

KAI DRAPER

**WAR AND
INDIVIDUAL
RIGHTS**

THE FOUNDATIONS OF JUST WAR THEORY

War And Individual Rights The Foundations Of Just War Theory

Florian Demont-Biaggi



War And Individual Rights The Foundations Of Just War Theory:

War and Individual Rights Kai Draper, 2015-10-01 The book begins with the assumption that even in war individual rights demand respect Drawing from the insights of John Locke and other thinkers in the natural rights tradition Draper reaches the conclusion that despite the moral obstacles posed from respecting such rights sometimes war is justified Throughout the chapters he develops and defends a framework of rights to serve as the foundation for a new just war theory

War and Individual Rights Kai Draper, 2016 Kai Draper begins his book with the assumption that individual rights exist and stand as moral obstacles to the pursuit of national no less than personal interests That assumption might seem to demand a pacifist rejection of war for any sustained war effort requires military operations that predictably kill many noncombatants as collateral damage and presumably at least most noncombatants have a right not to be killed Yet Draper ends with the conclusion that sometimes recourse to war is justified In making his argument he relies on the insights of John Locke to develop and defend a framework of rights to serve as the foundation for a new just war theory Notably missing from that framework is any doctrine of double effect Most just war theorists rely on that doctrine to justify injuring and killing innocent bystanders but Draper argues that various prominent formulations of the doctrine are either untenable or irrelevant to the ethics of war Ultimately he offers a single principle for assessing whether recourse to war would be justified He also explores in some detail the issue of how to distinguish discriminate from indiscriminate violence in war arguing that some but not all noncombatants are liable to attack

Realist Ethics Valerie Morkevičius, 2018-01-25 Just war thinking and realism are commonly presumed to be in opposition If realists are seen as war mongering pragmatists just war thinkers are seen as naïve at best and pacifistic at worst Just war thought is imagined as speaking truth to power forcing realist decision makers to abide by moral limits governing the ends and means of the use of force Realist Ethics argues that this oversimplification is not only wrong but dangerous Casting just war thought to be the alternative to realism makes just war thinking out to be what it is not and cannot be a mechanism for avoiding war A careful examination of the evolution of just war thinking in the Christian Islamic and Hindu traditions shows that it is no stranger to pragmatic politics From its origins just war thought has not aimed to curtail violence but rather to shape the morally imaginable uses of force deeming some of them necessary and even obligatory Morkevičius proposes here a radical recasting of the relationship between just war thinking and realism

New Interventionist Just War Theory Jordy Rocheleau, 2021-11-22 This book offers a systematic critique of recent interventionist just war theories which have made the recourse to force easier to justify The work argues that these theories including neo traditionalist prerogatives to national leaders and a cosmopolitan human rights paradigm offer criteria for war that are insufficient in principle and dangerous in practice Drawing on a plurality of moral considerations the book recommends a modified legalist national defense paradigm which includes an atrocity threshold for humanitarian intervention and a legitimate authorization requirement The plausibility of this restrictive framework is applied to case

studies including the long wars in Iraq and Afghanistan ongoing targeted killing and possible interventions in Syria and elsewhere Various arguments which seek to loosen the criteria for war are also systematically analyzed and criticized This book will be of much interest to students of just war theory military history ethics political philosophy and international relations

The Morality of the Laws of War Marcela Prieto Rudolph, 2023-05-04 Combatants are equal under the laws of armed conflict regardless of whether the wars they fight are just or unjust legal or illegal They are permissible targets and can kill each other in battle This basic feature of international law has been recently put into question by a group of moral philosophers known as revisionists who argue that just combatants in an unjust war should be considered innocents and their deaths considered murder Dr Prieto Rudolph explains and assesses the conflict between the revisionist argument and the existing legal norms in *The Morality of the Laws of War War Law and Murder* The book provides an in depth assessment of modern ethical thought on killing in wartime deconstructing the revisionist view of war and offering a new perspective on the legal equality of combatants Prieto Rudolph not only examines the tension between the revisionist morality and the traditional thesis of symmetry between combatants but proposes a contingent justification of the latter and an alternative morality of war Underlying both is the inescapable fact that regulating war is always a moral compromise At the same time she argues that there is urgent moral pressure to improve our laws to bring them closer to an ideal whereby war does not exist *The Morality of the Laws of War* is a must read for scholars of moral philosophy and international law from students to experts providing a thorough account of contemporary debates on the ethics of warfare and using nuanced arguments to illuminate a fresh perspective

The Nature of Peace and the Morality of Armed Conflict Florian Demont-Biaggi, 2017-10-24 This book explores topical issues in military ethics by according peace a central role within an interdisciplinary framework Whilst war and peace have traditionally been viewed through the lens of philosophical enquiry political issues and theological ideas as well as common sense have also influenced people's understanding of armed conflicts with regards to both the moral issues they raise and the policies and actions they require Comprised of fourteen essays on the role and application of peace the book places emphasis on its philosophical moral theological technological and practical implications Starting with an overview of Kantian perspectives on peace it moves to discussions of the Just War debates religious conceptualizations of peace and the role of peace in modern war technology and cyber security Finally concluding with discussions of the psychological and medical impacts of war and peace on both the individual and the larger society this collection offers a contribution to the field and will be of interest to a wide audience Chapters 4 6 and 10 of this book are available open access under a CC BY 4.0 license at link.springer.com

[Global Poverty, Injustice, and Resistance](#) Gwilym David Blunt, 2020 Argues that the poor have the right to resist causes of poverty examining illegal immigration social movements and political violence

Current Issues in Computing and Philosophy Adam Briggie, Katinka Waelbers, Philip A. E. Brey, 2008 The theme of this volume is the multi faceted computational turn that is occurring through the interaction of the disciplines of philosophy

and computing In computer and information sciences there are significant conceptual and methodological questions that require reflection and analysis Moreover digital information and communication technologies have had tremendous impact on society which raises further philosophical questions This book tries to facilitate the task to continuously work to ensure that its diversity of perspectives and methods proves a source of strength and collaboration rather than a source of instability and disintegration The first three contributions explore the phenomenon of virtual worlds The next four focus on robots and artificial agents Then a group of chapters discusses the relation between human mentality and information processing in computers and the final section covers a broad range of issues at the interface of computers and society **Just War**

Theory and Civilian Casualties Marcus Schulzke, 2017-08-10 There are strong moral and legal pressures against harming civilians in times of conflict yet neither just war theory nor international law is clear about what responsibilities belligerents have to correct harm once it has been inflicted In this book Marcus Schulzke argues that military powers have a duty to provide assistance to the civilians they attack during wars and that this duty is entailed by civilians right to life Schulzke develops new just war principles requiring belligerents to provide medical treatment and financial compensation to civilian victims and then shows how these principles can be implemented in governmental military and international practice He calls for a more individual focused conception of international law and post war justice for victims as opposed to current state or group based reconstruction and reparation programs which will provide a framework for protecting civilian rights

Political Violence Panu-Matti Pöykkö, Pamela Slotte Russo, Viljami Salo, 2024-11-18 This volume brings together scholars from intellectual history social sciences philosophy and theology to evaluate central questions concerning political violence and aggression This multidisciplinary collection of essays critically investigates forms and modes of justification of political violence from historical and contemporary perspectives especially within the context of the development of the idea of Europe and modern European identity What is meant by political violence and aggression When and under which conditions is it justified Who has the right to exercise it and against whom Answers differ depending on various factors such as pre established ends available resources and possibilities of action historical and socio economic context the ideological political and religious theological background of the actors The volume pays special attention to a how the above questions have been addressed and answered political philosophical and theological thought and b what kind of ideological currents and historical events lay at the background of such considerations *Oxford Studies in Political Philosophy Volume 8* David Sobel, Steven

Wall, 2022-01-30 This is the eighth volume of Oxford Studies in Political Philosophy The series aims to publish some of the best contemporary work in the vibrant field of political philosophy and its closely related subfields including jurisprudence normative economics political theory in political science departments and just war theory Walzer and War Graham Parsons, Mark A. Wilson, 2020-04-17 This book presents ten original essays that reassess the meaning relevance and legacy of Michael Walzer s classic *Just and Unjust Wars* Written by leading figures in philosophy theology international politics and the

military the essays examine topics such as territorial rights lessons from America's wars in Iraq and Afghanistan the practice of humanitarian intervention in light of experience Walzer's notorious discussion of supreme emergencies revisionist criticisms of noncombatant immunity gender and the rights of combatants the peacebuilding critique of just war theory and the responsibility of soldiers for unjust wars Collectively these essays advance the debate in this important field and demonstrate the continued relevance of Walzer's work

The Ethics of Self-defense Christian Coons, Michael E.

Weber, 2016 The fifteen new essays collected in this volume address questions concerning the ethics of self defense most centrally when and to what extent the use of defensive force especially lethal force can be justified Scholarly interest in this topic reflects public concern stemming from controversial cases of the use of force by police and military force exercised in the name of defending against transnational terrorism The contributors pay special attention to determining when a threat is liable to defensive harm though doubts about this emphasis are also raised The legitimacy of so called stand your ground policies and laws is also addressed This volume will be of great interest to readers in moral political and legal philosophy

War Ethics: Theory, Practice, and Memoir Brian Orend, 2025-04-23 War Ethics Theory Practice and Memoir is an extraordinarily diverse collection of over ninety readings on the ethics law morality and justice of armed conflict Each of the foundational theories of war ethics realism pacifism just war theory and international law is examined in depth as are challenging alternative perspectives from feminist thinkers and the world's major religions A substantial section on contemporary issues covers topics ranging from cyberwar AI terrorism and drones to torture war's environmental impacts and the rights of soldiers and veterans Also included is an extensive collection of riveting first person accounts from soldiers civilians and observers which powerfully convey the personal impacts of war Introductory discussions and summary articles from Brian Orend are integrated throughout the text including a closing essay on new technologies and the future of war

The Ashgate Research Companion to Military Ethics James Turner Johnson, Eric D. Patterson, 2016-03-23 This Companion provides scholars and graduates serving and retired military professionals members of the diplomatic and policy communities concerned with security affairs and legal professionals who deal with military law and with international law on armed conflicts with a comprehensive and authoritative state of the art review of current research in the area of military ethics Topics in this volume reflect both perennial and pressing contemporary issues in the ethics of the use of military force and are written by established professionals and respected commentators Subjects are organized by three major perspectives on the use of military force the decision whether to use military force in a given context the matter of right conduct in the use of such force and ethical responsibilities beyond the end of an armed conflict Treatment of issues in each of these sections takes account of both present day moral challenges and new approaches to these and the historical tradition of just war Military ethics as it has developed has been a particularly Western concern and this volume reflects that reality However in a globalized world awareness of similarities and differences between Western approaches and those of other major cultures is

essential For this reason the volume concludes with chapters on ethics and war in the Islamic Chinese and Indian traditions with the aim of integrating reflection on these approaches into the broad consideration of military ethics provided by this volume

Self-Defense, Necessity, and Punishment Uwe Steinhoff, 2019-10-08 This book offers a philosophical analysis of the moral and legal justifications for the use of force While the book focuses on the ethics self defense it also explores its relation to lesser evil justifications public authority the justification of punishment and the ethics of war Steinhoff's account of the moral use of force covers a wide range of topics including the nature of justification in general the precise elements of different justifications the logic of claim and liberty rights and of rights forfeiture the value of human life and its limits and the principles of reciprocity and precaution While the author's analysis is primarily philosophical it is informed by a metaethical stance that also places heavy emphasis on existing law and legal scholarship In doing so the book appeals to widely shared moral intuitions precepts and concepts grounded in criminal law Self Defense Necessity and Punishment offers the most comprehensive and systematic account of the ethics of self defense It will be of interest to scholars and graduate students working in applied ethics and moral philosophy philosophy of law and political philosophy

Just Peace After Conflict Stahn Carsten [VNV], Jens Iverson, Rafael Braga da Silva, 2020 As contemporary studies have increasingly viewed just post bellum to the concept of peace or the law of peace so opinions concerning what a just peace could look like have diverged Is it merely an elusive ideal Or is it predominantly procedural justice Is it dependent on concessions and compromise In this volume the third output of a major research project on Jus Post Bellum Carsten Stahn Jens Iverson and Jennifer Easterday bring together a team of experts to explore the issues surrounding a just peace what it is composed of and how it makes itself felt in the modern world concluding that a just peace is not only related to form and

Intolerance Robert E. Tully, Bruce Chilton, 2017-07-14 Aristotle accurately characterized humans as political animals Whether through birth or from choice people naturally cluster into groups for protection advancement and the pursuit of well being But Aristotle's description does not hint at the powerful binary tension within this human tendency Leaders enhance a social group's sense of identity by appealing to the members' commitments and shared traditions to their hopes strengths sacrifices and fears Often however they cultivate not only an awareness of difference but even a sense of superiority since for every social group there are those outside the them Maintaining a group's solidarity can too easily lead to the righteousness of intolerance towards those who are excluded The reinforcement of group identity in this way runs so deep in human nature that holding up a mirror to ourselves inevitably reveals a split image the people we want to see and the people we're glad we're not Intolerance Political Animals and Their Prey presents stark examples of how the US have treated the them The papers in this volume hold up various unflattering mirrors of intolerance from the areas of History Law Philosophy Political Science and Religion The authors of these scholarly studies do not condemn Rather their research compels us to look at ourselves as the political animals we are Intolerance Political Animals and Their Prey is the product of a year long multi disciplinary

collaboration between faculty members of Bard College and the United States Military Academy at West Point The project involved parallel seminar courses at both institutions along with Joint Sessions all focused on the central theme of intolerance and culminated in a three day academic Conference at Bard in the Spring of 2015 This volume inaugurates a new series being published by Hamilton Books under the general title Dialogues on Social Issues Bard College and West Point **The Conceptual Foundations of Transitional Justice** Colleen Murphy, 2017-04-19 This accessible book analyses transitional justice and discusses how it differs from retributive corrective and distributive justice **Pufendorf's International Political and Legal Thought** Peter Schrödder, 2024 Samuel Pufendorf 1632-1694 is regarded as one of the eminent thinkers of the early modern era critical in the shaping of the period's natural jurisprudence In this interdisciplinary collection of essays esteemed scholars examine Pufendorf's contributions to international political and legal thought

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