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THE ETHICS OF FORCE: REVISITING JUST WAR THEORY IN CONTEMPORARY INTERNATIONAL RELATIONS

~Sana Ali

INTRODUCTION

War occupies a paradoxical position in international relations. While the international legal order is founded upon the preservation of peace, states continue to invoke force in response to security threats, humanitarian crises, and acts of aggression. This tension raises a fundamental question: can the use of force ever be morally and legally justified? Just War Theory provides one of the most enduring frameworks for addressing this dilemma. Originating in classical philosophy and later influencing international law, the theory seeks to regulate not only the decision to wage war but also its conduct and aftermath.¹

In an era marked by cyber operations, autonomous weapons, and complex humanitarian emergencies, revisiting Just War Theory remains essential for understanding the relationship between ethics, legality, and international order.

THE EVOLUTION OF JUST WAR THEORY

The intellectual foundations of Just War Theory can be traced to the writings of Saint Augustine, who argued that war may be permissible when undertaken to restore peace and justice.² These ideas were later refined by Thomas Aquinas, who articulated specific conditions for the legitimate use of force by political authorities.³ Their contributions laid the groundwork

¹ MICHAEL WALZER, JUST AND UNJUST WARS 3-20 (5th ed. 2015).

² SAINT AUGUSTINE, THE CITY OF GOD bk. XIX, ch. 7 (Marcus Dods trans., Modern Library 1950).

³ THOMAS AQUINAS, SUMMA THEOLOGICA II-II, Q.40, Art.1 (Fathers of the English Dominican Province trans., Benziger Bros. 1947).

for a normative framework that continues to influence contemporary international law and political philosophy.

Traditionally, the theory has been divided into two dimensions: *jus ad bellum* and *jus in bello*. More recently, scholars have emphasized a third dimension, *jus post bellum*, which concerns justice after the cessation of hostilities.⁴

JUS AD BELLUM: THE LEGALITY OF RESORTING TO FORCE

The principle of *jus ad bellum* establishes the conditions under which force may be legitimately employed. These conditions include a just cause, authorization by a legitimate authority, right intention, proportionality, last resort, and a reasonable prospect of success.⁵ From a legal perspective, these principles find expression within the framework of the United Nations Charter. Article 2(4) prohibits the threat or use of force against the territorial integrity or political independence of states, while Article 51 recognizes the inherent right of self-defense.⁶

Together, these provisions reflect the international community's attempt to restrict war and preserve collective security.

JUS IN BELLO: REGULATING CONDUCT DURING CONFLICT

Even where force is lawfully initiated, its conduct remains subject to legal and ethical constraints. *Jus in bello* requires distinction between combatants and civilians, proportionality in military operations, and the minimization of unnecessary suffering.⁷ These principles are reflected in the Geneva Conventions and customary international humanitarian law.⁸

Their objective is not to eliminate conflict altogether but to preserve human dignity during armed hostilities. In contemporary warfare, however, challenges arise from the increasing use of drones, cyber capabilities, and non-state actors, all of which complicate traditional distinctions between civilian and military targets.

⁴ Carsten Stahn, *Jus Post Bellum: Mapping the Normative Foundations*, 23 EUR. J. INT'L L. 311, 313-316 (2012).

⁵ BRIAN OREND, *THE MORALITY OF WAR* 31-59 (2d ed. 2013).

⁶ U.N. Charter arts. 2, 51.

⁷ BRIAN OREND, *THE MORALITY OF WAR* 111-145 (2d ed. 2013).

⁸ Geneva Convention Relative to the Protection of Civilian Persons in Time of War art. 3, Aug. 12, 1949, 75 U.N.T.S. 287.

JUS POST BELLUM: JUSTICE AFTER WAR

An increasingly important dimension of Just War Theory is jus post bellum, which focuses on the responsibilities of states and international actors after conflict has ended. Military victory alone cannot secure lasting peace; sustainable stability requires accountability, reconstruction, reconciliation, and the restoration of legal institutions.⁹

The emergence of international criminal tribunals and transitional justice mechanisms demonstrates the growing importance of post-conflict justice. Efforts to prosecute war crimes, compensate victims, and rebuild governance structures reflect the understanding that justice must extend beyond the battlefield.¹⁰ In this regard, jus post bellum bridges the gap between ethical theory and contemporary international legal practice.

CONTEMPORARY RELEVANCE AND CRITIQUE

Just War Theory continues to provide a valuable framework for evaluating military action in the twenty-first century. It offers standards against which humanitarian interventions, counter-terrorism operations, and emerging forms of warfare may be assessed.¹¹ Nevertheless, critics argue that concepts such as "just cause" and "right intention" remain vulnerable to political manipulation. States may selectively invoke moral language to legitimize strategic objectives. Moreover, rapid technological advancements challenge existing legal norms and complicate efforts to ensure accountability.¹²

Despite these limitations, the enduring value of Just War Theory lies in its insistence that power must remain subject to ethical and legal scrutiny.

CONCLUSION

The significance of Just War Theory extends beyond philosophical debate. Through jus ad bellum, jus in bello, and jus post bellum, the theory provides a comprehensive framework for evaluating the legality and morality of force before, during, and after armed conflict. As international relations confront new security challenges and evolving technologies, the

⁹ Larry May, *After War Ends: A Philosophical Perspective* 1-18 (2012).

¹⁰ Carsten Stahn, *Jus Post Bellum and the Justice of Peace*, in *The Oxford Handbook of the Use of Force in International Law* 1020-1035 (Marc Weller ed., 2015).

¹¹ MICHAEL WALZER, *JUST AND UNJUST WARS* 251-268 (5th ed. 2015).

¹² BRIAN OREND, *THE MORALITY OF WAR* 175-192 (2d ed. 2013).

principles of justice, accountability, and human dignity remain indispensable. Revisiting Just War Theory is therefore not merely an academic exercise but an essential step toward preserving a rules-based international order.