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Empire and “new wars”. A critique of the justifications of “humanitarian” interventions.

(Bolzano, 2nd October 2008)

1. Introduction: wars and their justifications in our time

1.1. In the title of our workshop globalization comes together with tolerance. But I have the difficult task to remind you that in the last decades globalization has come together with war. As many others, I take 1989 - the fall of the Berlin wall - as a turning point. With the end of the Cold War and the collapse of the bipolar structure in international relations, a new type of war has emerged and imposed itself. It is definitely a conventional war – it is neither an atomic war, nor the threat of it – but a war of a new kind. To refer to this unprecedented form of conventional war, some scholars, following Mary Kaldor, use the expression “new wars”¹, others prefer to speak of ‘global war’². The main feature of these new wars is their radically asymmetric nature: they are fought by the United States and by some western countries against single states, each time defined for different reasons as “rogue states”³. What characterises these new wars is a radical disproportion between the military forces of the subjects engaged in the conflict, and, therefore, a radical disproportion in terms of human losses as well. Western states fight these new wars with the aim of not suffering any loss, or a negligible number of losses.

Thus, after 1989, on the historical and political level we witness a return of war, in new forms. On the philosophical and ideological level, we observe a return of the legitimisation of war, as well. What are the philosophical-political legitimisations of these new wars? It is possible to distinguish two types of justifications: a) to begin with / firstly, new wars are justified by reshaping ancient theories. Basically, by selectively re-proposing the fundamental notions of the tradition of just war. Many European and

¹ See Kaldor 1999. Mary Kaldor points out that most of these new wars originate in contexts which are characterized by a crisis of the state and that in most cases these new wars are waged by non public or institutional subjects. In this paper, I will focus exclusively on one specific category of the new wars: the asymmetric wars waged by western countries against the so called rogue state. See also, Münkler 2005

² See Thompson 1988. Among Italian scholars: Galli 2002, D’Orsi 2003

³ On the asymmetric character of the new wars, among Italian scholars, see Dal Lago 2003, Colombo 2006.

American intellectuals presented the first Iraq war in 1991 as a just war par excellence. b) Secondly, these new wars are justified by resorting, more and more over the last few years, to new theories and new forms of rhetoric: scholars have dealt with the notions of “humanitarian interventions”, wars to defend human rights, wars to export democracy.

Let us return for a moment to the Cold War years, that is, to a period characterised by the confrontation between nuclear superpowers. During the Fifties and Sixties, debates on war were essentially debates on nuclear war. Conventional and atomic war were situated on a continuum: the threat that a conventional war may give way to an escalation, degenerating in an atomic war, was apparent. Superpowers would engage in conventional wars through intermediaries - the so-called proxy wars - from Korea to Vietnam. But the atomic war remained the pivot of the debates in moral and political philosophy. The atomic war appeared to most scholars as a dead-end, as a war without any legitimacy whatsoever, as a fundamentally unjustifiable war⁴. This scenario radically changes with 1989 and the end of the Cold War. War is re-legitimised on a large scale. Initially, in 1991, during the first Iraq war, such re-legitimation took place through the reformulation of the criteria of the just war tradition, within a universalistic context that recognized the importance of the International Law as stated in the UN Chart, in the UN Declarations and later resolutions. In a second moment, the re-legitimation of war took place in new terms, and within a context which seriously challenged the role of the UN and of classic international law. Formulas such as ‘humanitarian intervention’, ‘wars promoting human rights’, ‘wars exporting democracy’ attest that war has been re-legitimised by resorting to ‘high’ terms and concepts of the European and Western tradition, such as humanity, rights, and democracy. Thus, creating what many recognize properly speaking as a series of oxymora. I am convinced that these restatements of ancient theories and new justifications of war should be accurately reconstructed, and their conceptual structures and premises criticised, not simply denounced for their rhetorical effects.

1.2. Before taking a closer look at these strategies of re-legitimation of war, I would like to add a remark concerning the global post-1989 historical-political

⁴ See N. Bobbio, *Il problema della guerra e le vie della pace* (1964). During the Fifties, some scholars attempted to justify the nuclear war: e.g. Karl Jaspers. In the Sixties, some Catholics thinkers attempted to conceive a nuclear ethics: on these debates, see James Turner Johnson.

situation, namely, the one brought about by the fall of the Berlin wall. An indubitable ambiguity characterised that situation, which was read and interpreted, at the time and later on, from two extremely different perspectives. a) On the one hand, many philosophers, including Jürgen Habermas, conceived it as a first step toward the creation of a cosmopolitical order, in some way carrying out the Kantian project of perpetual peace; b) on the other hand, it was considered as the first step toward the realisation of a political order dominated by a single superpower, acting unilaterally, and as the beginning of the unilateral hegemony of the United States. Many scholars embracing this second perspective, be they political experts, internationalists, experts in strategy, have brought into light how such hegemony or unilateral imperial power has been carefully conceived and planned. They have pointed out that, behind the political choices which lead to fight this new type of wars, there is a whole new culture, mainly the Neo-con culture, aiming at subverting many of the betrayed political principles, as well as the fundamental assumptions of classical international law.

2.. Contemporary reformulations of just war theory

There has been a variety of reformulations of just war theory over the last two decades, which may be situated at different levels of discourse⁵. We can distinguish at least two levels: a) a strictly philosophical one; b) a level of discourse more directly engaged in actual questions, what we may address as a political-ideological level.

On the strictly philosophical level, we may refer first of all to John Rawls, who in some of his essays, such as *Fifty Years after Hiroshima*⁶ and, especially, in the 1999 book, *The Laws of Peoples*, takes over and reformulates some of the key-notions of the just war tradition. He rethinks these notions in the attempt to extend the principles of justice from the national to the international sphere, thus, within the framework of a theory of international justice. The theory of just war re-emerges in Rawls's pages when he takes into account, within the context of what he calls the "Nonideal theory", the possibility that "liberal and decent peoples" may be forced into war against what he

⁵ See Falk 2004

⁶ See Rawls 1995

calls “outlaw states” or “outlaw regimes”⁷. I cannot dwell upon his formulations, here. It is well-known that Rawls’ project has been widely discussed and criticised, and that over the last ten years the literature on international justice, cosmopolitical justice, and global justice has grown enormously.

On the political-ideological level, a series of reformulations of the theory of just war has come to the fore over the last two decades, among which the most famous and well-constructed are probably those proposed by Michael Walzer in *Just and Unjust Wars*⁸ and, more recently, in *Arguing about War*⁹. Many scholars tried to propose A *Reappraisal* of just war theory or to directly discuss the problem of *Just War in the Twenty-First Century*, as some recent titles echo¹⁰. [It is worth remembering that many intellectuals justified the interventions in Iraq in 1991 and in Afghanistan in 2001 by resorting to the notions of the just war tradition.]

Why reformulate the main assumptions of this important tradition of western political philosophy? Why this tradition rather than others? I would reply in the following way: because this tradition offered precise standards for judging war. Moreover, because this tradition offered the possibility to think in a more articulate way the relation among morals, law and politics, besides and beyond the tradition of political realism, which does not thematize the relation between morals and politics.

At this stage, we should linger over some of the main characters of the just war tradition and on its conceptualisations, in order to better investigate the way in which these conceptualisations have been retrieved and reformulated during the last decades. This would allow us to single out and to bring the distortions and reductions of such reformulations into full focus.

The tradition of just war has a complex conceptual architecture. As you all know, first of all it distinguished and tackled the questions of the legitimacy of war, which fell within the category of the *jus ad bellum*: in this way it focused on the *justae causae* of war, on the just causes of war, the right authority and right intent of the subjects which wage war. It then conceptualised the problems of the legality of war,

⁷ See Rawls 1999. On the tensions and difficulties of this work, see at least, the essays published in Martin and Reidy 2006. Some interesting issues are also raised by Martin 2003 and by Anderson 2005.

⁸ See Walzer 1977 and 2006 4th edition. On Walzer’s theory of just war, see Orendt 2000, Martin 2003, Zolo 2003,

⁹ See Walzer 2004

¹⁰ See Evans 2005, Lay 2007, Reed 2008, Rodin 2008.

which fell within the category of the *jus in bello*, formulating, in particular, the criteria of discrimination and proportionality¹¹. Finally, it examined the close relation between legitimacy and legality, setting down the thesis according to which a legitimate war, that could only be fought illegally was to be considered unlawful, thus not to be fought. Therefore, by putting legitimacy and legality in relation, and individuating a sort of retroactivity of legality on legitimacy, the tradition of just war set precise standards or criteria to determine the overall lawfulness of war.

Let me add a remark: I think that the complex conceptual structure of the tradition of just war, from Aquinas to Vitoria, Suarez and the other authors of the second Scholasticism, should be taken seriously. That is to say, it deserves, in my view, that we move beyond those representations, which, following Carl Schmitt's interpretation in *Nomos der Erde*, conceive it as an exclusively pre-modern tradition.

Two approaches to the tradition of just war and its contemporary reformulations are possible, which lead to two different kinds of criticism. A) On the one hand, there is a radical criticism, which I would define as an *external* criticism. This form of criticism rejects this tradition as a whole, by arguing that between the 16th and the 17th centuries it was an instrument of legitimisation of European wars, especially, against the Turks and the inhabitants of the New World. It argues that its contemporary reformulations are sheer rhetorical instruments in order to legitimize the unilateral interventions of the United States and the Western countries. B) On the other hand, an *internal* criticism argues that the conceptual structures of the just war tradition deserve to be taken into serious examination, for they aimed not only at allowing, but at strictly limiting war as well. Thus, its elaborations cannot be reduced to the sheer rhetoric of legitimisation. Modern assumptions of just war should be taken seriously in order to evaluate whether their contemporary reformulations are exact or distort and reduce their significance.

In this paper, I intend to develop this second approach. Thus, I will examine the contemporary reformulations on the backdrop of the classical conceptual architectures of the just war tradition. To begin with, it is important to point out that, in the contemporary definitions, the questions of legitimacy and legality are separate. The emphasis is put entirely on the conditions of the legitimacy of war, that is to say,

¹¹ The *jus ad bellum* is, in other words, that portion of the tradition that deals with the justification of force, while the *jus in bello* addresses restraints or limits on how force may be used. Among others, see Johnson 1981 and Johnson 1984.

whether the *iustae causae* exist or not, as if their existence allowed to fight a war without asking further moral questions. The problems of the legality of war and of the retroactivity of legality over legitimacy have been superseded, or even disappeared in many elaborations. In short, the overall lawfulness of war is reduced to its legitimacy, to the existence of the *iustae causae*.

Such reduction and simplification of the tradition's demanding conceptual framework is apparent in several thinkers, who invoke the "logical priority" of legitimacy over legality, of the *jus ad bellum* over the *jus in bello*. These authors maintain that "the question whether to use force takes logical priority over the question of what force to use and conditions of it", thus transforming such logical priority into a moral priority: "the justice of the cause was allowed to override the justice of the particular means used to serve the cause"¹².

By focusing their attention exclusively on legitimacy, on the *jus ad bellum*, some thinkers have forced, or even twisted, the strict criteria of legitimacy set by the tradition. In the whole tradition, and in the most different formulations of the just war theory, a just war has always and exclusively been a war waged for self-defence, a war responding to a previous offence or a previous wrong. Recently, thinkers, such as Jeff McMahan, have drawn this strict principle into question in order to provide a moral justification of unilateral policies. They asked themselves whether an aggressive war may be permissible: diverging from the standards of the just war tradition, which deem aggressive and punitive wars always unjust, McMahan argued that aggressive and punitive wars can be just¹³.

The fact of focusing the attention on the legitimacy of war, and not at the same time on its legality, on the way in which the war may be carried on as well, has allowed, almost without problems, to judge a series of wars, waged by the US and their European allies, as just wars.

Now, let us consider the *jus in bello*. The *jus in bello* set the criteria of discrimination and proportionality, which were to be respected under conditions of warfare. First of all, the principle of discrimination, distinguishing between *innocentes* and *nocentes*, the innocent and the guilty person, essentially between civilians and

¹² See also Johnson, 1984, p. 30 – Against M. Walzer and the argument of supreme emergency.

¹³ McMahan has the legitimisation of unilateral humanitarian interventions in mind, see McMahan 2008 in May 2008, p. 78.

soldiers. Then, the principle of proportionality of the military intervention compared with the offence, or wrong, which originated the just war. It is important to point out that in their reformulations of just war theories, contemporary thinkers have not dwelled on these criteria as deeply as their early modern predecessors, for instance Vitoria. A series of questions have not been sufficiently investigated, and too many answers have been taken for granted. For instance: in contemporary conventional wars, who are the innocents? Should the soldiers of the armies of authoritarian or totalitarian countries be considered innocent or guilty? Referring to a recent historical case, were the ten thousands Iraqi soldiers, killed around Bassora in 1991 during the retreat from Kuwait, to be considered guilty or innocent? Were they to be deemed responsible for the application and the execution of Saddam's orders? Were they morally responsible for the war? Too many thinkers, who have re-proposed a theory of just war over the last few years, have failed to elaborate, probably taking it for granted, a theory of collective responsibility¹⁴.

Moreover, I am convinced that many contemporary philosophers have not investigated the distinctive characters, the peculiarities of the new wars in depth: first of all, the fact that they are fundamentally asymmetric wars. This asymmetry – the fact that these wars rely upon a massive use of technological information; that they are predominantly air wars, in which the western countries that wage them do not want to suffer losses - has not be dwelled upon enough. In the light of these remarks, in my view, the slaughters of civilians, the so-called “collateral damages” of air bombings, cannot not be conceived as unintentional and cannot be justifiable through some version of the “double effect” doctrine any longer.

Many scholars failed to ask themselves the radical question whether contemporary wars – the new or asymmetric wars – may actually be limited, or whether they should be included in the 20th century war trend, in which civilians are the increasingly larger and most significant part of the victims.

In short, it is possible to point out two elements in many of the contemporary reformulations of the just war theory. 1) A significant reduction of the restrictive claim of the traditional just war theory. Such theory was elaborated, on the one hand, to provide, in certain cases, moral justification for the recourse to war; on the other, to

¹⁴ On this issue, see the recent essay by Pettit 2007.

strictly limit it as well. In more recent formulations, these limits have been significantly weakened, or made less restrictive. 2) A significant lack of investigation into the structural characters of the new wars. Philosophers have kept reading philosophers, and have not paid sufficient attention to other social sciences, nor read enough works (if any) in the fields of strategy, international relations, history and sociology. The question whether the theory of just war is adequate to the challenges issued by the new scenario of unilateral interventions, ethnic cleansing and international terrorism, the scenario of the new wars, seldom has been raised¹⁵.

3. Humanitarian wars to promote human rights.

In the just war tradition, pre-emptive strikes and pre-emptive wars were altogether excluded from the definition of lawful war. As I said before, only a war, which answered to a wrong previously committed by others, could be a just war. It aimed at re-establishing the law of nature (*lex naturae*) or the international law (*jus gentium*) which had been violated.

Over the last decade, pre-emptive war, or unilateral war, has been justified by resorting to the theory of human rights, and to the idea that human rights must be promoted and implemented also beyond the borders. Thus, a large number of theories of humanitarian intervention have been developed, from extremely different metaphysical and epistemological premises. One finds a justification of humanitarian military interventions even in the subtle and abstract pages of John Rawls, the most important Anglo-Saxon political philosopher of the last century especially, in those of *The Law of Peoples*¹⁶. Moreover, it is not difficult for philosophers of Kantian inspiration to found human rights deontologically, hence proceeding to the justification of humanitarian interventions. For instance, Carla Bagnoli argued that a humanitarian intervention must be thought as a perfect duty: it has to be conceived “as a duty rather than permission, and as a perfect duty than an imperfect one – a duty that proceeds from the respect of

¹⁵ But now see Lee 2007.

¹⁶ See *The Law of Peoples*, p. 94 : “Is there ever a time when forceful intervention might be called for? If the offenses against human rights are egregious and the society does not respond to the imposition of sanctions, such intervention in the defense of human rights would be acceptable and would be called for”.

humanity rather than from charity”¹⁷. Philosophers far more sceptical about the possibility of founding the universality of human rights from a transcendental viewpoint, philosophers who took the lesson of Isaiah Berlin over, such as Michael Ignatieff, come, in a similar way, although from different paths, to the point of defending the use of force. Both in the pages of *Human Rights as Politics and Idolatry* and in those of *The Lesser Evil. Political Ethics in an Age of Terror*, Ignatieff argues in favour of humanitarian military interventions and considers the military interventions of the United States and their European allies in Iraq, Bosnia and Kosovo perfectly legitimate¹⁸. Some scholars, such as Fernando Teson, proceed to justifying humanitarian interventions by showing that the rights of the individuals have priority over the rights of the states, and by arguing “that sovereignty is contingent because the rights of a state are derivative of the rights of the individuals who constitute them”¹⁹. Others, such as Mona Fixdal or Joseph Boyle, are convinced that it is possible to justify humanitarian armed interventions on the grounds of a radical reformulation of some of the key-notions of the just war tradition. Others resort to more controversial notions: Nancy Sherman, for instance, grounds our duties to ensure the protection of human rights for those outside our borders in our (supposed) common membership in a “global moral commonwealth”²⁰.

It is not possible to examine here the various attempts to justify the so-called “humanitarian” armed interventions on the grounds of the different theories of human rights, and of different philosophical principles. I would rather mention the fact that two types of criticism can be, and have been, addressed to this kind of theories. The first type is an *external* criticism, which questions the actual universal character of human rights. It argues that the theory of human rights lacks both analytical rigour and philosophical foundation. In particular, it argues that the human rights enumerated in the various Bills of Rights, and discussed in the works of the philosophers, have an extremely heterogeneous nature and are characterised by deontic antinomies, which frustrate any attempt to provide them with a coherent and unitary foundation. The thesis of the normative universality of human rights appears to these critics as the dogmatic

¹⁷ C. Bagnoli, *Humanitarian Intervention as a Perfect Duty: a Kantian Approach*, in T. Nardin – M. S. Williams, eds., *Humanitarian Intervention – Nomos XLVII*, 2006, pp. 117-141.

¹⁸ See Ignatieff 2001 and Ignatieff 2004.

¹⁹ See Teson 1997

²⁰ See Scherman 1998.

postulate of ethic rationalism and of old and new forms of the doctrine of natural law. In their view, such thesis is not confirmed theoretically, and is denied with convincing arguments both by western philosophies of historicist and realist orientation, and by various expressions of non-western cultures. It is often pointed out that members of these cultures reproach to western theories of human rights their claim to universality and, particularly, their strictly individualistic character; and that they oppose to them other ideals and values - among which, recently, the so-called "Asian values". According to these arguments, the so-called humanitarian interventions are conceived to be devoid of real justification, and simply the expression of the unilateral and imperial policies of the only superpower left on the international scene.

Another type of criticism, an *internal* one, may be addressed to those theories which justify military interventions in the name of a humanitarian ideology. For the sake of discussion, one can accept the claim of the universality of human rights, and investigate the way in which these human rights are promoted or "implemented" instead. Thus, it is possible to draw the attention to the end-means relationship. That is to say, it is possible to ask the question whether an asymmetric war is an adequate means for promoting the end of human rights. It is awkward to observe how most reflections concerning the so-called humanitarian interventions are reflections on their possible legitimacy. Seldom are they reflections on the effective course of action or on the methods of their realisation, and on the problems inevitably raised by such methods.

Against these simplifications, and the disquieting blindness of a considerable part of the Anglo-Saxon moral philosophy, a serious ethical reflection, up to the present situation, should at least: a) take the critical contributions of the pacifist tradition into account, even though without choosing to adopt its assumptions. And, especially, two of its contributions: the constant problematization of the end-means relation, and a deep analysis of the unintended consequences implicit in the recourse to violence. B) It should also take Weber's lesson into account, according to whom, when thematizing the relation between ethics and politics, ethics should not be understood exclusively in terms of an ethics of the principles, but should incorporate some form of ethics of responsibility.

Due to time limits, these remarks are inevitably schematic. But I would not want (don't want) to give the impression of discrediting the entire Anglo-Saxon moral

reflection. For the admirers of Anglo-Saxon philosophy, I would like to remember that one of its most important representatives, and one of the most subtle interpreters of the contemporary ethical debate, Bernard Williams, in his posthumous book *At the Beginning was the Deed* denounced and distanced himself from what he called “Moralism in Political Theory”. Without suggesting a relation of direct subordination, he proposed a more problematic relationship between ethics and politics, raising more than one doubt on the so-called humanitarian interventions, on their justifications and possibilities of realisation²¹.

My aim was to criticise some of the philosophical positions, which have contributed to justify the military interventions of the United States and their European allies over the last twenty years. I essentially attempted to do so from within, taking the arguments of those, who reformulated the fundamental notions of the just war tradition, and of the theorists of humanitarian interventions seriously.

Nonetheless, I do not want (either) to suggest that it is impossible to think in a fruitful philosophical way over violence and war. I would like to draw the attention to a way of philosophizing over the problems of contemporary war, which has emerged over the last ten years, and which I consider more congenial. It does not aim at justifying military interventions, but at investigating terrorists’ and state violence, its ultimate roots and ways of reacting against it. Taking over some of Lévinas’s suggestions, it has its starting point in an anthropology developed around the notion of vulnerability. In short, I have two works in mind, which are, in my view, exemplary: the first one is Judith Butler’s *Prekarious life. The power of mourning and violence* (2004); the second is Adriana Cavarero’s 2007 book, *Orrorismo, ovvero della violenza sull’inerme*. Unfortunately, it is not possible for me to develop these thoughts here.

Allow me to make one conclusive remark. In this paper I attempted to highlight some of the awkward silences, the conceptual inconsistencies and the risks of those philosophical perspectives, which reformulate the theory of just war or thematize the legitimacy of humanitarian interventions on the grounds of the normative theories of human rights. I tried to show how, through elaborate conceptual architectures of a normative type, these perspectives often ended up legitimizing western military interventions, rather than providing elements of criticism. In my introduction, I

²¹ See two papers written by Bernard Williams, in the last years of his life: *Realism and Moralism in Political Theory; Humanitarianism and the Right to Intervene*, now published in Williams 2005.

mentioned the fact that many philosophers saw in the fall of the Berlin wall the possibility (and were in the hope) of the creation of a just cosmopolitical order. And I pointed out how many of them have often been self-referential, failing to examine the more critical contributions of other social sciences. As a result, they brought arguments in favour of the powers that be, legitimising their unilateral choices, instead of bringing their dark side into full light. Let me say, to conclude, that I feel the need of and I would recommend a philosophical work that centers upon criticism, rather than foundation, upon deconstruction (or demystification) rather than legitimisation.. “To understand the world through suffering: that is the tragic”, Nietzsche wrote somewhere. I would prefer a philosophy, or an intellectual work, which keeps alive, in its conceptual structures and in its practice of writing as well, the sense of tragedy, of the endless tragedies around us.

Bibliography

- Anderson, Perry, *Arms and Rights. Rawls, Habermas and Bobbio in the Age of War*, “New Left Review”, XXXI, 2005, pp. 5-40.
- Andréani, Gilles et Hassner, Pierre, eds., *Justifier la guerre? De l’humanitarisme au contre-terrorisme*, Paris, Presses de la Fondation Nationale de Sciences Politiques, 2005.
- Bagnoli, Carla, *Humanitarian Intervention as a Perfect Duty: a Kantian Approach*, in Nardin, Terry, –Williams, M. S., eds., *Humanitarian Intervention – Nomos XLVII*, 2006, pp. 117-141.
- Buchanan, Allen, *Institutionalizing the Just War*, “Philosophy and Public Affairs”, XXXIV, 2006, pp. 2-38.
- Butler, Judith, *Precarious Life. The Powers of Mourning and Violence*, London, Verso, 2004
- Calore, A., ed., “Guerra giusta”? *Le metamorfosi di un concetto antico*, Milano, Giuffrè, 2003.
- Canto-Sperber, Monique, *Le bien, la guerre & la terreur. Pour une morale internationale*, Paris, Plon, 2005.
- Cavarero, Adriana, *Orrorismo, ovvero della violenza sull’inerte*, Milano, Feltrinelli, 2007; english edition: *Horrorism: naming contemporary violence*, New York, Columbia UP, 2008
- Colombo, Alessandro, *La guerra ineguale. Pace e violenza nel tramonto della società internazionale*, Bologna, il Mulino, 2006.
- Dal Lago, Alessandro, *Polizia globale. Guerra e conflitti dopo l’11 settembre*, Verona, Ombre corte, 2003
- D’Orsi, Angelo, ed., *Guerre globali. Capire i conflitti del XXI secolo*, Roma, Carocci, 2003
- Evans, Mark, ed., *Just War Theory. A Reappraisal*, Edinburgh, Edinburgh UP, 2005
- Falk, Robert, *The Revival of the Just War Framework*, “Harvard International Review”, 2004, n.1, pp. 40-44
- Galli, Carlo, *Guerra globale*, Roma-Bari, Laterza, 2002
- Ignatieff, Michael, *Human Rights as Politics and Idolatry*, Princeton, Princeton UP, 2001
- Ignatieff, Michael, *The Lesser Evil. Political Ethics in the Age of Terror*, Princeton, Princeton UP, 2004
- Johnson, James Turner, *The Just War Tradition and the Restraint of War*, Princeton, Princeton UP, 1981
- Johnson, James Turner, *Can Modern War be Just?*, New Haven, YaleUP, 1984
- Johnson, James Turner, *Morality and Contemporary Warfare*, New Haven, YaleUP, 1999
- Kaldor, Mary, *New and Old Wars. Organized Violence in a Global Era*, Cambridge, Polity Press, 1999.
- Lee, Steven P., ed., *Intervention, Terrorism and Torture. Contemporary Challenges to Just War Theory*, Springer, 2007
- McMahan, Jeff, *The Ethics of Killing in War*, “Ethics”, CXIV, 2004, pp.693-733.
- McMahan, Jeff, *Just Cause for War*, “Ethics and International Affairs”, XIX, 2005, 3, pp. 1-21.
- McMahan, Jeff, *Aggression and Punishment*, in May, Larry, ed., *War. Essays in Political Philosophy*, pp. 67-84.
- Martin, Rex: *The Just War Theory of Walzer and Rawls*, «Southwest Philosophy Review», 1, 2003, pp. 135-146
- Martin, Rex and Reidy, David A., *Rawls’s Law of Peoples. A Realistic Utopia?*, Oxford, Blackwell, 2006
- May, Larry, *War Crimes and Just War*, Cambridge, Cambridge UP, 2007
- May, Larry, *Aggression and Crimes against Peace*, Cambridge UP, 2008
- May, Larry, ed., *War. Essays in Political Philosophy*, Cambridge UP, 2008
- May, Larry, *The Principle of Just Cause*, in *War. Essays in Political Philosophy*, L. May ed., Cambridge UP, 2008, pp. 49-66.
- Münckler, Herfried, *Die Neuen Kriege*, Hamburg, Rotwolt, 2005²
- Orend, Briand, *Michael Walzer on War and Justice*, Montreal, McGill-Queen’s UP, 2000.
- Pettit, Philip, *Responsability Incorporated*, “Ethics”, CXVII, 2007, n. 2, pp.171-201.

Rawls, John, *Fifty Years after Hiroshima*, "Dissent", Summer 1995, pp. 323-327, then in Rawls, John, *Collected Papers*, ed. by S. Freeman, Cambridge, Mass., Harvard UP, 1999, pp. 565-572.

Rawls, John, *The Law of Peoples with "The Idea of Public Reason Revisited"*, Cambridge, Mass., Harvard UP, 1999

Reed, Charles and Ryall, David, eds. *The Price of Peace. Just War in the Twenty-First Century*, Cambridge, Cambridge UP, 2008

Rodin, D., and Shue, H., eds., *Just and Unjust Warriors: The Moral and Legal Status of Soldiers*, Oxford, Oxford UP, 2008.

Sherman, Nancy, *Empathy, Respect, and Humanitarian Intervention*, "Ethics and International Affairs", XII, 1998, pp. 103-119.

Sloterdijk, Peter, *Luftbeben. An den Quellen des Terrors*, Frankfurt a.M., Suhrkamp, 2002

Steinhoff, Uwe, *On the Ethics of War and Terrorism*, Oxford, Oxford UP, 2007.

Teson, Fernando, *Humanitarian Intervention. An Inquiry into Law and Morality*, New York, Transnational, 1997.

Thompson, William, *On Global War. Historical-structural Approaches to World Politics*, Columbia, University of South Carolina Press, 1988

Walzer, Michael, *Just and Unjust Wars. A Moral Argument with Historical Illustrations*, New York, Basic Books, 1977¹, 2006 4th edition with a new Preface.

Walzer, Michael, *Arguing about War*, New Haven, YaleUP, 2004

Walzer, Michael, *Regime Change and Just War*, "Dissent", summer 2006, pp. 103-108.

Williams, Bernard, *In the Beginning was the Deed. Realism and Moralism in Political Argument*, Princeton, Princeton UP, 2005.

Zolo, Danilo, *Cosmopolis. La prospettiva del governo mondiale*, Milano, Feltrinelli, 1995; english edition: *Cosmopolis. Prospects for World Government*, Cambridge, Polity Press, 1997.

Zolo, Danilo, *Chi dice umanità. Guerra, diritto e ordine globale*, Torino, Einaudi, 2000; english edition: *Invoking Humanity: War, Law and Global Order*, New York, Continuum, 2002.

Zolo, Danilo, *La riproposizione moderna del bellum justum: Kelsen, Walzer e Bobbio*, in Calore 2003, pp. 183-197.

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