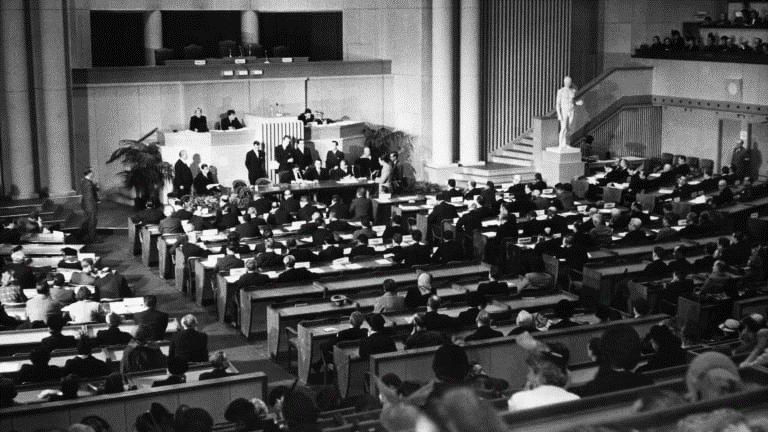
Just War Theory  
Negative Case by Zachary Beddingfield



Geneva Convention on the Ethics of War

You’ll probably be thrown off by the value. “Wait, I thought the value was supposed to prove that preventive war is ethical,” you’ll say. And this is absolutely going to be most values this year, and that is absolutely fine. However, our resolution is different now than in years past. Typically, the resolution will read something like “Resolved: Thing X is more valuable than Thing Y.” That’s where we get our term value from, ‘valuable’. In this way, a value is something that is inherently important (valuable) to society. Whichever side, Thing X or Thing Y better achieves that value wins.

This year, there are two notable changes to this format. The first is that we only have Thing X, preventive war; there is no Thing Y. While you should keep that in mind, it’s not necessary for explaining my value. The second is that we lost our key word: ‘valuable’. What took its place? Ethical. Preventive war is *ethical*. Therefore, we are no longer arguing what is important for a society, as NCFCA did that for us. Instead, we are always going to be debating with the understanding that *ethics* is the most valuable thing for a society. So, by definition, our value is always technically ethics.

Often, this goes unspoken. When people say “my value is human rights,” they are really saying they are striving for ethics, there value, and that we will achieve that by protecting human rights, which is actually there criterion. This works for human rights, which *sounds* like a value, but if you’ve been in past years of Lincoln Douglas you’ll know that Just War Theory *doesn’t* sound like a value, as it doesn’t sound valuable. Likewise, judges will be very confused if you say “my value is Just War Theory.” I include three paragraphs on explaining my value because, in order to argue this case and a value of ethics, you must understand exactly *why* your value is ethics. You’ll undoubtedly face many cross-examination questions from people who think they’ve found an easy target, so be prepared to fend them off! For a simple refutation: A value is defined as what we are striving for, and by our resolution, that is ethics. I argue that we can achieve ethics with my criterion of Just War Theory, and you’ve argued that we can achieve it with [insert their value here].

For the rest of this introduction, let’s focus on Just War Theory. There are two things you need to do with just war theory to win the round.

First, you must *win* the right to use Just War Theory. Your opponent may argue government obligation, citizens’ rights, or a variety of other standards for testing the ethics of war. You need to prove your framework, Just War Theory, is better than whatever your opponent uses. One idea to get you started is to prove in cross-examination that a war can be unethical *even if* it passes your opponent’s test of ethics. That’s a big no no, and quite literally invalidates their test (I’m using ‘standard’ and ‘test’ instead of value as per the above sections). If a test of ethics is ever wrong, it is inherently wrong (Of course, you’ll have to prove that too). For an example of proving this, let’s say your opponent argues that preventive war is ethical because it aims to protect citizens’ rights. Then, you ask them if a government can ever ‘over-do-it’. Is a government ethically justified in killing off an entire country simply to protect their citizens’ rights? If your opponent says no, then their test is inadequate, and they’ve just contradicted it (there test would have said it *was* actually ethical)

Second, you need to win at least one, but hopefully both, of the tests. The first step to this is to make sure your judge knows what the tests are, and what they represent (duh). To do this, you should make it your goal to have your judge **write both tests down**. You probably don’t need extra words to do this, the case is designed to say everything for you. What you do need is *emphasis*. Dedicate yourself to making these tests clear.

In addition to getting your judge to write down the tests of JWT, you should also make sure they and your opponent are very clear on the rules of JWT: There are no passes or exceptions; if a war fails even one of the tests, it is unethical. In other words, you don’t need to prove both contentions, though you’ll be much safer on the ballot if you do.

Winning those tests is hopefully the easy part. The second test, last resort, is probably going to be clear-cut and argued using the definition. The first one is slightly more debatable, but stick to the arguments and taglines in the contention and you’ll be safe.

Just War Theory

War and death are inseparable concepts. We understand this; after all, a war requires soldier to fight it. However, what’s less talked about is just how many civilians die in war. According to UNICEF, the United Nations Children’s Fund, civilian death in war has grown to drastic levels over the last century:

**“Civilian fatalities in wartime climbed from 5 percent at the turn of the century, [1900],** to 15 percent during World War I, **to 65 percent by the end of World War II, to more than 90 percent in the wars of the 1990s.[[1]](#footnote-1)**

UNICEF goes on to add:

**Children are not spared. It is estimated that 500,000** under-five-year-olds **[children under five] died as a result of armed conflicts in 1992 alone.1**

It is because all war has an inevitable and hefty price tag, and because preventive war is not worth the cost, that I stand resolved: **Preventive War is NotEthical.**

# Definitions (If Needed)

The United States Department of Defense defines preventive war as:

**“A war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.”[[2]](#footnote-2)**

Preventive War is, by definition, attacking a state one thinks *might* become an enemy in the future to prevent an attack that *might* happen. It’s important to understand that Preventive War, by nature, rules out the very real possibility of peace, instead opting to start a conflict in order to prevent a theoretically greater one.

# Value: Ethics

Ok, this is a pretty “duh” statement. The value is defined as the thing we are striving for. Typically, in Lincoln-Douglas debate, we get to choose our value. This year, however, that value is chosen for us: “Preventive war is *ethical*.” We are striving for *ethics*. The bigger question is *how* we can strive for ethics. This leads me to my criterion…

# Criterion: Just War Theory

First defined by Thomas Aquinas, just war theory is the study of what makes war justified. Today, there are six agreed-upon criteria an attacking party must meet for war to be ethical. If a war passes all six tests, it is ethical. However, if it fails any of the six tests, it is unethical. The two tests which we will focus on today, and which Preventive War most blatantly violates, are outlined by the Stanford Encyclopedia of Philosophy as:

1. Proportionality: [meaning] The morally weighted goods achieved by the war outweigh the morally weighted bads that it will cause.
2. Last Resort: [meaning] There is no other less harmful way to achieve the just cause.[[3]](#footnote-3)

Those are fairly vague and complicated ideas, so I will try to break them down a bit. The first test refers to ‘morally weighted goods’ and ‘morally weighted bads’. These are best interpreted in terms of human rights, as those are the most important things in society. So, the two tests we will apply to preventive war are:

1. **Preventive war protects more human rights than it harms.**
2. **Preventive war is utilized only as a last resort.**

Preventive war must pass *both* tests or it cannot be ethical.

# Contention 1: Preventive War Has A Negative Impact On Human Rights

## Subpoint A: Human Rights Violations Are Inevitable

Looking back at my introduction, we saw just how violent wars are, and just how detrimental they are to societies, not just armies. Over the past century, war has gone from being fought almost entirely between armies to killing off millions of civilians. UNICEF found that 90 percent of all deaths caused by war were not of soldiers in vast armies but innocent civilians merely trying to live their lives in peace. The cause is a variety of challenges. For instance, globally adopted weaponry such as bombs have become far more deadly and create a far greater risk of casualties. To be sure, there are steps armies can take to protect civilians as much as possible, but we must understand that no matter what we do, how hard we try, there will *always* be many, many civilian casualties in war.

These people killed represent human rights decimated by war. Their loss is not unique to preventive war, and any war will claim casualties and harm human rights. However, remember that our first test says that, in order for preventive war to be ethical, it *must* protect more human rights than it harms.

## Subpoint B: Lives Tangibly Lost Outweigh Lives Hypothetically Protected

Preventive war is fought based on theory. We think there will be a war fought later, so to stop that possible conflict we create a very real conflict now. The problem is the trade-off we are accepting. We think a nation may choose to violate human rights in the future, but this is entirely hypothetical and there may very well be no conflict whatsoever. To stop this potential threat, we initiate a war now. This is the very essence of preventive war. The problem is, as established in Subpoint A, human rights violations are inevitable in war. So, when comparing whether preventive war protects more human rights than it harms, we are comparing a hypothetical protection of rights with an indisputable loss of rights. In the case of preventive war, the rights that *are* going to be harmed are more important than the rights that *may* be protected, and thus the first test is failed. Preventive war has a negative impact on human rights.

# Contention 2: Preventive War Disregards Peace

The second reason why Preventive War is inherently unethical is because it fails the requirement set on it by Just War Theory to be a last resort. Preventive War involves a government mindset of attacking another nation now to prevent a theoretical attack in the future. Through that mindset, a government has already disregarded all possibility of peace. Therefore, by completely abandoning the goal of waging war only as a last resort, Preventive War has also failed the second prong of our just war theory test and must be unethical in this regard as well.

Opposition Brief: Government Obligation

# Just War Theory

**War is Never a Last Resort*,* Therefore Just War Theory is a Poor Standard**

*Hiller, Patrick. “War Is Not the Last Resort · Peace Science Digest.” Peace Science Digest, 16 Dec. 2015. Accessed August 3, 2019. peacesciencedigest.org/war-is-not-the-last-resort. Peace Science Digest is an organization run by Dr. Patrick Hiller, who holds a Ph.D. in Conflict Analysis and Resolution from Nova Southeastern University. There self-described mission is to “create awareness about the contributions peace research can make to prevent war and violence. Note: This sourcing is from a bullet-point style article, so no surrounding context is available.*

No war can satisfy the conditions of absolute last resort.

It is possible to show that any particular war was not the last resort and that superior alternatives existed.

# Preventive War Disregards Peace

**Preventive War is a Last Resort**

*Strauss, Barry. “Preemptive Strikes and Preventive Wars: A Historian's Perspective.” Hoover Institution, 29 Aug. 2017. Accessed August 4, 2019.* [*www.hoover.org/research/preemptive-strikes-and-preventive-wars-historians-perspective*](http://www.hoover.org/research/preemptive-strikes-and-preventive-wars-historians-perspective)*. Barry Strauss is a professor in History at Cornell University and a writer for the Hoover Institution.*

A preventive war is a military, diplomatic, and strategic endeavor, aimed at an enemy whom one expects to grow so strong that delay would cause defeat. A preemptive strike is a military operation or series of operations to preempt an enemy’s ability to attack you. In both cases, [In the case of preventive war], a government judges a diplomatic solution to be impossible.

1. “Patterns in Conflict: Civilians Are Now the Target.” *Patterns in Conflict: Civilians Are Now the Target*, static.unicef.org/graca/patterns.htm. [↑](#footnote-ref-1)
2. "Preventive war." Dictionary of Military and Associated Terms. 2005. US Department of Defense. <https://www.bits.de/NRANEU/others/jp-doctrine/jp1\_02(05).pdf>. Accessed 12 Sept. 2019. More recent publications do not define Preventive War. There is no further context, and this is defining Preventive War directly. [↑](#footnote-ref-2)
3. Lazar, Seth. “War.” *Stanford Encyclopedia of Philosophy*, Stanford University, 3 May 2016. Accessed August 3, 2019. <https://plato.stanford.edu/archives/spr2017/entries/war/#TradRevi>. [↑](#footnote-ref-3)