. However, three of the four standard justifications for criminal punishment—deterrence, incapacitation, and prevention—have been incorporated into today’s accepted legalist paradigm. The only justification that has been abandoned is retribution. It thus seems that although retribution
has mostly been ruled out, the other aspects of punishment have only been relabeled as acts of defense. As Joseph Falvey notes, Aquinas, too, had a place for these additional rationales in his general theory of punishment:

There is a four-fold end to punishment. These ends are not congruent with one another, but they have an order among themselves according to whether they are greater or lesser goods. The primary end of punishment is to redress the disorder the offense introduced in the moral order as a whole. The secondary end of punishment is the restoration of the public and civil order. The tertiary end of punishment, which is closely related to the second, is the defense of public safety. Finally, punishment offers the rehabilitation of the offender himself, which is the restoration of the order within the criminal's soul.31

That said, some scholars argue that the retributionist aspect of punishment had been the "core" of Aquinas's account of punishment.32 As Brian Calvert demonstrates, Thomas's account shows all main features of retributivism: Aquinas holds generally that a crime deserves to be punished and in order for that punishment to be just, a crime must actually have taken place and the criminal suspect must have committed the misdeed.33 In addition, the wrongdoer must have been a responsible agent at the time he/she committed the crime. These last two aspects are supposed to ensure that only the guilty are punished. In Aquinas's own words: "Punishment is not due save for sin."34 Crucially, Thomas also argues that, besides the magnitude of the crime, the amount of voluntariness with which the crime was committed by the perpetrator must be taken into consideration when it comes to deciding which penalty to impose. Consequently, involuntarily committed offenses should not be punished, as "involuntariness excuses from sin."35 Furthermore, Aquinas’s account of retribution holds that crime and punishment must be proportionate, and he follows retributive theories in the assumption that a crime caused an imbalance in the order of justice that a justly imposed punishment aims to correct.36 Aquinas’s thought about punishment is the result of his natural law approach, the approach he arguably perfected and that still flourishes in the social thought of the Catholic Church. Directly following from natural law’s metaphysics of the good, natural law theorists consider retribution “not only a legitimate end of punishment” but “the fundamental end.”37

However, it is important to note that according to Aquinas's logic, the punishment of wrongdoing does not necessarily have to mirror the initial offense. Unlike, for example, Kant, Aquinas does not advocate a so-called *lex talionis*, which seeks to return to the offender an evil similar to his/her initial wrongdoing. In contrast, for Aquinas it suffices to repress the sinful will of the criminal by inflicting a contrary evil.38 Relatedly, Thomas’s emphasis on the repression of the offender’s will to restore the equilibrium of justice is apparent in his
argument that depending on the magnitude of the offense, the punishment should aim at “depriving a man [of] what he loves most.” As Koritansky summarizes succinctly: “Since the essential requirement of retribution, for Aquinas, is that criminals experience a loss commensurate with the degree to which they indulged their wills beyond the boundaries of legality, there is no need to require the poetic justice recommended by Kant.”

In the context of maintaining and/or restoring the balance of justice, Aquinas’s conceptualization of punishment is also forward looking. Thomas argues that “punishment may be considered as a medicine, not only healing the past sin, but also preventing from future sin, or conducing to some good.” Importantly, Aquinas’s idea of punishment as deterrence includes both special and general deterrence. The former type is directed at the specific offender only, whereas the latter is aimed at deterring other potential offenders, too. For Aquinas, “the punishment that is inflicted according to human laws, is not always intended as a medicine for the one who is punished, but sometimes only for others . . . that at least they may be deterred from crime through fear of punishment.” That said, the punitive rationale of deterrence would be bound to the features of retribution spelled out earlier.

Having pointed out Thomas’s conceptualization of punishment, once punishment takes the form of lethal action, inevitably the parallel with the death penalty comes to mind. In fact, Aquinas’s just war has been compared to the imposition of the death penalty executed by the ruler as part of his/her function as judge. For example, John Finnis, although he himself rejects Aquinas’s thinking in this regard, argues that Thomas “highlights the analogy with punishment—capital punishment—and downplays, without eliminating, the analogy with private defence of self or others. Just as capital punishment involves the intent to kill, so too [he thinks] does waging war as ruler, general, or soldier.” Undergirding the parallel between capital punishment and war is Aquinas’s understanding of legitimate authority. As Gerhard Beestermöller notes, only through his/her function as superior judge does the ruler have the right to make judgments about the justice or injustice of acts, which is the prerequisite for waging war licitly. In Thomas’s own words: “As regards princes, the public power is entrusted to them that they may be the guardians of justice: hence it is unlawful for them to use violence or coercion, save within the bounds of justice—either by fighting against the enemy, or against the citizens, by punishing evil-doers: and whatever is taken by violence of this kind is not the spoils of robbery, since it is not contrary to justice.” Moreover, with regard to the ruler’s authority to employ lethal force, Aquinas holds: “One who exercises public authority may lawfully put to death an evil-doer, since he can pass judgment on him.” Interestingly, the parallel between the death penalty and war in Aquinas can be taken as proof that the revisionist claim of having innovated just
war thinking by adding the concept of “reductive individualism” is mistaken. As Steinhoff puts it: “Traditional just war theorists were no less reductivist and individualist than ‘revisionists.’ While it is true that that they focused on the law enforcement or public authority justification and not, like ‘revisionists,’ on self-defense, this does not turn them into ‘collectivists’ but merely into ‘reductive individualists’ with a different focus.”

Consequently, in order to determine the justness of retributive uses of limited force, the question of how the wrongdoing under investigation relates to the parallel with the death penalty needs to be answered. The following casuistical analyses thus need to engage the natural law argument for the justness of the death penalty in principle, which Edward Feser and Joseph Bessette summarize as follows:

1. Wrongdoers deserve punishment.
2. The graver the wrongdoing, the severer is the punishment deserved.
3. Some crimes are so grave that no punishment less than death would be proportionate in its severity.
4. Therefore, wrongdoers guilty of such crimes deserve death.
5. Public authorities have the right, in principle, to inflict on wrongdoers the punishments they deserve.
6. Therefore, public authorities have the right, in principle, to inflict the death penalty on those guilty of the gravest offenses.

Importantly, as Calvert notes, Aquinas’s thinking on the death penalty does not constitute a consistent account. However, it seems fair to argue that Thomas does not see the death penalty as a cure-all. While he believes that some sinners will never reform and thus will continue to pose a threat to the common good, his overall concern is not the imposition of punishment as an end in itself. As a practical consequence, Thomas can imagine less severe penalties in cases where the death penalty endangers the commonweal or where individuals are repentant:

According to the order of His wisdom, God sometimes slays sinners forthwith in order to deliver the good, whereas sometimes He allows them time to repent, according as He knows what is expedient for His elect. This also does human justice imitate according to its powers; for it puts to death those who are dangerous to others, while it allows time for repentance to those who sin without grievously harming others.

Hence, Aquinas’s natural law approach toward the death penalty distinguishes between its justness in principle and prudential and charitable considerations regarding whether the punishment should actually be executed.
In summation, while Walzerians and revisionists concentrate on the just cause of self-defense and have no place for retribution, the latter rationale is of crucial importance for the Thomistic just war. However, while retribution functions as its primary just cause for war, the Thomistic just war does not at all deny the justifiability of self-defense. As the following section illustrates, the debate about what self-defense actually constitutes seems far from being settled. In particular, both Walzerians and revisionists object to the standard upheld in international law. Once more, it will emerge, the classical bellum justum can provide important insights.

**Preemption and Prevention as Just Causes for War**

As noted earlier, the rationale of self-defense is a consequence of Aquinas’s natural law teaching. Importantly, however, accepting the just cause of self-defense does not yet resolve the question of what constitutes self-defense. In fact, there has been a debate among just war thinkers on this question that spans many centuries. In particular, there has been a conversation about the question of whether self-defense may include an anticipatory element. This conversation moved to the forefront of debate again in the aftermath of the terrorist attacks of 9/11 and has also had an impact on the debate about jus ad vim. A good starting point for assessing the contours of self-defense is the contemporary regulatory framework of international law as represented in the UN framework and customary international law. In order for defensive force to be justified, international law requires that an armed attack either has occurred or is imminent. In contrast to preemption, in which an attack is imminent, preventive action, in which there is no imminence, is considered to be illegal. Walzer, while starting from the frame provided by international law, expands on that foundation. For him, the strict imminence qualifier of the so-called Caroline standard, which rests on the threat being “instant, overwhelming, and leaving no choice of means, and no moment for deliberation,” can be morally problematic. He therefore suggests a more expansive interpretation that is based on the criterion of sufficient threat. This justification of anticipatory force “looks to the past and future.” Walzer suggests three determinant factors: “a manifest intent to injure, a degree of active preparation that makes that intent a positive danger, and a general situation in which waiting, or doing anything other than fighting, greatly magnifies the risk.”

On the revisionist side, McMahan suggests that preventive war may be morally justifiable based on his liability account. McMahan imagines a case in which one country prepares an unjust attack on another, keeping its intention hidden from both the target state and its own soldiers, the latter of whom have joined “the military for good moral reasons.” The potential victim state, then, discovers the malevolent intention of its future attacker, knowing that nonviolent
means are unable to thwart the attack and that waiting until the attack is imminent will come at the price of defeat. Under such circumstances, McMahan suggests, it would be morally justifiable to target the future attacker's soldiers preventively, without them knowing about their leadership's intention. In McMahan's terminology, the opposing side's soldiers become liable to attack. In consequence, both Walzerians and revisionists can imagine defensive uses of force that go beyond the Caroline standard. Thus, the question of anticipatory self-defense marks an area where both competing camps are in general agreement. Crucially, however, as the investigation of the morality of limited strikes to enforce international norms will reveal, preventive rationales can coincide with backward-looking justifications, the latter of which Walzerians and revisionists generally reject.

The Thomistic just war, in contrast, hesitates to grant legitimacy to preventive uses of force. As Reichberg notes, while Aquinas does not engage with anticipatory military action in the *Summa Theologiae*, his definition of just cause seems to deny the justifiability of prevention, as “only a party that has engaged in determinable wrongdoing would be liable to attack. Attacking a party for what it *might* do, rather than what it has *already done*, would appear to contradict Aquinas’s fundamental premise that there is just cause for war only when ‘those who are attacked deserve attack on account of some fault.’” Reichberg illustrates this point in a reference to Aquinas’s argument in the *Compendium Theologiae*, in which Thomas states: “A person is called good or evil, not because he is able to perform [sic] good or evil actions, but because he performs them; praise and blame are duly rendered not for power to act but for acting.” That said, according to Reichberg, Aquinas’s thinking is informed by a “concept of inchoate wrongdoing,” which accepts that force may be used in response to an attack that has been planned and would be carried out at some point in the future. Importantly, Aquinas seems to caution against too permissive a standard of inchoate wrongdoing. In the “Question on Judgment,” which Reichberg applies to Aquinas’s just war thinking, Thomas points to the temptation of being overly suspicious:

Now there are three degrees of suspicion. The first degree is when a man begins to doubt of another’s goodness from slight indications. This is a venial and a light sin; for “it belongs to human temptation without which no man can go through this life,” according to a gloss on 1 Cor. 4:5, “Judge not before the time.” The second degree is when a man, from slight indications, esteems another man’s wickedness as certain. This is a mortal sin, if it be about a grave matter, since it cannot be without contempt of one’s neighbor. Hence the same gloss goes on to say: “If then we cannot avoid suspicions, because we are human, we must nevertheless restrain our judgment, and
refrain from forming a definite and fixed opinion.” The third degree is when a judge goes so far as to condemn a man on suspicion: this pertains directly to injustice, and consequently is a mortal sin.64

Consequently, Aquinas, if his argument in the “Question on Judgment” is taken to apply to war, does not accept a purely preventive just cause for war:

Now no man ought to despise or in any way injure another man without urgent cause: and, consequently, unless we have evident indications of a person’s wickedness, we ought to deem him good, by interpreting for the best whatever is doubtful about him. [...] He who interprets doubtful matters for the best, may happen to be deceived more often than not; yet it is better to err frequently through thinking well of a wicked man, than to err less frequently through having an evil opinion of a good man, because in the latter case an injury is inflicted, but not in the former.65

At the same time, however, Reichberg interprets Aquinas as accepting that a threat does not have to be imminent in order to take action. Grounded in prudential thinking, Aquinas can be read as being supportive of the idea that addressing wrongdoing at an early stage is advantageous compared to dealing with it once it has become fully manifest.66 Reichberg grounds his reading in Aquinas’s argument on judgment, in which Thomas states that “when we have to apply a remedy to some evil, whether our own or another’s, in order for the remedy to be applied with greater certainty of a cure, it is expedient to take the worst for granted, since if a remedy be efficacious against a worse evil, much more is it efficacious against a lesser evil.”67 Furthermore, there is another rationale for anticipatory military action that seems reconcilable with the Thomistic just war—namely, postwar measures that are imposed on the defeated aggressor in order to prevent the aggressor from attacking once more at some point in the future.68 Crucially, while such action falls under the category of anticipatory force, there is also an inherent punitive aspect to it, as the justifiability of the anticipatory actions follows from past wrongdoing. In other words, there can be a link between punitive and anticipatory causes for war. Crucially, McMahan supports this linkage. He argues that if a country has committed acts of unjust aggression, it can be morally justifiable to take preventive action against it as part of pursuing the just cause that responds to the aggression: “The wrongful action that exposes the aggressor to defensive action now also makes it liable to further, preventive action as well.”69

In conclusion, it seems that, like Walzer and McMahan, Aquinas would consider the Caroline standard too restrictive. While the immediacy standard would apply to individual self-defense, limiting the resort to force by legitimate
authorities in this way would go beyond the demands of morality. Classical just war thinkers like Aquinas accepted that a literal interpretation of immediacy was impractical and may well result in falling victim to an unjust war. The practical concern for matters of statecraft shines through here. Consequently, based on the concept of inchoate wrongdoing, limited anticipatory action seems reconcilable with the Thomistic just war. The crucial question that needs to be answered is, of course, when exactly anticipatory action becomes morally justifiable. The answer to that question, in line with Aquinas’s understanding of legitimate authority, is a judgment call that only the ruler can make. Above all, it will depend on a prudent interpretation of the circumstances, which demonstrates the allure of virtue and casuistry. The virtues, in particular, through their role in the right intention criterion, will take on a crucial role in dealing with the inevitably arising suspicions Aquinas cautions against.

**Just Cause and Jus ad Vim**

The debate about just cause and how it relates to uses of limited force has been taking place before the horizon sketched out earlier. In line with the contemporary understanding, Frowe rejects the just cause of retribution based on deserts. Brunstetter’s starting point is the just cause of self-defense, too. That at least is his ideal-type starting point. Starting from a “general presumption against war,” he feels uneasy about providing justifications for vis that go beyond the restrictive self-defense standard. That said, however, due to the moral difference he detects between large-scale war and limited force, he adds punitive rationales to his theory of jus ad vim. In this context it also needs to be reiterated that, as the previous section has demonstrated, which uses of force can be reconciled with the notion of self-defense continues to be debated. While Frowe does not engage with anticipatory uses of limited force in her critique of jus ad vim, it seems reasonable to assume that her position on prevention would be close to McMahan’s, whose account of liability to defensive harm she adopts. Brunstetter, in contrast, does engage with the morality of anticipatory uses of vis. In a book chapter coauthored with John Emery, Brunstetter argues for the morality of preventive drone strikes against individuals, which they imagine as acts of vis. Noting that purely preemptive strikes would be “very rare,” Emery and Brunstetter suggest “that drones employed outside the traditional battlefield are a form of limited preventive force aimed at avoiding a larger war.” They are of the opinion that states’ right to self-defense entails a right to use limited preventive force. In consequence, Brunstetter, like Walzer, McMahan, and Aquinas, is willing to go beyond what international law, based on the Caroline standard, allows. However, he limits his justification of targeted killing by drones to situations of “lagged imminence,” situations “where there is a real threat on
the horizon, albeit not immediately. In addition, his justification only applies to what Walzer referred to as zones in between war and peace, where neither the laws of war nor those of law enforcement seem applicable.

**The Criterion of Right Intention**

The criterion of right intention, as David Whetham notes, does not “necessarily sit well with us today,” as it might be considered abstract and subjective due to its “internal character.” Arguably, one explanatory factor for the contemporary neglect of right intention is the Christian context in which it is grounded. Medieval theologians like Aquinas believed in the immortality of the soul and therefore emphasized the importance of intentionality of acting vis-à-vis the afterlife. Consequently, the uneasy place of right intention in contemporary just war debate points to how contemporary just war thinking both has moved away from and is still being shaped by its Christian roots. The classical understanding holds that intention in war shows in belligerents’ war aims and how they fight to achieve these objectives. In other words, right intention “gives concrete shape to the condition of just cause.”

Capizzi, in line with the classical conceptualization, refers to right intention as a “coordinating criterion,” which “keeps war focused on the end of peace.” For Aquinas, right conduct in war is inherently connected to the “virtuousness of its purpose”; consequently, he cautions against the negative passions that can arise on the battlefield:

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 (De Verb. Dom. [The words quoted are to be found not in St. Augustine’s works, but in Can. Apud. Caus. xxiii, qu. 1]): “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 (Contra Faust. xxii, 74): “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.”

This virtue approach implies restrictions on conduct in war, but Aquinas did not develop detailed rules such as, for example, were present in canon law or the code of chivalry. Quoting Augustine (De Libero Arbitrio ii, 19), Aquinas speaks of virtue as “a good quality ‘of the mind.’” Confronting situations that require an immediate response, it is crucial that a person’s passions be correctly
ordered in accordance with the virtues. When the training in virtuous behavior succeeds, it becomes natural for the virtuous person to subject his/her quick reactions to habit, not instinct.85

Given that Thomas was first and foremost a theologian, his just war thinking cannot be separated from his Christian faith. Thus, Aquinas distinguishes between the cardinal virtues of justice, prudence, fortitude, and temperance and the theological virtues of faith, hope, and charity. The most basic difference between these two types of virtue is that the cardinal virtues provide the necessary foundation for human action on earth, for imperfect happiness, while the theological virtues point humankind to its supernatural end of beatitude, or perfect happiness.86 For the purpose of this book, the cardinal virtue of prudence and the theological virtue of charity are the most important. Thomas defines prudence as “right reason applied to action.”87 With regard to the just war, this cardinal virtue is crucial for political and military decision makers, whose task it is to make difficult ethical choices, a responsibility that often requires them to choose between various alternatives of action.88

The cardinal virtues like prudence are transcended by the theological virtues, as they lead human beings to their final end, which is unity with God.89 God is both the source and the end of human existence; consequently, human progress follows from a process of grace that lets humans become more like God, who created humankind in His image.90 The most important theological virtue in this process is the virtue of charity. For Aquinas, “Charity is the mother and root of the virtues, inasmuch as it is the form of them all.”91 Relevant to questions about when to refrain from using force although it would in principle be justified, “The primary act of charity gives rise to the virtue of mercy, a kind of sympathy or compassion, which is understood as the greatest of the virtues that unites a person with a neighbour.”92 Importantly, Thomas discussed the question of just war within his treatment of charity, and his thought is directed toward the endpoint of human existence, namely, unity with God in the afterlife. However, taking divine charity as the “necessary lodestar” of human action does not deny the necessity of meting out justice during humankind’s time on earth.93 While for Christians the ultimate telos is the eternal happiness of God’s kingdom, earthly just war reasoning seeks to achieve an approximation of that kingdom imagined as peace on earth.94 On the way toward this objective, the use of force remains a morally justifiable option, although Christians may not forget about the final goal of overcoming violence. Put differently, Aquinas’s thinking on temporal government should be seen as an “interim ethic,”95 in which government takes on the responsibility for establishing and maintaining the natural goods of earthly life, thus providing the basis for human beings so that they can strive for their supernatural perfection.

Taking the virtue of charity as the “lodestar” has arguably manifested itself in the evolution of the idea of just war. For example, consider the Catholic just
war teaching, which is indebted to Thomas’s thinking. The change in Catholic teaching from a “presumption against injustice” toward a “presumption against war,” which Johnson criticizes as breaking with the just war tradition and Weigel refers to as “a great forgetting,”\textsuperscript{96} might be considered as an arguably praiseworthy alteration of Church teaching based on the theological virtue of charity.\textsuperscript{97} Eli McCarthy considers this development of CST a consequence of a reappraisal of Thomistic virtue ethics in the twentieth century generally and especially after the Second Vatican Council.\textsuperscript{98} While the core of Aquinas’s natural law–based just war has arguably never been abandoned, modern popes have opted to emphasize prudential and charitable concerns through acting as a “minister of peace.”\textsuperscript{99}

Until 2018, when Pope Francis announced a radical break with prior Church teaching, a similar pattern could be detected with regard to capital punishment. Modern popes up until Francis, who completely rejects the death penalty, were publicly perceived as opposed to this means of punishment but in fact did not rule out the death penalty in principle. What they did, Feser and Bessette demonstrate, is emphasize prudential and charitable concerns that advised against executing it.\textsuperscript{100} It seems that concerns of prudence and charity were behind this distancing from the death penalty when, for example, Pope Francis, at the time still following his immediate predecessors’ thinking, stated, “The death penalty is contrary to the meaning of humanitas and to divine mercy, which must be models for human justice.”\textsuperscript{101} In later remarks, Francis explicitly spoke of “the primacy of mercy over justice.”\textsuperscript{102} This hierarchy illustrates how the theological virtue of charity, through mercy, shapes the cardinal virtues. As Cardinal Avery Dulles succinctly summarized: “In practice, then, a delicate balance between justice and mercy must be maintained. The State’s primary responsibility is for justice, although it may at times temper justice with mercy.”\textsuperscript{103} It seems that Francis’s immediate predecessors held the view that the interplay between justice and mercy had to be considered before inflicting lethal punishment, which let them argue against the execution of the death penalty. Crucially, when making this argument the popes could have claimed to follow the Thomistic point of view. As Koritansky points out, Aquinas’s take on retribution has an opening for mercy that Kant’s strict lex talionis cannot account for. For Kant, any punishment that is less severe than what the external act of wrongdoing warrants resembles an act of injustice on the side of the legitimate authority. Aquinas, in contrast, is mainly interested in punishing the overindulgence of the criminal’s will. Therefore, Aquinas’s thinking allows for charitable concerns to have an impact on the decision about what type of punishment to inflict on the criminal.\textsuperscript{104}

To illustrate Thomas’s account of virtue vis-à-vis the use of armed force, Reichberg has provided an innovative interpretation of Thomistic right intention. Granted that Thomas was very sparing in detail, Reichberg contributes a
reading that is based on two cardinal virtues—namely, military prudence for political and military decision makers and battlefield courage for rank-and-file soldiers. For Aquinas, the criterion of right intention described the set of moral dispositions required for decision makers involved in war to make sound moral judgments. Importantly, while Reichberg grounds his discussion in the virtues of military prudence and battlefield courage, he does not forget to give due attention to the doctrine of the unity of virtues. As this book concentrates on the question of when the use of vis can be morally justifiable, the discussion focuses on the virtue of military prudence. Noting that Aquinas’s bellum justum did not explicitly distinguish between these levels of analysis, military prudence is especially relevant to what would later become known as the jus ad bellum level, while battlefield courage addresses the jus in bello.

**Military Prudence**

Military prudence, according to Aquinas, is a virtue of commanders who take responsibility for the decision-making about war. Prudence contributes to the overall goal of achieving justice. For Aquinas, the virtue of prudence has special significance among the intellectual virtues. Quoting Augustine, Aquinas states, “Prudence is the knowledge of what to seek and what to avoid.” Prudence is meant to be a choice in which the will chooses among different options of acting. Departing from Aristotle and the Romans, Thomas did not use the terms of military art or science but those of military prudence. In contrast to art, which only applies to extrinsic acts, prudence applies intrinsically as well. As a practical consequence, while for military conduct understood as art an morally fighting but winning general is still a capable commander, this would not be the case for a prudently fighting general. For the latter, any intentional misconduct, either through direct intent or negligence, would be considered unjust. In this context, a concept needs to be mentioned that is commonly traced to Aquinas, the doctrine of double effect. This doctrine consists of two parts. First, it holds that unjust deeds may not be carried out intentionally, regardless of the positive results the wrongful action may bring. Second, as the flipside of the first part, DDE accepts that just deeds may come with foreseeable negative side effects. Additionally, the agent carrying out the good action is not morally required to abstain from his/her doing to prevent the negative side effect.

As military acts are carried out for the common good and the prince and his/her commanders bear responsibility for that good, justice in war must be the prince’s main concern. As Thomas puts it himself: “As regards princes, the public power is entrusted to them that they may be the guardians of justice: hence it is unlawful for them to use violence or coercion, save within the bounds of justice.” It goes without saying that, following Aquinas’s thinking,
purely consequentialist strategies would be deemed illicit. However, a Thomistic reading of just war does also allow for consequentialist considerations that fall within the bounds of justice. In Thomas's own words: "On the contrary, The consequences do not make an action that was evil, to be good; nor one that was good, to be evil." Ignoring foreseeable consequences, however, makes a person morally culpable to some extent. Following the same train of thought, Johnson argues that concerning the question of whether prudential considerations may trump the presence of a just cause, Aquinas would leave it to the ruler to decide.

**Right Intention and Jus ad Vim**

The right intention criterion can provide important insights into the fight for the just war tradition. Brunstetter's Walzerian account does engage with right intention and the question of how it relates to jus ad vim. In particular, Brunstetter argues that because of the limited character of vis, the right intention criterion for jus ad vim “is necessarily circumscribed” compared to that for just war. That said, however, Brunstetter’s list of illicit intentions that can justifiably be countered by vis is strongly reminiscent of the goal of peace imagined as tranquillitas ordinis that is found in Aquinas’s definition of just war: “But they can serve to combat those who undermine international peace and security, contest the order of other states, or pursue evil acts that shock the moral conscience.” Again, one can detect a tension with the Walzerian understanding that is grounded in the post-1945 world order and a limited return to the classical bellum justum in the context of limited force. In fact, Brunstetter himself acknowledges that his argument on right intention has parallels with the thinking of Johnson, the leading neoclassical just war thinker. The general idea that informs Brunstetter’s understanding of right intention is to use vis to facilitate a “return to the pursuit of human rights by non-kinetic means.” In other words, vis can serve right intention when it establishes a type of order that guarantees an acceptable state of justice and that subsequently no longer depends on the use of force. Considering this position, Brunstetter’s take is not far off from Aquinas’s idea of just war. I am even tempted to argue that his concern for the practical dilemmas decision makers face implicitly suggests a virtue approach, although he does not refer to the moral virtues in his theory of jus ad vim. Of course both Brunstetter’s and the Thomistic understanding would still have to grapple with the vis perpetua critique. While in theory the use of limited force seems morally justifiable, the goal of peace that is part of the Thomistic right intention criterion must not be forgotten. In other words, while it seeks to establish tranquillitas ordinis in which the use of force will continue to play a role, a habituation to employing limited force needs to be avoided. Translating
the in theory justifiable use of vis into military practice is a task that falls to those who shoulder the responsibility for the common good. It is by no means an easy task, as the following casuistical investigations demonstrate.

While Brunstetter does engage with right intention, Frowe does not mention the criterion at all in her redundancy critique, although she claims to refer to the “traditional” jus ad bellum principles. In fact, Frowe’s silence on right intention is not surprising, as it is in line with a broader pattern of the revisionist just war, which lets revisionists pay little to no attention to right intention. For example, McMahan’s treatment of right intention states, “It is not obvious to me that Right Intention is a valid requirement.” Importantly, the neglect of, or lack of interest in, right intention exhibited by revisionists directly connects to the charge made against them that they lose the historical just war’s concern for providing practical guidance to decision makers. Thus, again, jus ad vim provides a fertile ground for reassessing the fight for the just war tradition from a third-way perspective. This book’s casuistical investigations, following the Thomistic understanding, will give a prominent role to right intention. They will thus be closer to Brunstetter’s account than to the revisionist understanding. That said, due to the focus on the moral virtues, the Thomistic account will be able to provide a distinctive contribution to the polarized debate between the two competing camps.

**AGAINST THE NEAR-CONSENSUS: THE ARGUMENT FOR RETRIBUTIVE WAR**

At the outset of this chapter, as the attentive reader might have noticed, I referred to “most” contemporary just war thinkers as rejecting the retributive just cause. While I noted that the near-consensus about self-defense as the only just cause for war deviates markedly from the bellum justum of Aquinas, I did not yet account for the set of contemporary just war thinkers who indeed do defend the use of armed force to reestablish an equilibrium of justice that has been disrupted by culpable wrongdoing. Commonly having a background in theology, these “just war ‘hawks’” seek to return to the classical understanding of just war as a tool of statecraft. Their thinking can be contextualized by reference to a conversation that has taken on a prominent role in Catholic thinking about war and peace. Arguably, as briefly hinted at earlier, the majority of Catholic just war thinkers nowadays seek to make the use of armed force exceptional and have therefore adopted a “presumption against war” view as their starting point of moral analysis. One aspect of this presumption is the limitation of just cause to mainly self-defense. Although the classical bellum justum started from a “presumption against injustice,” major voices in the Church consider this more permissive starting point of analysis a relic of days past. Not surprisingly,
the very idea of just war has been receiving an ambiguous treatment, and Cath-
olic thought has recently seen the advent of a related moral framework of “just 
peace,” which, as its advocates hope, will eventually replace the inherited just 
war. In this context, as I have noted previously, it is worth mentioning that 
Brunstetter, although he does not explicitly draw on the Catholic tradition, 
states that his starting point of thinking about the ethics of vis is a presumption 
against war.

Given that the argument in favor of a presumption against injustice runs 
against the just war zeitgeist, it should come as no surprise that the moral argu-
ments of thinkers such as Biggar, Capizzi, Elshtain, Johnson, O’Donovan, and 
Weigel have received a lukewarm response from advocates of a presumption 
against war. Especially the moral defense of retributive uses of force in the 
aftermath of the terrorist attacks of 9/11 and against Saddam Hussein’s Iraq 
caused controversies. That said, however, based on the classical Thomistic 
point of view, it should come as no surprise to the reader that these thinkers 
could claim to have the classical bellum justum on their side when arguing for 
the use of retributive force. For example, when making the argument for regime 
change in Iraq, they could refer to the classical understanding of the respon-
sibility of rulers for the common good, a responsibility that might include the 
removal of a dictator in the service of order, justice, and peace.

Although these thinkers could legitimately claim the legacy of the classical 
just war, this does not mean that diverging moral arguments cannot be derived. 
Personally, while seeking to learn from the classical understanding of just war 
myself, I was more skeptical about the justifiability of the 2003 Iraq War. I do 
not seek to engage here with the primary argument that was made in support 
of that war, namely, that Iraq’s weapons of mass destruction (WMD) program 
was posing a direct threat to the West. I will just note that the Franco-German 
opposition against the war, grounded in the argument that the threat posed by 
the regime was not as clear as the war coalition suggested, convinced me at the 
time. Rather, I am interested in the argument about the responsibility of the 
international community for a functioning international order that might justify 
the removal of a tyrant although it would violate what Walzer calls the legalist 
paradigm. That, in fact, was one of the arguments made by Biggar, Elshtain, 
Johnson, and Weigel in support of the war. The emphasis needs to be on one, 
as their respective conclusions on the justifiability of the Iraq War were the 
result of multifaceted analyses. However, clearly these thinkers emphasized the 
retributive just cause. Johnson, for example, held that the classical bellum jus-
tum sanctioned “the use of force to punish evil, and this surely applied in the 
case of Saddam Hussein and his regime.” More specifically, Elshtain argued, 
“It is a striking, and saddening, commentary that the emphasis had to be placed 
on the danger of WMD since Saddam’s well-documented mass murder of his
own people did not rise to the level of a *casus belli* in and of itself. Likewise, Biggar allocated primary importance to the just cause of responding to what he calls “state atrocity,” the grave injustices the regime of Saddam Hussein had committed in the past. Finally, Weigel saw in the regime’s past and ongoing wrongdoing a sufficient just cause for war, a just war that would be waged “to support the minimum conditions of world order and to defend the ideal of a law-governed international community.”

I remember that at the time I bought into the prudential argument that while Saddam Hussein was indeed a brutal dictator deserving of punishment, toppling him was not likely to create the “beacon of democracy” in the Middle East that many interventionists hoped to establish. Rather, his forceful removal, so the argument went that convinced me, might create even more instability in the region. Put differently, to paraphrase Weigel, I was under the impression that there was less “moral clarity in a time of war” than he suggested at the time. With hindsight, and granted that this argument comes with the flavor of retrospective reasoning, the prudential approach seems to have been vindicated, given the postwar chaos that culminated in the rise of the Islamic State of Iraq and Syria (ISIS). Eight years after the Iraq War, one might add, the overthrow of Libyan dictator Muammar Qaddafi that resulted in a bloody civil war added a further case for taking the prudential just war criteria very seriously when arguing about regime change. Those conflicts, as critics will not tire of highlighting, also contributed to keeping the “forever wars” going because they revived old and created new terrorist actors the United States would later decide to “bring to justice” by employing drones or authorizing commando raids. In that sense, the wars for regime change helped consolidate what some imagine as a morally problematic regime of vis perpetua.

I take those consequences, which were unintended but could arguably be foreseen, very seriously. That is why my argument is on a more cautious footing compared to those who supported retributive war in Iraq. In particular, I hold that prudential considerations caution against large-scale uses of retributive force. However, while the Iraq and Libya cases showcase its potential downsides, there should be no general condemnation of the retributive just cause. In that sense, I am advocating a “presumption against regime change” that emphasizes prudential considerations and that cautions against employing the just war framework to justify the promotion of human rights around the world. However, as is the case with the presumption against war, the presumption against regime change should be overruled in specific cases if circumstances so require. My starting point continues to be the classical presumption against injustice, but I think regarding regime change this presumption needs to be tempered with prudential considerations. Therefore, I suppose, the presumption against injustice I advocate, due to its being more restrictive, is situated in between
the manifestation upheld by the more “hawkish” type of neoclassical just war thinkers and advocates of the presumption against war. Despite this distancing from the most prominent neoclassical just war thinkers on this specific question, my argument is still in line with the historical tradition. Johnson, pointing to the distinction between the deontological (legitimate authority, just cause, and right intention) and prudential (reasonable hope of success, proportionality, last resort, goal of peace) just war criteria, holds that the former take precedence over the latter in the tradition. However, that does not mean that the prudential criteria are of limited importance: “Yet good statecraft, after ensuring that these three concerns have been satisfied, will still have to test whether use of force otherwise justified can meet the prudential tests and fashion its final course of action accordingly.”137 My presumption against regime change as a manifestation of retributive war arises from exactly this argument. In the case of Saddam’s Iraq, the deontological criteria were arguably met, but the war failed the prudential tests.

That said, the application of the presumption against injustice seems to differ when limited uses of armed force are concerned. I wonder if retributive vis might be employed as a tool of statecraft to maintain and establish tranquillitas ordinis, built around the ends of order, justice, and peace. In that sense, vis could play a role in addressing what Weigel calls “problems of global dis-order” that stand in the way of the peace of order.138 The following chapters on two specific manifestations of limited force explore this hypothesis that is grounded in the classical bellum justum of Aquinas, and that would firmly fall within the presumption against injustice view as a starting point of moral analysis. As part of these explorations, I grapple with a variation of the permissiveness critique that Brunstetter has also encountered in his argument. While an argument for vis that draws on the classical bellum justum would be more permissive than the legalist paradigm, it should by no means be too permissive. In Brunstetter’s account, this awareness shows in his argument for moral truncated victory and his focus on conciliation. In my attempt to find the right balance for a reading grounded in Aquinas, I need to find an answer to Lang’s concern that the use of history may be more of an enabler of war, rather than take on the restraining function that undergirds just war thinking.139 Put differently, I need to grapple with the danger of a morally unjustifiable regime of vis perpetua.

CONCLUSION

The classical Thomistic understanding of the criteria of just cause and right intention, some common ground on the morality of anticipatory uses of force notwithstanding, differs markedly from the Walzerian and revisionist readings. Not only do both of the dominant contemporary approaches reject retribution
as a just cause for war, but the emphasis on the moral virtues found in the Thomistic just war is also alien to them. Importantly, this chapter has made an attempt to provide an account of the Thomistic just war that speaks with the other approaches, rather than about them. At the end of the second part of this book the foundation for this work’s substantive contribution has been laid. The following casuistical investigations of two particular uses of limited force are grounded in the Thomistic just war as presented in the book’s second part. In addition, the book’s general arguments on how to regulate the two practices take Aquinas’s just war as a set of counterimages that can help figure out morally defensible regulations.

**NOTES**

Parts of this chapter draw from Braun, “Morality of Retributive Targeted Killing”; “Catholic Presumption against War Revisited”; and “*Jus ad Vim* and Drone Warfare.”

3. See, for example, Capizzi, *Politics, Justice, and War*, esp. chap. 3; and Biggar, *In Defence of War*.
4. See Lang, *Punishment, Justice and International Relations*.
8. For a superb discussion of how the theme of punishment has been treated in both contemporary and classical just war thinking, see O’Driscoll, *Victory*, chap. 4. Harry Gould provides an account of how the idea of punishment has become enshrined in international law. See Gould, *Legacy of Punishment in International Law*.
10. Luban, 319. For a similar distinction between justice and revenge, see Elshtain, *Just War against Terror*, 22–25.
12. Luban, 318.
17. Luban, 326.
20. Midgley, 22.
29. McMahan.
35. Aquinas, I-II, q. 7, a. 2.
36. See Aquinas, I-II, q. 87, a. 6.
42. Aquinas, I-II, q. 97, a. 3, ad. 2.
47. Aquinas, II-II, q. 64, a. 5.
49. Feser and Bessette, *By Man Shall His Blood Be Shed*, 52.
51. Aquinas, *ST*, II-II, q. 64, a. 2.
52. For two competing contemporary views, see Buchanan and Keohane, “Preventive Use of Force”; and Dipert, “Preemptive War.” See also Doyle, *Striking First*; Totten, *First Strike*; Chatterjee, *Ethics of Preventive War*; and Shue and Rodin, *Preemption*.
55. Walzer.
57. McMahan.
58. McMahan. For a further elaboration on what he calls the “example of the ‘Unmo- bilized Military,’” see McMahan, “Comment,” 129–47.
59. See chapter 10 for a discussion of the arguments made by McMahan and Walzer vis-à-vis the Obama administration’s imagined air strikes to punish the Assad regime for its use of chemical weapons.
60. Reichberg, *Thomas Aquinas on War and Peace*, 203.
64. Aquinas, *ST*, II-II, q. 60, a. 3.
65. Aquinas, II-II, q. 60, a. 4.
71. See chapter 10 for Brunstetter’s position on punitive uses of limited force.
73. Emery and Brunstetter, “Restricting the Preventive Use of Force,” 259.
74. Emery and Brunstetter, 257.
75. Emery and Brunstetter, 258.
76. Emery and Brunstetter, 260.
77. Emery and Brunstetter.
78. Emery and Brunstetter, 268. Emery and Brunstetter propose a process that should govern preventive drone strikes that combines elements of the law enforcement and war paradigms.
84. Aquinas, I-II, q. 55, a. 4.
86. Aquinas, *ST*, I-II, q. 5, a. 5.
87. Aquinas, I-II, q. 47, a. 2.
89. Aquinas, *ST*, I-II, q. 23, a. 7.
100. Feser and Bessette, *By Man Shall His Blood Be Shed*.
102. Pope Francis, “Address of His Holiness Pope Francis.”
106. Reichberg, 66.
107. Reichberg, 68.
110. Reichberg, 67.
111. Reichberg, 72.
112. Aquinas, *ST*, II-II, q. 64, a. 7.
114. Reichberg, 78.
118. Aquinas, *ST*, II-I, q. 20, a. 5.
121. Brunstetter.
122. Brunstetter, 156.
123. Brunstetter, 155.
125. For a critique of the revisionist understanding of right intention, see Steinhoff, “Indispensable Mental Element,” 53.
127. The phrase “presumption against war” was introduced by the US Catholic Bishops in a high-profile pastoral letter in 1983. See National Conference of Catholic Bishops, *Challenge of Peace*.
128. For an account of just peace, see Cahill, *Blessed Are the Peacemakers*. For a critical assessment of just peace and its relationship to just war, see Braun, “Quo Vadis?”
129. For a thoughtful discussion of the role of punishment in contemporary just war, see O’Driscoll, *Victory*, chap. 4.
130. See, for example, Biggar, *In Defence of War*, ch. 7; Elshtain, *Just War against Terror*, 182–92; Johnson, *War to Oust Saddam Hussein*; and Weigel, “Just War Case for the War.”
131. For an exploration of the punitive arguments in favor of the Iraq War, see O’Driscoll, *Renegotiation of the Just War Tradition*, ch. 4.
133. Elshtain, *Just War against Terror*, 186.
134. See Biggar, *In Defence of War*, chap. 7.
135. Weigel, “Just War Case for the War.”
139. See Lang, “Politics, Ethics, and History in Just War.”