I, Rudi D Kauffman, hereby submit this original work as part of the requirements for the degree of Doctor of Philosophy in Political Science.

It is entitled:
The Outcomes of Just War: An Empirical Study of the Outcomes Associated with Adherence to Just War Theory, 1960-2000

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The Outcomes of Just War:  
An Empirical Study of the Outcomes Associated with Adherence to Just War Theory, 1960-2000

A dissertation submitted to the  
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ABSTRACT

Just war theory developed over more than 1,500 years with a normative, rather than empirical focus. Originally, it grew in the Christian context to ensure the salvation of war makers. Over time, it came to include humanist principles, focusing on the wellbeing of the victims of war. In contemporary debates, it is commonly appealed to for these humanist reasons. The purpose of this research, is to illuminate the degree to which just war theory benefits victims of war and/or the degree to which it is best understood as a construct to ease the conscience of the war makers.

This dissertation examines the empirical evidence for the value of just war theory in alleviating the suffering for those experiencing war. The study embraces both qualitative and quantitative methodologies examining selected wars between 1960 and 2000. The qualitative research is developed through case studies that describe the nature of the war making behavior and the context of each war. It scores the war making in each case according to its level of adherence in each of four areas of just war theory codified in international law. The four areas are proper authority, just cause, differentiation of targets, and proportionality in war making. For each requirement, each war maker is described as not adhering to the requirement, adhering in the most permissive form common in the literature, or adhering in the most rigorous form found in the literature. The quantitative study uses this scoring structure in generalized estimating equations to explore the connection between these various levels of adherence to just war principles and the justness of outcomes as defined by per capita gross domestic product and life expectancy at birth.

The research yields evidence of a number of patterns that merit further investigation. Broadly, the outcomes of justly prosecuted humanitarian interventions and territorial wars varied substantially in the period studied. With few exceptions, interventions tended to be associated
with high adherence to just war principles and particularly poor outcomes in terms of life expectancy and per capita income while territorial wars tended to yield more just outcomes as adherence to just war requirements increased. Also of note, there is a shift in the outcomes associated with just war making in wars initiated prior to 1978. Before this threshold just war yielded more just outcomes and after it the inverse was true. This coincides with a shift toward an increase in humanitarian interventions but appears to apply to cases of territorial war as well only during this particular time frame within the study. Over the full course of the study, the mathematical model shows that rigorous adherence to just war theory yielded only slightly better results than non-adherence during the period under consideration. The results are not generalizable due to low statistical significance so additional research is warranted to determine if just war theory is best viewed as a humanitarian option for prosecuting wars or if it is most accurately described as a balm for the conscience of the war maker.
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CHAPTER 1: AN INTRODUCTION

The question of whether war can be considered just has been debated for well over one thousand years. In the modern American context, the widely divergent beliefs on war are illustrated by Presidents Theodore Roosevelt and Jimmy Carter. President Roosevelt accepts just war as a necessary good for the development of people noting, “A just war is in the long run far better for a man’s soul than the most prosperous peace.” (Message Communicated to the Two Houses of Congress at the Beginning of the Second Session of the Fifty-Ninth Congress 1906). Jimmy Carter contests the point, suggesting that war, even just war, is never truly good,

War may sometimes be a necessary evil. But no matter how necessary, it is always an evil, never a good. We will not learn how to live together in peace by killing each other’s children. (Nobel Lecture 2002)

When nominated for the Nobel Prize, President Barack Obama appears to wrestle with the dilemma internally,

What I do know is that meeting these [new security] challenges will require the same vision, hard work, and persistence of those men and women who acted soboldly decades ago. And it will require us to think in new ways about the notions of just war and the imperatives of a just peace.
We must begin by acknowledging the hard truth: We will not eradicate violent conflict in our lifetimes. There will be times when nations -- acting individually or in concert -- will find the use of force not only necessary but morally justified... (Nobel Lecture 2009)

Beyond the basic broad questions about the necessity and goodness of just war, policymakers and analysts must consider the impact of wars. This leads to a further question—do wars fought along just war principles produce just outcomes? This research project examines this question. It examines the nature and degree of impact that adherence to just war theory has on human development in countries at war.¹ Thus, this research project explores the empirical

¹ Note that the term “nature” refers to both the directionality of the impact and the area(s) in which just war theory has impact. There is no clear understanding of whether compliance with just war theory makes economic, health, education, or any of a host of other indicators better or worse. Perhaps some of these indicators improve while other
evidence surrounding just war theory examining this issue through both qualitative and quantitative tests studying thirteen wars from 1960 to 2000. Such a study is relevant to both scholarship and policy for a number of reasons.

**Significance to Scholarship**

This study contributes to different but related bodies of literature—adding an empirical focus to the just war literature, and a consideration of the justness of war making to the humanitarian intervention, human security and the war and society literatures.

The preponderance of the scholarship surrounding just war theory focuses on the ethical dilemmas faced by war makers as they decide when and how to make war. The theory clearly struggles to find a balance that allows moral agents to act assertively in their world while urging restraint in when and how war is waged.

In its Western Christian iteration, the early forms of just war theory were narrowly focused, attempting to define ethical reasons to engage in war under the assumption that a war which has a justifiable cause may be prosecuted at the discretion of the just warrior. These early concepts, developed over a period of centuries, are grouped together as *jus ad bellum* principles.

The theory developed to include careful ethical considerations of how war could be waged, *jus in bello* principles. These principles focused on the humanity of all parties affected by war and consequently asserted that ethical behavior required restraint on the part of war makers. Even with this additional set of requirements, the theory has centered on the experience of the war maker. Justification of war, from this perspective, comes from the war maker’s adherence to ethical principles so that the war maker’s conscience is clean.
Other proposals for alterations to the theory can be found throughout history. In recent scholarship by Brian Orend (Jus Post Bellum 2000) and Gary Bass (Bass 2004), the concept of justice after war, *jus post bellum*, has begun to gain some traction. While such a step represents the promise of even more careful behavior on the part of the war makers, it is clearly appropriate to consider the validity of metrics that describe other measures of justness in war. This research contributes to the literature by introducing empirical evidence as a way of evaluating the normative assumptions that have formed and defined the theory.

Scholarship focused on humanitarian intervention provides evidence of powerful consequences even in well-intentioned conflict. Alan Kuperman’s work highlights the dramatic and tragic costs of humanitarian intervention and offers considerable insight into mechanisms by which just war theory might actually contribute to injustice. Kuperman focuses particular attention to the tendency of humanitarian intervention to inspire insurrection and rebellion by fuelling the hope of just intervention by a concerned world.² This mechanism would likely influence the effectiveness of humanitarian interventions as well. The literature, more broadly, provides precedent for the use of human development indicators as a measure of the justness of outcomes. This research contributes to the humanitarian intervention literature with the inclusion of just war principles that brings a focus on the way that humanitarian intervention is undertaken.

Foundationally, this research draws from the human security literature and has the potential to contribute to it. Two core aspects of the research are closely related to the broader work in human security. First, the idea of justice through measurable improvement in the human condition is a commonly recurring theme. Second, the emphasis on the significance of the

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² For a more complete discussion of Kuperman’s ideas, consult *Gambling on Humanitarian Intervention* (Kuperman and Crawford 2006).
individual even as aggregation leads to state level units of analyses. These points are introduced
with remarkable clarity in the work of Frances Stewart (Stewart 2004) and developed in
documents from the United Nations, such as the Responsibility to Protect report (International
Commission on Intervention and State Sovereignty 2001, 15), and in publications from a wide
range of nongovernmental organizations ranging from the International Committee for the Red
Cross to Amnesty International. Through a careful consideration of how adherence to specific
just war requirements impact human security and broader indicators of societal damage, this
research has the potential to not only establish a discussion of the empirical realities of just war
making broadly, but to parse out the impact of adherence to specific aspects of just war theory
that might best be viewed as independent concepts.

Similarly, the literature on war and society lacks a consideration of the methods of war
making even as it is rich in its description of potential mechanisms connecting war making and
outcomes. Broadly, this subfield of study focuses on the empirical realities of war paying
particular attention to questions of population-level indicators such as GDP, health, education,
and infrastructure.³ The academic journal War and Society, published out of New South Wales,
Australia, offers an excellent overview of the development of the field and the range of
quantified measures describing the well-being of societies in conflict that informed the variable
selection in this study.

Finally, there is a literature that explicitly focuses on wars of intervention on behalf of
humanitarian interests. This framework is built around the understandings of human security (as

³ An extensive literature explores the relationship between military expenditures and development beginning with
the work of Emile Benoit in the mid 1970s and continuing through the work of Latif Wahid (Benoit, Defence and
Economic Growth in Developing Countries 1973, Benoit, Growth and defense in developing countries 1978, Wahid
2009). Work associated with the Correlates of War project has a similar quantitative empirical focus and grows to
include not only the cost of preparing for war, but the costs of war itself (Vincent 1987, Koubi 2005, Pickering and
Kisangani 2006).
opposed to state-level understandings of security) and is closely tied to the war and society literature because of its focus on the use of war as a tool to improve societies in turmoil. This literature grew dramatically following the work of Kofi Annan on intervention and has continued to see growth in fields ranging from law (Nardin 2006) to political science (Walzer, Just and Unjust Wars 2006).

Significance to Policy

This research has meaningful implications for the policy community at a number of levels. For policymakers who are considering best practices for war, empirical evidence regarding the connections between canonical just war principles and desired outcomes would be invaluable in helping to optimize the war fighting strategy to promote rapid recovery and stabilization. Similarly, those policymakers interested in humanitarian outcomes can focus directly on best practices to achieving the desired outcomes without simply accepting the untested assumption that ethical war making produces more just outcomes.

The potential value of such information is particularly apparent when considering the difficult war making policies of the mid to late 1990s. Acute security challenges in Somalia, Rwanda, and the Balkans challenged policymakers interested in intervening for humanitarian reasons.

In Somalia, the Clinton Administration made a real if flawed effort to follow just war principles (Gorman 2001, 340-343, Pexton 1996, 14). This meant minimizing the scope of military mission and use of military assets in the region. Although there was initial success in the mission, the risk that such an approach demanded proved to be unpalatable to the American public. After American soldiers were killed on October 3, 1993 while executing a warrant in
Mogadishu, the domestic political pressures within the United States were too much and the intervention was abandoned. Subsequent, violence has escalated, continuing for nearly two decades.

The Somalia experience appears to have influenced the decision to refrain from intervention in Rwanda (A. J. Kuperman 2000). The choice not to intervene led to a gruesome genocide that similarly cost domestic political capital and contributed to instability in the region – most notably, in Congo.

Abandoning conventional just war principles, the Clinton Administration chose to confront Serbia, but to do so while minimizing their own risk. This avoided the problems associated with high-risk operations in Somalia while allowing the United States to take a considerably more assertive position on genocide than it did in Rwanda. Ultimately, this led to the strategic decision to conduct high altitude aerial bombing, which put disproportionate risk on the subjects of war; however, it allowed the United States to avoid those situations that would cause the war to be prematurely terminated.

In each situation, the policymakers were clearly weighing ethical considerations against political expediency. The domestic political and broader humanitarian impacts of inconsistent decisions regarding just war making become particularly clear when considering the actions of the United States’ in Somalia, Rwanda and the Balkans and the associated costs. The unexpected and undesirable outcomes seen in this series of cases can be mitigated, to some degree, by more robust empirically rooted analysis of just war making.

**Overview of the work and summary of the results**

This work continues in five distinct parts. The second chapter focuses on a review of the literature and describes the varying perspectives within just war theory. This leads to the third
chapter that outlines the terms and methodology including a description of the variables and indicators.

The fourth chapter is a qualitative study that examines the relative justness of outcomes by comparing the total societal damage in the cases of just and unjust wars. It finds that just war making corresponds with just outcomes in four of six cases and unjust war making corresponds with unjust outcomes in five of nine cases. Taken together, just war making corresponds with a roughly 22% higher incidence of just outcomes than unjust war making.

It also shows that there is a clear distinction between wars of intervention and territorial wars. In seven of the ten cases of territorial wars, adherence to just war principles yielded outcomes that were more just while lack of adherence yielded outcomes that were less just. In the three interventions, outcomes were consistently unjust even as adherence to just war principles is generally higher in wars of intervention than in territorial wars. In the case of interventions, then, the result is an observable inverse correlation between adherence to just war principles and the justness of outcomes.

The fifth chapter is a quantitative test that looks at how differing levels of adherence to just war principles influence outcomes, and how adherence to different individual requirements of just war theory impacts the justness of outcomes. Due to sample size, variation in the nature of wars, and robust guards against type I error, the quantitative study does not yield statistically significant results, though it does offer a glimpse of the strength and direction of relationships

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4 The territorial wars in the sample are the Indo-Pakistani War of 1965, the Six-Day War, the War of Attrition, the Yom-Kippur, the Bangladesh War, the Ogaden War, the Sino-Vietnam War, the War in Lebanon, the Second Sino-Vietnam War, and the Eritrean–Ethiopian War. The seven cases which wholly or partially supported the correlation are the Indo-Pakistani War of 1965, the Six-Day War, the War of Attrition, the Yom-Kippur War, the Bangladesh War, the Ogaden War, and the War in Lebanon with the Eritrean-Ethiopian War yielding inconclusive results.
5 The three wars of intervention were the Vietnamese Cambodian War, the Ugandan Tanzanian War, and the First Gulf War.
6 Note that every war year in the data set is part of the sample, but there are only 40 observations (country-war-years) that contribute directly to the understanding of how countries respond to relatively just wars.
within the period under consideration. By considering the mean value of βs associated with adherence to just war principles, a general pattern emerges: careful adherence to just war principles has the least negative impact on human development while weak adherence may actually lead to worse outcomes than no adherence to just war requirements. Furthermore, the results show widely varying outcomes based on the type of war with humanitarian interventions having worse outcomes collectively than territorial disputes.

Overall, then, the connection between compliance with just war theory and just outcomes is tenuous, but in general appears to follow the intuitive assumption that just war making yields more just outcomes than unjust war making. The statistically inconclusive nature of the quantitative analysis is influenced by some important patterns that emerge in the qualitative analysis, most notably the varying impacts of wars of intervention relative to territorial wars and an unexplained shift in the relationship between war making and outcomes following 1978. These differences appear as noise in the model, but a deeper understanding of the underlying mechanisms might allow for more careful modeling and consequently more robust results and better questions in the future. At present, the research is most valuable in illuminating patterns and methods for improved study of the empirical evidence for just war theory.

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7 The qualitative analysis functions with eighteen distinct cases drawn from thirteen wars. Eight cases have a single target country and consequently are treated as single case; however, five wars: the Six-Day War, the War of Attrition, the Yom-Kippur, the Ugandan Tanzanian War, and The First Gulf War have two target countries and consequently yield two cases each. The quantitative analysis considers each year of each case as a separate observation so the statistical model produces results derived from 40 distinct observations.
CHAPTER 2: THE RESEARCH IN CONTEXT

Just War theory is both broad and deep. Recorded efforts to express the theory can be found over the past 3,000 years and across the globe spanning cultures and religious understandings. ¹ From ancient and medieval warrior codes to contemporary legal frameworks, forms of just war theory are present in cultures on every inhabited continent.

This chapter begins with a consideration of one particularly influential stream of just war theory: the classical or Western Christian tradition as described in the Catechism of the Catholic Church. The work of Augustine of Hippo will serve as source of the stream of thought with the account following the flows and shifts of the theory through the work of Thomas Aquinas, Francisco de Vitoria, and Hugo Grotius. ²

CLASSICAL JUST WAR THEORY

The Development of Jus ad Bellum Principles

Around 400 CE, Augustine of Hippo began writing about the possibility of a justifiable war within the Christian tradition. Augustine’s attempt to harmonize sacred Christian texts with war making was a direct challenge to pacifism, the conventional assumption of his contemporary Christian community. Augustine’s writing not only gave permission to take part in violence, but

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¹ As an example, consider the development of the concept of dharma, roughly translated “responsibility,” in India prior to 1000 BC. The concept clearly applies more broadly than in cases of war, but it includes behavior associated with battle. The earliest references to such a concept can be found in the Rig Veda, but the idea is developed extensively in the Mahabharata. A more extensive commentary on various warrior codes can be found in Paul Robinson’s Military Honour and the Conduct of War.

² The choice to focus on just war theory as it is derived from Augustine of Hippo inevitably oversimplifies the complex interactions of various historical influences. As an example, the Marcus Tullius Cicero’s De Officiis (which predate the earliest works discussed in this literature review by over 400 years.) Cicero uses secular rationality to assert the value of limited war. This argument clearly contributes to the thinking of authors under consideration over a 1,000 years later that are considered in the overview. Also of note, the sixth principle of jus ad bellum, the requirement for a “reasonable hope of success,” is from the Catechism of the Catholic Church. Consult the bibliography for references to more complete historical accounts of just war theory. Its inclusion here is for the sake of completeness because the Catechism represents the most widely accepted source of canonized just war theory.
also suggested that it was a moral duty (Augustine 2008, xxii, 74-76). He drew heavily on distinctive Christian texts, making his appeal tightly focused in the Christian context.  

Ultimately, this unique context illuminates what is a markedly different purpose and scope. Augustine’s work is fundamentally differentiated from present just war theory. It was focused on individual spiritual well-being with a general disregard for the human experience outside of spiritual concerns. Rational arguments about rights are similarly disregarded. As an example, Augustine expressly forbade self-defense (Augustine 2007, 69). Even when giving soldiers permission to follow orders, Augustine’s primary focus is the soldiers’ spiritual well-being rather than the rightness of the action in any human terms.

Consider both the tone and content of this excerpt:

Since, therefore, a righteous man, serving it may be under an ungodly king, may do the duty belonging to his position in the State in fighting by the order of his sovereign, --for in some cases it is plainly the will of God that he should fight, and in others, where this is not so plain, it may be an unrighteous command on the part of the king, while the soldier is innocent, because his position makes obedience a duty, --how much more must the man be blameless who carries on war on the authority of God, of whom every one who serves Him knows that He can never require what is wrong?  

(Emphasis added) (Augustine, Contra Faustum 2008, xxii, 75)

This demonstrates Augustine’s priority on a spiritualized concept of righteousness rather than on any humanist principles. Although Augustine clearly goes on to address the obligations of a ruler (Regan 1996, 17), even in this context the primary concern is the spiritual wellbeing of the warrior.

In sum, Augustine offers a religious treatise expounding on God’s will rather than justice in war. The purpose of the founding requirements of just war theory was not justice at all, but

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Note that Augustine’s most heavily cited text is the Gospel of Matthew. The Christian movement of the day still incorporated Jewish texts that had God much more clearly taking part in and endorsing war and violence. Augustine’s decision to focus on uniquely Christian texts emphasizes the importance of cultural and religious context in the early formation of the theory.
justifiability in the eyes of God. Furthermore, Augustine’s articulation of the theory was a burden on the state. It forbade wars of political expediency while demanding intervention in cases that yielded no discernible benefit for the state (Aquinas 2008).

The theory was substantially and durably altered some 800 years later with Thomas Aquinas’ commentary in *Summa Theologica*. Aquinas’ work tempers the idealism of Augustine with a pragmatic voice. This is not; however, to say that Aquinas abandoned the spiritual/religious focus of Augustine. Even as Aquinas developed a more permissive understanding of just violence that included allowances for self-defense for example, he maintained a heavy reliance on scriptural arguments and continued to prioritize the spiritual wellbeing of the warrior (Aquinas 2008, Second Part of the Second Part, Question 40, Art. 1, Objs. 1-4). The following sample illustrates Aquinas’s approach and lays out the three foundational principles of just war theory that remain central today:

In order for a war to be just, three things are necessary. **First, the authority of the sovereign** by whose command the war is to be waged. For it is not the business of a private individual to declare war, because he can seek for redress of his rights from the tribunal of his superior…(Romans 13:4): ‘He beareth not the sword in vain: for he is God’s minister, an avenger to execute wrath upon him that doth evil’; so too, it is their business to have recourse to the sword of war in defending the common weal against external enemies. Hence it is said to those who are in authority (Psalm 81:4): ‘Rescue the poor: and deliver the needy out of the hand of the sinner’; and for this reason Augustine says (Contra Faust. xxii, 75): ‘The natural order conducive to peace among mortals demands that the power to declare and counsel war should be in the hands of those who hold the supreme authority.’

**Secondly, a just cause is required**, namely that those who are attacked, should be attacked because they deserve it on account of some fault. Wherefore Augustine says (QQ. in Hept., qu. x, super Jos.): ‘A just war is wont to be described as one that avenges wrongs, when a nation or state has to be punished, for refusing to make amends for the wrongs inflicted by its subjects, or to restore what it has seized unjustly.’

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4 All citations of Aquinas are from Summa Theologica and cited under the following format when summarizing concepts (rather than quoting): (Aquinas: pp. II(2), Q40, A1, O1-4) to represent the full notation of (Aquinas: Second Part of the Second Part, Question 40, Article 1, Objections 1-4.) This is because of the wide range of translations and commentaries and is intended to encourage broad consideration of the summary offered.
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. [sic] actually: 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.’

(Emphasis added) (Aquinas 2008, II(2), Q40, A1)

Both Augustine and Aquinas ultimately describe a theory with a substantively different purpose than the assumed purposes of contemporary just war theory. Both clearly prioritize spiritual absolution before God and assert that this is achieved through just processes (Augustine, Contra Faustum 2008, xxii, 74, Aquinas 2008, II(2), Q40). The first three foundational criteria are, therefore, both expressly and solely interested in delineating the process by which a warrior can avoid damnation.

Francisco de Vitoria transformed the work of Augustine and Aquinas in the sixteenth century. In many respects, Vitoria’s work bridges the foundational religious writing of his predecessors and the humanism that later inspired Hugo Grotius to modify just war theory. Vitoria wrote as a scholastic in much the same vein as his predecessors with roots in the religious texts and Christian dogma. However, Vitoria’s work went well beyond this.

Most obviously, perhaps, is the time frame. With over 1,000 years since the work of Augustine, the depth and breadth of Christian experience, from periods of persecution to periods of power and conquest, had changed the church’s relationship to war and to just war theory.5

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Jus Ad Bellum

Augustine and Aquinas
1) legitimate authority
2) just cause – unequal injustices
3) right intention

Francisco de Vitoria
4) proportionality of outcomes and pain
5) last resort to achieve goals

The Catechism of the Catholic Church (2309)
6) reasonable hope of success

Figure 2.1

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5 Notably, by this time Augustine had already been canonized as a saint allowing Vitoria to build authoritatively on Augustine’s arguments.
Of greater significance, Vitoria’s *De Indis De Jure Belli* highlighted both his remarkable legal expertise and his distinctive historical context. Vitoria’s legal training influences the tone and construction of his arguments while the subject matter, obviously, was dictated by the events of his day. The piece was developed, at the request of the Spanish crown, to provide a moral defense of the Spanish conquest of indigenous populations in the Americas. The combination of legal scholarship and unique historical challenges contributes to Vitoria’s move from the authority-centered work of his predecessors (Vitoria 2007, iii, 6-10, and 20-21) to a clear concept individual rights as intrinsically valuable (Vitoria 2007, iii, 22-23).

This shift is key in understanding the internal tensions of contemporary just war theory. Following Vitoria, the theory interprets "just" war through a different lens. For the first 1,000 years of its existence, "just" clearly meant justifiable in the eyes of God. To be sure, this justification was related to the human experience, but it was God’s perception, not the human experience that was essential. Vitoria’s work opened the possibility that "just" war was measured by human experience, that the corporeal well-being of people was inherently valuable. This opened a new set of dilemmas and possibilities for just war theory.

The implications of this shift in focus are dramatic. The same concern the drives Vitoria to consider human experience serves as a strong reason to critique power politics. Roughly a contemporary of Niccolò Machiavelli, Vitoria criticizes the use of war for anything except the betterment of humanity (Vitoria 2007, iii, 11-14).6

Vitoria’s work added two requirements to the *jus ad bellum* canon. In each case, his concern for the human experience is evident. First, Vitoria added the requirement that war

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6 This challenge remains a defining characteristic of the just war theory today. Contemporary authors in the field including luminaries such as Michael Walzer and Brian Orend directly challenge theories of power politics, most notably, the international relation’s theoretical framework of realism.
making be a last resort; evidence that Vitoria acknowledged the significance of the suffering of humans. In Vitoria’s words:

> Assuming that a prince has authority to make war, he should first of all not go seeking occasions and causes of war, but should, if possible, live in peace with all men...But only under compulsion and reluctantly should he come to the necessity of war.  

(Vitoria 2007, iii, 60)

The second focused on proportionality. In short, Vitoria asserted that the good that can come from a war must be greater than the pain it will inevitably cause (Vitoria 2007, iii, 14). As described in the Catechism of the Catholic Church “the damage inflicted by the aggressor [that is, the target of the "just war"] on the nation or community of nations must be lasting, grave, and certain” to justify war (2309). In both cases, Vitoria’s concern for the human experience of war is evident.

This perspective and the resulting requirements significantly limit wars that might previously have qualified as "just”. For instance, to meet the “lasting, grave, and certain” requirement associated with proportionality, a military effort to avoid a likely genocide may be proscribed.7 Similarly, if a genocidal adversary holds out a credible alternative to war, an invasion can be forestalled indefinitely even when the threat of a horrific outcome appears to be likely but not certain.8

The introduction of such restraint marks a shift that is obvious in the development of the literature. By the end of the sixteenth century, Francisco Suárez was challenging the nature of the proper authority requirement. Rather than relying on status to define God’s will, Suárez suggested that rulers were responsible to their populations. In Tractatus de legibus ac deo legislatore, this led him to assert that people had right to overthrow an unjust ruler. Such an

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7 As in the case of Rwanda, it is easy to see how the “certain” requirement can be difficult to meet.
8 The G. W. Bush Administration claimed that Saddam Hussein used just such a tactic to delay an imminent invasion until after more difficult (hot) weather would hamper the efforts of coalition troops in the Iraq War.
argument is rooted in an understanding of justice that places a higher value on present human experience than on divine right and the associated assumptions of eternal divine order.

Vitoria’s contribution clearly leads to a new understanding of what is desirable and acceptable. It is neither Vitoria nor Suárez; however, that introduces the concept of just conduct of war, *jus in bello*. Vitoria remained ambivalent about limiting the conduct of war. On the one hand, he asserts the prerogative of the prince. “When just war exists, everything is lawful which is necessary for the defense of the public good” (Vitoria 2007, iii, 15). On the other hand, Vitoria acknowledges that pain should and must be minimized:

> When war for a just cause has broken out, it must not be waged so as to ruin the people against whom it is directed, but only so as to obtain one’s rights and the defense of one’s country and in order that from that war peace and security may in time result. (Vitoria 2007, iii, 60b)

If the works of Vitoria and Suárez build a bridge between theocentric and corporeal understandings of just war, Hugo Grotius clearly crosses it.

### The Development of *Jus in Bello* Principles

In 1625, Grotius’ *De Jure Belli ac Pacis Libri Tres* described an additional set of requirements for just war. According to Grotius, it was not sufficient to be a moral actor. Even if one met all the requirements of his predecessors, the war would not be just unless it was also conducted justly.

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**Jus in Bello Overview**

Grotius, Vitoria, and International Law

1) Inflict minimal suffering while meeting military objectives. (Targets are necessary to achieve victory.)

2) Use force only on “those objects which… make an effective contribution.” (Proportionality of suffering and goals.)

3) The targets should be only military in nature, not non-contributing civilians. (Targets are military in nature.)

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9 De Jure Belli ac Pacis Libri Tres translates as “Law of War and Peace: Three Books” included in the bibliography under the title “*The Rights of War and Peace: Including the Law of Nature and of Nations.*”
As suggested by the title, Grotius developed the work in three parts. The first two volumes focused on a secularized understanding of *jus ad bellum*. Although it proposed substantive changes to the theory, Grotius’ critique had minimal impact on his predecessors’ work. The third volume, however, dramatically rearranged just war thinking with the introduction of *jus in bello*. In his defense of the concept, Grotius not only uses secular humanistic rationality, but also widens the way that just war theory interacts with the world.

Vitoria’s requirements fundamentally altered the calculus of just war, Grotius’ work changed the very logic how just war was defined. Prior to the *jus in bello* requirements, the just warrior was fully justified in all action simply by being justified in initiating the war. Under such an understanding, the assumption was *silent enim leges inter arma* (Cicero, Pro Milone n.d., 11), that is “For laws are silent when arms are raised.” This means that a warrior fighting on behalf of a just cause could take any action at all in war without affecting the theoretical justness of the war. Under such an understanding the slaughter of innocents and even potential comrades is acceptable. Grotius’ condemnation, therefore, profoundly influences the range of options for the just warrior.

In the opening of the third volume of *De Jure Belli ac Pacis Libri Tres*, Grotius asserts both the chief importance of natural law and the necessity of including it in just war theory:

> Having, in the preceding books, considered by what persons, and for what causes, war may be justly declared and undertaken, the subject *necessarily leads to an inquiry into the circumstances, under which war may be undertaken, into the extent, to which it may be carried, and into the manner, in which its rights may be enforced*. Now all these matters may be viewed in the light of privileges

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10 Consider the quote and actions attributed to Abbot Arnold Amaury at the massacre of Béziers, July 22, 1209. When confronted with a city inhabited by hostile Cathars and fellow Catholics, the leader of the Catholic army, Amaury, is reported to have commanded, “*Necas eos omnes. Deus suos agnoscet*” (“Kill them, God knows his own.”) Under the just war requirements of the time, such a slaughter of potential innocents was excusable because the action was blessed by the Church (proper authority), was an effort to save souls from the heresy of Catharism (just cause), and intended to bring people into a correct faith (right intent).
resulting simply from the law of nature and of nations, or as the effects of some prior treaty or promise. *But the actions, which are authorised by the law of nature, are those that are first entitled to attention.*  
(Emphasis added) (Grotius 2001, Book III)

Notably, Grotius no longer appeals to God, sacred texts, or dogma. The focus on conforming to God’s will is replaced entirely by a focus on the human experience. This sea change is the animating force behind the present study. The hint of change suggested by Vitoria leads to a dramatic shift in the core purpose of just war theory. While it may be possible that the same principles that were intended to secure salvation for the warrior will lead to a more humanitarian form of war, it seems unwise to assume that this is the case. Put succinctly, the theory is, at best, developed for different purposes. At worst, it is inherently contradictory.

As a single illustration of the point, consider the debate over self-defense. Originally, it was proscribed by Augustine for expressly religious reasons (Augustine, The City of God 2007, 69). Augustine’s reasoned, in essence, that defense of one’s self was selfishness, but defense of the powerless was a perfect duty. Aquinas began to make room for self-defense, developing his own arguments from the same foundational religious texts. Vitoria ultimately embraces self-defense as the most just form of just war but does so citing the value of human experience and a fundamental concept of rights (Vitoria 2007, iii, 3-4). Self-defense is included here, not because of its inherent significance, but because it illustrates the dramatic, practical impact of shifting the focus from pleasing God to humanist metrics.

Of final note, the ninth requirement, the requirement for a "reasonable hope of success", is derived directly from the Catholic Catechism (2309). It is mentioned here because it is broadly recognized as rising from the same tradition and is coherent within the broader theory. Broadly, it rises from the assumption that the violence of war is inherently damaging and should only be undertaken if it might yield some good – even if the aggrieved party is fully justified in
every other way. While it is not directly addressed in the literature, the research presented here focuses on those requirements that have been institutionalized in international law without the canon along with the eight other classical just war requirements previously mentioned. It is coherent with the larger theory, being found in the abstract as early as Augustine, but it does not have a clear single document from which it emerged outside of the broader Catechism.

**Contemporary Just War Theory**

The spiritual/secular divide of just war theory evident through its development has been resolved in contemporary political and legal writing. Where the theory’s founders were once fixated on fulfilling the demands of a judging God, the contemporary theorist focuses exclusively on justice in the human experience, albeit on a procedural rather than a substantive approach to justice. Still, legal scholars and political scientists demonstrate varying conventions and methodologies that demand some consideration here.

Over the past 150 years, international law has developed through gritty, practical experience. The advent of new weapons, acknowledgement of mass murder, and the development of new technologies have all pushed rational leaders to consider ways to avoid the most heinous acts of war. The law, therefore, has grown from many experiences with substantial influence rising from politicians, lawyers, warriors, and ethicists. Political science, on the other hand, studies just war theory in much the same way as the classical theorists, simply substituting human rights for the will of God as the primary purpose in the theory. Rather than basing its work purely on experience, it is strongly tied to normative constructions. Where legal scholars ultimately strive to produce and interpret legal documents, like the classical theorists, political scientists tend to publish historical and philosophical analyses of war. Also of note within political science, a small number of scholars dominate the study of just war theory and have
proposed substantial changes rooted in and/or responding to specific theoretical frameworks.\textsuperscript{11}

International law, on the other hand, requires months if not years of negotiations or trials with multiple collaborators to develop new interpretations of just war. Inevitably, this is preceded and then analyzed by peer-reviewed journals; however, in the case of international law, the centrality of the law alters the nature of the scholarship. In general, this means that the political science literature tends to be more rapidly moving and broader in scope while the legal literature tends to be more empirically rooted and contextualized.

**Development of Contemporary International Law Surrounding Just War Theory**

In order to understand how just war theory is applied today, a brief overview of international law is important. Contemporary international law drops all reference to the divine. In the place of natural law arguments, it substitutes humanity with human consensus in the form of democratic processes representing the highest authority.

The codification of just war theory lacks clarity prior to the 1860s. Kings in medieval Europe issued laws specific to engagements that were binding only upon their own armies (Meron 1999, 1).\textsuperscript{12} Similarly, papal efforts to claim proper authority and treatises defending just cause and right intent were understood to apply unevenly.\textsuperscript{13} Codes of chivalry varied substantially across cultures and were not clearly associated with just war theory.

\textsuperscript{11} The international relations theoretical frame of realism is the most common target of contemporary just war theory in political science with the just war theorists consistently developing their arguments from idealist and neoliberal institutionalist positions. Both Michael Walzer and Brian Orend have expressly and directly challenged realist assumptions in their work.

\textsuperscript{12} Such efforts adhered to just war principles to widely varying degrees. Meron offers a brief overview focusing on the development of such laws in England. (Meron 1999, 1-10)

\textsuperscript{13} Francisco de Vitoria involvement in just war theory and seminal work in international law was the direct result of just such work on behalf of the Spanish crown.
While the term "international humanitarian law" is commonly used to refer to the broad spectrum of human rights laws that include *jus in bello* principles, it is not a perfect fit. On the one hand, international humanitarian law goes well beyond just war theory, asserting the value of humanist principles in questions relating to legal proceedings, government structure, and a host of human rights issues that are not directly applicable to war. On the other hand, it does not address *jus ad bellum*, an area of law that is included in the broader umbrella of international law. With that in mind, international humanitarian law is critical to understanding the humanist principles and ultimately the specific outcomes associated with contemporary *jus in bello* reasoning. Before addressing this core question; however, a historical overview is necessary.

The requirements of *jus ad bellum* offered particular challenges to codification and were therefore addressed last. The reluctance is at least in part because the requirements inevitably constitute a forfeiture of a state’s prerogative to wage war at their own discretion. Consequently, *jus in bello* efforts receive the preponderance of the ink in the early stages of just war codification.

The first contemporary effort to implement just war theory through law can be found in the Lieber Code of 1863.\(^\text{14}\) Implemented by the Union during the American Civil War it shared the language and philosophy of Hugo Grotius. The Code itself was developed by Professor Francis Lieber. It focuses entirely on *jus in bello* principles: It limits the destruction of property, provides for the treatment of the wounded and captured, and establishes responsibilities for occupying force (Lieber 1863). The Lieber Code was quickly adopted by the United States

\(^{14}\) It is termed “contemporary” because its language and direct influence can be traced to today’s laws of war. While the law itself does not represent “international law” in the sense that the law only applied internally (from the Union perspective) or, at best, was applied unilaterally in a two-state conflict (from the Confederate perspective), it clearly influenced international legal efforts.
under General Orders No. 100. Although the strength and influence of the order was limited, it marked the beginning of a period of active legal developments.\textsuperscript{15}

The First Geneva Convention, in 1864, similarly focused on \textit{jus in bello} principles. Important and durable contributions included: the establishment of the International Red Cross to organize for the humane treatment of injured soldiers (International Committee of the Red Cross 1864, Article 9); extensive protections for the treatment of the wounded, killed, and captured (Articles 12 and 15); and a requirement that the opposing party be notified of those killed or captured (International Humanitarian Law - Treaties & Documents: First Geneva Convention, Article 16). The requirements demonstrate a clear commitment to basic humanitarian principles with Article 12 providing the core concepts still in force today, spelling out the individuals who must be protected and proscribing execution, torture, and experimentation.

The First Geneva Convention’s acknowledgement of what would become the International Committee of the Red Cross (ICRC) illustrates another way that \textit{jus in bello} principles gained formal acceptance. The ICRC remains a private institution that dramatically shapes the formation and interpretation of \textit{jus in bello} in the international sphere. It started with Henry Dunant when, in 1859, he spontaneously responded to the horrific aftermath of the Battle of Solferino. His personal reaction grew and was institutionalized in various manners gaining broad acceptance in the 1864 Geneva Conventions and ultimately continuing association with the Geneva Conventions through the present. The ICRC embodies and continues to adamantly defend core \textit{jus in bello} concepts serving as the primary defender of the Geneva conventions and such foundational principles as non-discrimination when rendering aid, appropriate treatment of prisoners of war, and protection of civilian populations.

\textsuperscript{15} The limitations are obvious. In the year following its implementation, 1864, William T. Sherman began his scorched earth “march to the sea” which directly violated much of what Lieber had written.
Continuing with the chronological development of the theory, Czar Alexander II of Russia’s initiative in 1874 deserves some consideration, as both an example of the role of the Red Cross and as an illustration of the development of ideas found in the Lieber Code. Although not accepted as a binding treaty, the International Declaration Concerning the Laws and Customs of War (IDCW) served as an influential starting point on considerations of war-making responsibilities (International Committee of the Red Cross 1874). Like the Lieber Code, the IDCW relied on secular humanism to defend its claims. It addressed a broad spectrum of *jus in bello* requirements. Particularly in the articles describing occupation, it addressed concepts associated with *jus post bellum* that were not formally proposed in the academic community for over a century.\(^{16}\) This is particularly evident in three areas: the responsibilities of occupying forces (International Committee of the Red Cross 1874, Articles 1-8) which represents a clear broadening of the responsibilities for warring nations, identification and differentiation of combatants (Articles 9-11), limitations on the purpose and nature of injury (Articles 12-13) which directly asserted Grotius’ *jus in bello* requirement, and modest but meaningful restrictions on the targeting of “open” towns and non-military targets (Articles 15-18) which had similarities to Grotius’ requirement for the restriction of targeting to military assets.

The legal focus on *jus in bello* principles grew more robust through broader acceptance internationally and more specific restrictions in the twentieth century. As the century began to unfold, *jus ad bellum* concepts also began to take shape. The Covenant of the League of Nations followed by the Kellogg–Briand Pact and ultimately the United Nations Charter developed norms intended to moderate the initiation of war.

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\(^{16}\) See the commentary on *jus post bellum* under the section on Walzer
Although no longer binding, the League of Nations’ Covenant’s preamble offers a renunciation of war as an implement of policy. It represents the earliest, and perhaps most robust and complex alternative to war, as it attempted to institutionalize binding arbitration in place of war (League of Nations 1924, Articles 12,13,15, and 16). Essentially, it asserts that the *jus ad bellum* requirement of "just cause" could only be achieved in a war for collective security. As might be expected, The League reserved proper authority as its own natural role.

The Kellogg–Briand Pact followed The League’s Covenant by four years; however, it remains binding. It was somewhat less ambitious than the Covenant. Rather than establishing institutional alternatives to war, it simply asserted that aggressive war was inherently wrong. Although this did not avert the Second World War, it did serve to introduce the concept of war as a crime against the peace. The concept of a crime against peace inherently acknowledges the need for international jurisdictional authority above the state level setting the stage for the adoption of a transnational body as the proper authority.

The most recent and robust iteration of *jus ad bellum*, is found in the Charter of the United Nations. In Article 1, the Charter establishes its claim to proper authority. In part, it claims to unite the nations of the world (Charter of the United Nations 1945, , I, 3) to collectively prevent and remove threats to the peace, and suppress aggression or breaches of the peace (I, 1). This, in conjunction with an open membership policy (II, 4) does much to establish the United Nations as the single most appropriate entity to serve as the "proper authority" when determining adherence to *jus ad bellum* requirements. Furthermore, as the United Nations developed, the

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17 Along with vowing to adhere to international law, signatories acknowledged “acceptance of obligations not to resort to war.”
18 The Kellogg-Briand Pact stated that "[The signatories] condemn recourse to war for the solution of international controversies, and renounce it, as an instrument of national policy in their relations with one another." (Article 1)
19 Perhaps of greater practical significance, the United Nations is peerless. Despite any imperfections, there is no other single entity which can claim either the popular representation afforded the United Nations General Assembly, nor the breadth of political, economic, and military purview.
member nations have consistently used the General Assembly as a forum to openly critique military actions based on foundational tenets of just war theory.\textsuperscript{20} While the General Assembly lacks the immediate authority of the Security Council, it serves as another venue through which debate is held and from which the United Nations draws legitimacy.

In many respects, the entire founding purpose of the United Nations was to promote a legitimatizing/delegitimizing agent in cases of global war. While this objective was clearly a reaction to the catastrophic human and economic costs of the Second World War, it also served to anchor just war theory in a world where the Catholic Church was an implausible global authority figure. The UN now serves as the only peerless "proper authority". Perhaps of greater importance, the authority explicitly considers some parts of \textit{jus ad bellum} before granting its consent, most notably just cause and last resort.

Significant advancements in \textit{jus in bello} were also occurring around the turn of the century and continuing through the close of the Second World War. The Hague Conventions of 1899 and 1907 gained wide acceptance and entered into force. In conjunction with the Geneva Conventions of 1906, 1929, and 1949, the foundational principles found in the Geneva Conventions of 1864 were reinforced and strengthened. Even as \textit{jus ad bellum} principles grew clearer,\textsuperscript{21} \textit{jus in bello} codification developed to respond to dramatically shifting technological and tactical developments. Holding the minimization of pain within the human experience as the

\textsuperscript{20} The Vatican is the most overt voice for just war theory. As an example, consider Archbishop Renato Martino’s speeches on February 13 or March 11 of 2003. Other member states also use this language. Consider President G. W. Bush’s defense of the same war on just war grounds in his speech to the General Assembly on September 12, 2002. Other debates surrounding the same conflict focused on challenges to the "last resort" requirement and assertions of "just cause," "right intent," and "proportionality." In an effort to prove the proportionality argument, the United States went to great lengths to assert that Iraq had weapons of mass destruction which posed a uniquely dangerous threat to the world.

\textsuperscript{21} Between the Hague Conventions (1899 and 1907, Article 1), The Kellogg-Briand Pact, and the United Nations Charter war was clearly removed from the realm of discretionary state sovereignty and considered as an act against the global community demanding justification.
objective, *jus in bello* strove to limit the scope of war by broadening the proscription of certain conduct and weapons.

In Part II, Section I, Article 35 (3) of Protocol I to the Geneva Conventions “weapons… [and/or] methods of warfare… [that] cause superfluous injury or unnecessary suffering” (225) are prohibited. Part II, Section I, Article 52 of the same Protocol limits the nature and scope of non-military targets. This addresses *jus in bello* concepts of proportionality and military relevance stating:

> In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

Notice that the article contains the same three *jus in bello* principles found in the classical just war work of Hugo Grotius identified: 1) suffering should be avoided except in cases of military necessity, 2) military actions must yield greater good than the harm that is done, and 3) targets must be military in nature.

The tone of the Convention is worth considering as well. In short, the convention is calling for a prioritization of humanitarian ideals rather than simply a pragmatic way to make war less damaging to the state. As a specific example, it states that all actions not yielding a "definite military advantage" are considered "illegal”. This leads to the crux of the issue being investigated here. Just war was not and is not intended to be simply a procedural form of justice at the state level- the purpose was and is to increase the justness of war for people.

Before continuing to a consideration the implications of political perspectives on just war theory, a few moderating observations should be made. First, the United Nations is not the sole body associated with just war theory. If the United Nations is the most significant and largest embodiment of contemporary just war theory, its constituent parts and the supporting epistemic
community are the vibrant core of its existence. The International Criminal Court in the Hague as well as a wide range of regional and national courts deals directly with *jus in bello* understandings and indirectly with questions of just cause, right intent, and proportionality. From the prosecution of war crimes to smaller scale human rights abuses, the machines of international law continue to implement concepts of just war theory when adjudicating among combatants.

As a critical aside, it is important to note that prosecution of war crimes under international law has had a mixed record. Naturally, this raises concerns regarding the strength and even relevance of international law. As a particularly egregious example of the shortcomings of international law, Kaiser Wilhelm escaped all criminal prosecution following the First World War. Note that this happened despite the considerable international law that was in place by the 1920s. More recent examples seem to demonstrate a somewhat more robust set of legal mechanisms. Following the Second World War, the Nuremburg Trials tried over twenty high-ranking Nazi officials on charges including crimes against the peace, waging a war of aggression, war crimes, and crimes against humanity. Contemporary tribunals, including the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda have demonstrated that both the resources and the will are present to prosecute gross violations. Notably, however, there is a clear tendency for prosecution to be limited to the losing side and/or responsible parties from minor powers. There has yet to be a prosecution of a leader from a major power for breaches of the international laws of war.

Finally, it is important to acknowledge the limitations of the United Nations. Although its unique position in the world stage is emphasized here, its unique position should not be

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22 Although the ICC has a close relationship to the United Nations (the Security Council can refer and suspend investigations) the two entities are distinct.
23 Sentences included life imprisonment and the capital punishment.
equated with a claim of great power or capacity. Even at its best, the UN’s actions cannot be
described as enforcing just war principles. The UN is challenged at many levels. In the case of
the 2003 Iraq War member nations, including two permanent members of the Security Council,
openly flouted the United Nations’ express rejection of their rationale for war. More broadly,
structural power discrepancies in the Security Council challenge the legitimacy of the institution
in the eyes of many member states. Perhaps most significantly as an intergovernmental
organization, the United Nations’ constituency prioritizes national sovereignty and must
consistently wrestle with ways to confront wayward states without creating precedents that
would disempower the member states. Taken together, the various structural and missional
tensions of the United Nations make it, paradoxically, the peerless and contestable source of
authority regarding just war.

Beyond the mechanisms of the present legal system and the power struggles of major
institutions, development of just war theory continues among scholars and policymakers
throughout the world. It is this group of scholars and policymakers that will be at the core of the
consideration of how contemporary political science addresses just war theory.

Development of Contemporary Political Science Surrounding Just War Theory

Where historical and legal developments chart the trajectory of what was and is the
preponderance of the political science literature focuses on what could or should be, that is, on

24 Indeed, the dominant IR assumption of international anarchy appears to be effective if one considers the evident
limitations of efforts to impose a consistent understanding of just war on states.
25 The United States and the United Kingdom
26 These reservations provide room to critique both the authority and the nature of decisions rendered by the United
27 That is to say, an organization whose constituency is derived from state-level governments
normative theory.  Political science considers war predominately within the subfields of international relations and comparative politics. While the latter has a rich history of normative theoretical work considering a range of units of analysis, the contemporary subfield of international relations tends to focus on war as a state level experience. Because the research is rooted primarily in international relations, it is of some value to consider how the concept of just war is framed within the dominant theories of contemporary international relations

Within the United States, the dominant international relations theory is realism. Realists see war as part of the inevitable and necessary struggle among states. From this perspective, survival can only be guaranteed by having greater power than potential competitors. In such a world, states are responsible always and solely for themselves so limiting one’s option to go to war is inherently irrational. Under such an understanding, the concept of "justice" in war has no place. If one were forced to use the idea within a realist paradigm, war would be justified if it enhanced a state’s chances of survival.

Neoliberal institutionalists offer the mainstream critique of realism. Neoliberals accept the basic assumptions of structural realists: countries still must protect themselves from an anarchic international order through power; however, they assert that countries can create organizations that become durable independent actors. Through these organizations, state interactions can be moderated by common values or ideals. This view is particularly interested in the impact of intergovernmental organizations and international law on altering states’ decisions and ultimately in moderating behavior. From this perspective, just war theory can be

28 Note that Zaryab Iqbal breaks from the normative tradition offering an empirically rooted analysis of war (though not of just war theory itself) in *War and the Health of Nations*. In a similar vein, the work of Kuperman provides a distinctively quantitative empirical consideration of war – again without focus on just war theory itself (A. J. Kuperman 2000). A full range of scholars in the subfields of war and society, humanitarian intervention, and human security offer work rooted in empirical evidence. Again, in each case, the authors do not provide direct insight or commentary on just war theory itself.
explained and/or described in at least two distinct views. First, it can be seen as the fruition of rationale states’ efforts to manage the cost of war. A second, more confrontational view would contend that the institutions were created with the intent to implement values that truly matter to the powerful countries of the world. Under this understanding, the outcome is essentially the same; the institutions become powerful in their own right eventually leading to binding laws about war that allow states to act on their desire for justice without being irrational.

This value-oriented approach is closely tied to a third perspective, constructivism. The constructivist framework provides a broad and complex insight into just war theory. As expressed by Alexander Wendt, constructivism simply asserts that the lack of authority above the state level, called "anarchy" by the other theories, is a concept with malleable meaning (Wendt 1992). Under such an assumption, "rational" choices will look different depending upon a given state’s beliefs about how the world works and what they must have to be secure. A broader understanding of constructivism; however, offers a number of interesting potential insights. Its focus on epistemological and ontological questions surrounding the very foundations of theory broadens the areas in which meaning and "realities" are considered malleable. This drives at the core questions surrounding just war theory. Historically, the very meaning of "just" in just war has been constructed differently. Today, questions persist. What are the various meanings of "just" in just war theory and how do they relate to specific empirical outcomes? Are the various requirements even internally coherent? Ultimately, as considered in this research: If procedural

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29 From this perspective, the rational actor is creating institutions which, in turn create limitations that decrease the costs associated with military enterprises.
30 Vis-à-vis the realist perspective.
31 Martin and Keohane offer a defense of neoliberal institutionalism that has hints of this argument. (see bibliography)
32 As an example, Michael Walzer writes, "But just is a term of art here; it means justifiable, defensible… and that is all it means. All of us who argue about the rights and wrongs of war agree that justice, in the strong sense…is lost as soon as fighting begins." (Walzer, Arguing About War 2004, x) This understanding of "justice" is radically different than Augustine’s first call to arms. In his seminal work, Augustine clearly asserted that taking part in war was an obligation in the name of justice (Augustine, The City of God 2007).
justice (as codified in international law) yields to outcomes that are patently unjust for people affected by war, what does it mean to have a "just war?" Is it acceptable to behave in a manner that is unquestionably unjust if it yields a more just outcome?

While a constructivist orientation draws interesting questions out of the theory itself, the structural theories of neorealism and neoliberalism focus entirely on rational actions. While the two structural theoretical frames contest the logic driving the rationality, it is the details, not its central importance that the two theories contest. In both cases, the focus on rational choices rather than values creates a dramatic incompatibility with just war theory. Where structuralists attempt to describe the behavior of states through an analysis of state interest, just war theory focuses on normative judgments about how/to what degree behaviors conform to a normative standard. This position makes just war theory highly contentious within political science and international relations theory in particular. Writing his first book on just war theory Walzer directly attacks the realist paradigm as incompatible with just war principles (Walzer, Just and Unjust Wars 2006, 3-20).

This is not to say, however, that just war theory has not conformed to significant assumptions common in international relations theories. One clear example is the wide recognition of the importance of sovereignty. The deference to the rights of a state can be indirectly linked to justice because it allows for order; however, in practice, there is strong evidence that sovereignty is regularly prized above justice. There are certainly ways in which

33 Consider, as an example, Joseph Grieco’s discussion of the differences that occur in rational choice modeling with a variation in the importance of relative vs. absolute gains for specific countries. (Grieco 1988) This reflects many of the dominant arguments of the day focusing entirely on the rationality, rather than the ethics or meaning, of political action.
34 Prioritizing "just" war over expediency.
35 Indeed, the first chapter of his first work was titled "Against ‘Realism.'"
36 Consider the global inaction in ongoing cases of evident oppression an injustice in places like Burma/Myanmar, China (the ongoing persecution of the Uyghur, the annexation of Tibet, etc.), Somalia, Israel/Palestine, or Sudan. In
contemporary just war theory pushes back against unlimited sovereignty rights. A variety of legal scholars and political scientist challenge the assumption that sovereign rights are inherent and inalienable in the recognized governing body of the state. Instead, these academics assert that sovereignty is the product of good governance and depends on legitimacy derived from the people (Walzer, Just and Unjust Wars 2006, 289-291, Tan 2006, 90, Lu 2006, 195-199). Such a position allows sovereignty to be simultaneously respected and challenged. In practice, this view would mean that sovereignty is always being respected, but that the rights and privileges of sovereignty are stripped when a government does not meet its obligations to its citizens and/or the international community. Once sovereignty is removed, just war principles decide on the nature, scope, and appropriateness of the intervention. Notably, however, the inclusion of the idea of sovereignty is hard to reconcile with the foundational assertion of the theory: that justice is inherently valuable.

The appeal to the capacities and value of rational actors leads to a variety of other shifts in understanding. Terms like “proper authority” and “just cause” are no longer static concepts found in sacred texts. Intergovernmental organizations and sovereign states can claim “proper authority” through process37 rather than divine charter. Hypothetically, this means that people are free to challenge authority through democratic institutions without clergy mediating - in some sense a full democratization of the authority for just war making. Under this understanding, just war does not require an immutable definition of justice.38 Legally binding

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37 With democratic process receiving particular respect and attention worldwide.
38 Note how this differs from earlier authors who were clearly interested in finding the one concept of justice which most closely resembled their sacred text/ God.
treaties, powerful intergovernmental organizations, and even market forces are developed, altered, and enforced\textsuperscript{39} to continually define and redefine justice based on social norms.

Again in the treatment of authority, the switch to a humanist perspective is particularly evident. There is a reverence for democratic process and disdain for war expressed in contemporary legal and political literatures as clearly value-laden as Augustine’s faith-inspired denunciation of all but the most “necessary” forms of violence. Even as it attempts to call countries to a greater responsibility,\textsuperscript{40} contemporary just war theory acknowledges the real problems associated with using war as a solution. As an example, Walzer’s call for war in cases of injustice comes only reluctantly and only in the most extreme cases:

\begin{quote}
The occasions have to be extreme if they are to justify, perhaps even require, the use of force across international boundary. Every violation of human rights isn’t justification…Social change [to eliminate political brutality and oppression] is best achieved from within [the state.]
\end{quote}

(Walzer and Miller, Thinking Politically: Essays in Political Theory 2007, 238)

\textbf{From Contemporary Just War Literature to an Empirical Study}

The shift from religious to humanist rationales is only part of the larger tension within just war theory. Even as the purpose behind the theory shifted over time, the manner in which the theory was implemented remained static. Throughout the development of just war theory, the focus has remained on justification of the warrior rather than on the experience of the victims. Such an approach made perfect sense when the primary goal was to ensure that the warrior remained in good standing with God; however, focusing on the warrior is at best tangential to the goal of improving human experience. In contemporary codification, the

\textsuperscript{39} Certainly to varying degrees.
\textsuperscript{40} As examples, consider the report from The International Commission on Intervention and State Sovereignty, or former Secretary-General Kofi Annan’s "In Larger Freedom: Towards Development, Security and Human Rights for All."
incompatibilities continue. From as far back as the Lieber Code in 1863, state-level processes were created with an implied intention of minimizing individual-level pain. This leads to troubling questions when outcomes of an intervention can be defined as a success at when analyzing state-level results even as the population level analysis demonstrates ongoing hardship or even decay of civilian well-being.  

As previously noted, substantial contributions to the empirical study of the impacts of war have developed in the literatures surrounding humanitarian intervention and human development. Both address the connection between violence and outcomes; however, considerations of the justness of the conflicts are not considered. Writing in these fields that relate directly to the research presented here include Alan Kuperman and Timothy Crawford’s efforts to evaluate the consequences of humanitarian interventions in economic terms (Kuperman and Crawford 2006) as well as Frances Stewart’s work through the Centre for Research on Inequality, Human Security, and Ethnicity that discusses mechanisms by which development indicators and human security are related (Stewart 2004). In addition to these two authors, the work of Zaryab Iqbal spans the two subfields of humanitarian intervention and human security, providing valuable precedent for the indicators used for the dependent variable in the quantitative pieces of this study.

Iqbal’s work clearly describes the tremendous humanitarian costs of war in terms of health outcomes and economic indicators (War and the Health of Nations 2010). Notably, the strong durable health cost of war remain present even in instances where the war might be

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41 Consider, for example, the "liberation" of a totalitarian state from the aggression of a neighboring state. At the state level, the intervention was a success, the totalitarian state has been nobly defended from a violation of its sovereignty. On an individual level, however, the outcome may well perpetuate an unjust and painful situation for the inhabitants of the "liberated" country. State-level analysis and individual level analysis may therefore not yield the same understandings.

42 See the discussion of relevance to the literature in Chapter 1 for a brief overview.
viewed as a “success” if one is measuring the outcomes in terms of state-level objectives. Although not the purpose of the work, Iqbal’s empirical analysis raises serious questions about the possible shortcomings in the warrior-oriented normative formation of just war theory.43

Iqbal’s study illustrates critical shortcomings in the concept of justice. At its core, humanism is interested in substantive justice, that is in the real experience of people.44 Western legal systems, on the other hand, have a long history of focusing on procedural justice, that is a system of equal treatment that yields consistent process. Where substantive justice is driven entirely by outcomes, procedural justice is rooted in tradition and consistent application of law. Iqbal’s work, while not addressing just war theory overtly, illustrates a new concept of how one might identify justness in war. Instead of justification of the warrior before God, justice is intimately tied to the experience of civilians. If applied to just war, these priorities demand a shift from metrics focused on warrior behavior and decision-making (a procedural approach) to a concept rooted in the victim experience (a substantive approach.) Although Iqbal’s work does not explicitly address questions of justice, it offers a picture of a way to study questions of substantive justice through empirical study that is focused on population level data.45

Within just war theory itself, there is no evident development of empirical analysis within the literature. There is, however, an increasing recognition of this dearth of research as a critical shortcoming. Michael Walzer attempts to introduce an additional procedural hurdle to reach toward substantive justice. He does so by assigning responsibility for outcomes as a third arm of just war theory, *jus post bellum*. Theoretically, this works; however, there is no evidence

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43 Although Iqbal’s work is valuable for its substantive demonstration of the costs of war, its contribution to this research is most evident methodologically in establishing bounds for case selection and by providing a framework for evaluating empirical evidence surrounding the outcomes of war.

44 Note also that substantive justice tends to focus on the individual human as the unit of analysis rather than the state.

45 Indeed, though Iqbal focuses on health indicators, specifically life expectancy, he offers substantial analysis of the economic impacts of war as well.
that any canonized procedural requirements correlate to the desirable outcomes Walzer is seeking.

On the fringes of the mainstream, Jean Bethke Elshtain embraces much of the warrior-oriented procedural justice deep in just war theory⁴⁶ (How to Fight a Just War 2001) while challenging the conventional political frame of analysis that focuses on states rather than individuals (Reflections on War and Political Discourse 1992). Similarly on the fringes, though in a somewhat different direct, are pacifist authors like John Howard Yoder and Stanley Hauerwas. Both offer commentary and analysis from the same theological traditions that formed just war theory – even as they challenge its legitimacy. In both cases, there is an implicit acknowledgement of the inadequacy of warrior-oriented and procedural models for justice. Ultimately, both scholars wholly reject the concept of "just" war citing the substantive injustices inevitable in violence.⁴⁷

In light of these widely varying normative assertions of just war theory, the durable value of this research is not limited to its conclusions. Rather its value comes in its effort to change the focus of the analysis to consider empirical evidence of the value or disvalue of just war theory. One must ask, as just war theory has developed and been codified, what has it achieved in terms of real world outcomes? Allen Buchanan noted, “…if Just War Theory is to be a comprehensive theory of large-scale military conflict, Just War theorizing must become more empirical” (Buchanan, Institutionalizing the Just War 2006). This is a critical observation. Just war theory, for all its rich history and intricacies, has spent too long as a purely normative exercise. While the philosophical questions are of great import, the very real problems and solutions offered by

⁴⁶ In this article and in later work, most notably Just War Against Terror (2003), Elshtain lays out a hawkish position which promotes aggressive response to acts of terror and justifies the United States responses to the terrorist attacks of September 11, 2001.
⁴⁷ This critique is beyond the immediate scope of the research, but illustrates one possible response to the challenges of implementing substantive justice through war.
the application of the theory are clearly essential to evaluating its worth. It is important to begin building metrics and understandings that allow for an analysis of how the theory functions in the world.
CHAPTER 3: METHODOLOGY

The fundamental question in this study is whether just wars produce just outcomes. Two distinct approaches, one qualitative and one quantitative, are used to examine this question.

The qualitative work tests hypotheses on the correlations between just wars and just outcomes. It provides context and depth by drawing directly on scholarly and journalistic accounts of the wars and related histories. The quantitative model uses Generalized Estimating Equations (GEE) to test the relationship between the independent and dependent variables. It illuminates patterns in the cases that might be overlooked in a purely qualitative study. The remainder of this chapter reviews the research question and hypotheses, and then examines the cases, variables, and indicators used in the study.

RESEARCH QUESTION AND HYPOTHESES

Primary Question

Do wars fought in adherence to just war theory yield more just outcomes than wars fought that do not adhere to just war theory?

Hypotheses

To answer the research question, nine hypotheses are considered. The first four hypotheses are used in the qualitative tests. They are not entirely separate, but instead build on each other. The last five are part of the quantitative tests—these hypotheses are addressed by the Generalized Estimating Equations (GEE) that are at the heart of the quantitative analysis.
**Hypotheses for the Qualitative Analyses**

H$_1$: Just wars have just outcomes.

H$_2$: Unjust wars have unjust outcomes.

H$_3$: Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes.

H$_4$: Just war making has more just outcomes than unjust war making.

The above four hypotheses allow for some distinct analytical approaches to the question. The first analysis, named Analysis I in the following chapters, grows out of the first hypothesis and focuses solely on the outcomes associated with just war making and is consequently drawn from the six cases in which the opposing state followed just war principles. Analysis II grows out of hypothesis two above and focuses on the outcomes of unjust war making. It includes the nine cases in which the opposing state did not follow just war principles. Analysis III addresses hypotheses three and four above combining the two previous analyses. This allows for an explicitly comparative approach including the full set of cases identified, with a focus on relative strengths and weaknesses. A summary of the cases’ fit with hypotheses can be seen in figure 4.27 and the results of the analyses can be found in the conclusion to chapter four.

**Hypothesis for the Quantitative Test**

H$_5$: The higher the degree of adherence to just war theory (from highest to lowest: strong, weak, or non-adherence), the more just the outcomes.

H$_6$: Adherence to the proper authority requirement yields more just outcomes.

H$_7$: Adherence to the just cause requirement yields more just outcomes.

H$_8$: Adherence to the discrimination of targets requirement yields more just outcomes.

H$_9$: Adherence to the proportionality requirement yields more just outcomes.
The above hypotheses for the quantitative tests allow for a different analytical approach to the data. Analysis IV is a quantitative analysis of the relative benefits of higher and lower levels of compliance to just war making. The central hypotheses for this analysis is H₅: The higher the degree of adherence to just war theory (from highest to lowest: strong, weak, or non-adherence), the more just the outcomes. The analysis is constructed from the results of the statistical models. Because the models are designed to differentiate between the impacts of different just war requirements this analysis pulls together data from all of the statistical models to produce an analysis that considers the total impact of various levels of adherence to just war theory without distinguishing between the specific requirements in question. In concrete terms, it assembles the net impact of weak adherence to proper authority, just cause, targeting, and proportionality requirements to offer a snapshot of the total impact of weak form adherence. The same is done for non-adherence and strong form adherence. The results of Analysis IV are discussed in chapter 5 with a summary of the total impact of just war adherence across the models provided in figure 5.3

Analysis V is a quantitative analysis of the relative benefits of compliance with various aspects of just war making. The central hypotheses for this fifth analysis are H₆: Adherence to the proper authority requirement yields more just outcomes, H₇: Adherence to the just cause requirement yields more just outcomes, H₈: Adherence to the discrimination of targets requirement yields more just outcomes, and H₉: Adherence to the proportionality requirement yields more just outcomes. The four hypotheses are identical in purpose, with each of the four requirements analyzed to determine the impact of adherence to each on the justness of outcomes. This is a direct application of the outcomes of the models. The discussion of Analysis V is found in chapter five with a summary in figures 5.4, 5.5, and 5.6.
CARES

The cases for this study were selected from interstate wars with over 999 recorded casualties, of comparable duration, and starting between 1960-2000 as recorded in the Correlates of War (COW) data set on interstate conflicts.¹ The COW data set is used because it is a comprehensive listing of interstate conflicts. These criteria yield thirteen cases. The impact of the selection process is noted in figure 3.1 and the selected cases are shown in figure 3.2.

The intent for each of these selection criteria deserves consideration. The casualty requirement provides focus on cases where the war was likely to have a significant impact on the state that experienced the war on its territory. Stated otherwise, it seems likely that more deaths would connote a more severe conflict and consequently a conflict that is more likely to have an impact on the country under observation. By ensuring the conflicts were of a significant magnitude, the relative importance of the myriad other variables can be decreased.

<table>
<thead>
<tr>
<th>Case Criteria</th>
<th>Number Remaining</th>
<th>Number Disqualified</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960-2000</td>
<td>1200</td>
<td>1132</td>
</tr>
<tr>
<td>1,000 + casualties</td>
<td>86</td>
<td>2246</td>
</tr>
<tr>
<td>1960-2000 and casualties</td>
<td>22</td>
<td>2310</td>
</tr>
<tr>
<td>All Criteria</td>
<td>18</td>
<td>2324</td>
</tr>
</tbody>
</table>

¹ Note that “interstate war” is defined by the Correlates of War dataset. They were drawn from the files MIDA_v3.1.csv and MIDB_v3.1.csv. This list does not include civil wars or rebellions, which would occur within states and be deemed instate wars or extra-state wars within the dataset. The definition of major conflict is consistent with Zaryab Iqbal’s definition of major conflict (Iqbal, 2010, p 79) Ultimately, in this research, 22 wars meet the requirement of falling within the 1960-1999 timeframe and at least 1,000 casualties. The “comparable duration” functionally means the war is between 100-2,500 days. The 1960 start date coincides with availability of data for the dependent variable while the 2000 end date allows for longitudinal analysis with up to a 10 year lag.
The limitation on duration is somewhat more complex to explain but addresses the same concerns. A minimum length is included because two conflicts, the Football War (1969) and the Turco-Cypriot War (1974), were approximately one month in duration while all other wars were at least three months in duration. The very short nature of these conflicts made them poor candidates for comparison with the other wars under consideration. Similarly, two wars were outliers because of their excessively long duration. For the purposes here, “outlier” is defined as being more than 1.5 interquartile ranges beyond the third quartile. Within the sample, the border between the third and fourth quartile is at 1,149.5 days (a little over 3 years) and the interquartile range is just a fraction under 900 days (about 2.5 years.) This means that wars of over 2,495 days (about 6 years 10 months) are too long in duration to be considered. This eliminates the Vietnam War (1965-1975) as extreme outlier at 4,085 days (over 11 years), and the Iran-Iraq War (1980-1988) at 2,916 (just under 8 years). The conflict between India and

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2 The interquartile measure is not readily applicable to the minimum length requirement, in part, because there is an artificial boundary at length zero. While it is understandable that an extremely short war is a qualitatively different experience than a prolonged conflict, it is difficult to determine where the minimum boundary should be set. The data set only had two wars which were less than 100 days and both were also less than 35 days.
Pakistan (1993-1999), punctuated by the Kargil Crisis is just marginally under the definition of an outlier at 2,284 days (about 6 years and 3 months).  

In both cases, the minimum and maximum thresholds for duration provide for a more homogenous sample. Issues that are unrelated or tangentially related to the justness of a conflict, such as the presence of foreign capital or the nature of trade relations, are likely to have less significant impacts on the indicators for the dependent variable. Particularly in the case of the Vietnam War, the limitation of length also allows for a more consistent evaluation of the justness of the conflict.

The timeframe, from 1960-2000, was selected for two reasons. Pragmatically, the beginning year is near the starting point for the data used as the indicators for the dependent variable. It also corresponds to the rise of a robust impulse to intervene for humanitarian reasons by the United Nations. While the early cases in the sample were not UN endorsed missions, it does mean that the concept being tested was at least a consideration in the conduct of the war. The ending year was chosen to allow sufficient time to have data available to analyze possible long-term impacts of the wars.

Figure 3.2 shows all 18 cases that meet the quantitative requirements established above.

Some of these conflicts, however, do not serve as useful cases because of other complicating factors. The Sino-Indian Border Conflict, Falkland Islands War, the Second Congo War, the Nagorno-Karabakh War, and the Indo-Pakistani War/Kargil all provide unique and substantial barriers to analysis by the methods described here.

The Falkland Islands is not addressed because the islands themselves do not comprise a state and so do not have record of the necessary statistics. Furthermore, the very nature of their

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3 Note that the time frame, 1993-1999, is derived from the Correlates of War dataset and describes the broader conflict while the Kargil Crisis describes only a few month period at the end of that time, between May and July of 1999.
political affiliation is highly contested. The domestic population is sympathetic to the historic colonial power, the United Kingdom; however, the proximity to Argentina and Argentina’s claim of proper authority over the islands makes it extremely difficult to identify which state entity would most likely be influenced by the nature of conflict on the Falklands.

Similarly, it is difficult to identify a target state in the Sino-Indian Border Conflict, the Nagorno-Karabakh War, and the Indo-Pakistani conflict surrounding the Kargil Crisis. In the first case, both states initiated military actions in disputed territories that are analyzed as two distinct sets of conflicts in the Correlates of War database. In the second case, the Correlates of War database identifies the Nagorno-Karabakh war as an intra-state conflict because the primary action was between a central government and a population within its own borders. In the third case, although Jammu and Kashmir, the region in which the war took place is both historically and presently under Indian rule, both India and Pakistan would claim that the conflict occurred on their soil. In the first cases involving India and/or China, the complexity is compounded by the sheer size of the states involved. In the first case, both China and Indian were states with populations well in excess of 400 million in 1960. Both have tremendous cultural, geographic and linguistic variations that make analysis of the states in the role of “target state” quite difficult. Put bluntly, it is likely that some substantial portion of the change in the dependent variable in these situations is attributable to a myriad of other influences that would likely be of greater significance than a regional border dispute. In the case of the Nagorno-Karabakh conflict, the

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4 #160 and #199: The War in Assam of 1962 and the Sino-Indian Border Conflict of 1961 respectively.

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**Final Case List**

<table>
<thead>
<tr>
<th>Case List</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Indo-Pakistani War of 1965</td>
<td>1965</td>
</tr>
<tr>
<td>2) Six-Day War</td>
<td>1966 - 1967</td>
</tr>
<tr>
<td>3) War of Attrition</td>
<td>1967 - 1970</td>
</tr>
<tr>
<td>4) Yom-Kippur</td>
<td>1973</td>
</tr>
<tr>
<td>5) Bangladesh War</td>
<td>1971</td>
</tr>
<tr>
<td>6) Vietnamese Cambodian War</td>
<td>1975 - 1979</td>
</tr>
<tr>
<td>7) Ogaden War</td>
<td>1976 - 1980</td>
</tr>
<tr>
<td>8) Ugandan Tanzanian War</td>
<td>1978 - 1979</td>
</tr>
<tr>
<td>9) Sino-Vietnam War</td>
<td>1979</td>
</tr>
<tr>
<td>10) War in Lebanon</td>
<td>1982</td>
</tr>
<tr>
<td>11) Second Sino-Vietnam War</td>
<td>1987</td>
</tr>
</tbody>
</table>

**Figure 3.3**
lack of a clear target country either prior to or emerging from the conflict makes analysis particularly difficult because the dependent variable cannot be readily identified.

Finally, the Second Congo War is dropped because of context. The complexity of the conflict, including multiple parties within and from outside the state, and spill-over issues associated with the Rwandan genocide make it particularly difficult to determine what was happening and what party is accountable for the actions. Indeed, as part of the data cleaning process for the countries serving as the context for the model, countries in civil war are removed to avoid contamination of the data due to other experiences of just/unjust war making – this alone would preclude analysis of the Congo at this time. An alternative coding could assume that Congo, as a target nation, was experiencing all forms of unjust conflict – a perspective that appears to be validated by reported widespread atrocities. For the sake of parsimony and clarity, the model avoids the potential complications of multiple different just war practices in simultaneous military operations within a single state by limiting the case selection on the relatively cleaner interstate wars.  

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Note that “cleaner” is not intended to imply more just or desirable, but rather that the parties involved are state-level actors with clear causality numbers and an obvious target state from which to draw the indicators for the dependent variable.
## Indicators of Independent Variable for Qualitative Analysis: Justness of War Making

<table>
<thead>
<tr>
<th>War</th>
<th>Opposing → Target</th>
<th>Compliance with Proper Authority</th>
<th>Compliance with Just Cause</th>
<th>Compliance with Targeting</th>
<th>Compliance with Proportionality</th>
<th>Justness of War making</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Indo-Pakistani War of 1965</td>
<td>India’s war → Pakistan</td>
<td>None</td>
<td>Strong</td>
<td>Strong</td>
<td>Strong</td>
<td>Just</td>
</tr>
<tr>
<td>2) Six-Day War</td>
<td>Israel’s war → Egypt &amp; Syria</td>
<td>None</td>
<td>Strong</td>
<td>None</td>
<td>Weak</td>
<td>Unjust</td>
</tr>
<tr>
<td></td>
<td>Israel’s war → Jordan</td>
<td>None</td>
<td>Weak</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>3) War of Attrition</td>
<td>Israel’s war → Egypt</td>
<td>None</td>
<td>Weak</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td></td>
<td>Egypt’s war → Israel</td>
<td>None</td>
<td>Strong</td>
<td>Weak</td>
<td>Strong</td>
<td>Just</td>
</tr>
<tr>
<td>4) Yom-Kippur</td>
<td>Egypt &amp; Syria’s war → Israel</td>
<td>None</td>
<td>Weak</td>
<td>Strong</td>
<td>Strong</td>
<td>Just</td>
</tr>
<tr>
<td></td>
<td>Israel’s war → Egypt &amp; Syria</td>
<td>None</td>
<td>Strong</td>
<td>None</td>
<td>Strong</td>
<td>Just</td>
</tr>
<tr>
<td>5) Bangladesh War</td>
<td>Pakistan’s war →</td>
<td>None</td>
<td>Weak</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>6) Vietnamese Cambodian War</td>
<td>Vietnam’s war → Cambodia</td>
<td>None</td>
<td>Weak</td>
<td>None</td>
<td>Weak</td>
<td>Unjust</td>
</tr>
<tr>
<td>7) Ogaden War</td>
<td>Somalia’s war → Ethiopia</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>8) Ugandan Tanzanian War</td>
<td>Uganda’s war → Tanzania</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td></td>
<td>Tanzania’s war → Uganda</td>
<td>None</td>
<td>Strong</td>
<td>Strong</td>
<td>Strong</td>
<td>Just</td>
</tr>
<tr>
<td>9) Sino-Vietnam War</td>
<td>China’s war → Vietnam</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>10) War in Lebanon</td>
<td>Israel’s war → Lebanon</td>
<td>None</td>
<td>Weak</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>11) Second Sino-Vietnam War</td>
<td>China’s war → Vietnam</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td>12) The First Gulf War</td>
<td>Iraq’s war → Kuwait</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Unjust</td>
</tr>
<tr>
<td></td>
<td>Coalition’s war → Iraq</td>
<td>Strong</td>
<td>Strong</td>
<td>Weak</td>
<td>Weak</td>
<td>Just</td>
</tr>
<tr>
<td>13) Eritrean–Ethiopian War</td>
<td>Eritrea’s war → Ethiopia</td>
<td>None</td>
<td>Weak</td>
<td>Weak</td>
<td>Weak</td>
<td>Unjust</td>
</tr>
</tbody>
</table>

*Figure 3.4*
**Independent Variable**

The independent variable in this study is adherence to just war making. Operationalizing “just war making” offers a host of significant challenges. With six *jus ad bellum* and three *jus in bello* principles appearing in the literature spanning 1,500 years and a proposal for a broad *jus post bellum* requirement gaining substantial traction, there is no obvious way to discern which ideas must be included or discarded. In the interest of parity, international human rights law has served as the foundation for the selection of indicators for the independent variable. However, the broader context is important for the analysis of these concepts and may well deserve further consideration in future research. The reliance on international law not only serves to narrow the number of requirements, but serves to operationalize the way in which compliance with the concepts are scored. As an example of this first function, there is a clear requirement for a “reasonable hope of success” in the literature; however, such a requirement has not yet been codified in international humanitarian law. Consequently, “reasonable hope of success” is not included here. As an example of the operationalization function, the extensive law surrounding legal and illegal arms serves to define one substantial portion of the proportionality requirement in *jus in bello*. In light of the requirement that the concepts be found in contemporary international law, four just war requirements are used in the research growing out of the preceding literature review. Two are associated with *jus ad bellum* principles: 1) Proper Authority and 2) Just Cause. Two are associated with *jus in bello* principles: 1) Differentiation of Military and non-combatants, and 2) Proportionality.

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6 As an example, the *jus ad bellum* concepts of “last resort” and “proportionality” in some sense inform the understanding of “just cause.” Furthermore, the writing and logic of Hugo Grotius and more recent humanist authors informs the definitions of “just outcomes.”

7 Functionally, this requirement does appear to be central to the political calculus at both the domestic level and within intergovernmental organizations. Domestically, no government wants to be associated with a failed military intervention. Similarly, IGOs, whether the UN or regional organizations like NATO, want no part of the expensive problems associated with a failed intervention.
parties to these principles offers a distinct challenge. Cultural, historic, and legal training, influence interpretations of each concept leading to widely varying understandings of their meaning. In practice, these variations tend to lead to a wide spectrum of differences that can be characterized as more or less permissive of war. In an effort to address these differences, each case is evaluated on its compliance at two different levels for each principle. First, the most restrictive and rigorous interpretation is used. If it complies at this level, it scores a “1” for “rigorous adherence in time of war”. A second question, based on the most lenient common interpretation is then asked. If it complies at this level, but not at the rigorous level, it scores a “1” for “minimal adherence in time of war”. Finally, if it does not adhere to the principle in any form, it scores a “1” for “non-adherence in time of war”. Following this hierarchy, a case will only be scored a

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Independent Variable: Adherence to Just War Making

Definitions

The indicators for the quantitative study are derived from four components:

Proper Authority Included in case discussion but not analysis due to lack of variation (see p. 50 for more detailed description)

Strong form: Endorsed by the UN Security Council
Weak form: Endorsed by a durable intergovernmental organization

1) Just Cause (see p. 51 for more detailed description)

Strong form: Objectives were exclusively self-defense or aiding the victim of aggression
Weak form: Objectives include self-defense or aiding the victim of aggression

2) Differentiation of Targets (see pp. 52-53 for more detailed description)

Strong form: Targeting decisions focused on solely military targets
Weak form: Targeting decisions focused on dual-use and military-combatant facilities

3) Proportionality (see pp. 53-54 for more detailed description)

Strong form: Strategic & tactical decisions minimize total harm and do not use banned weapons
Weak form: Strategic decisions avoid damage and casualties and do not use of banned weapons

Scoring

In the general analysis (as seen in figure 3.5) the indicators for the independent variable are consolidated to a single nominal term for each case. War making is considered to be “just” if each of the three differentiated indicators* (Just Cause, Differentiation of Targets, and Proportionality) had some level of compliance and “unjust” if the war was conducted in noncompliance with any one of the indicators.

For the quantitative analysis the strong form question is considered first and if the case under consideration meets the requirement it is considered in compliance in the strong form and the evaluation moves on to the next indicator. The weak form of the requirement is evaluated in the same way. To quantify the results, “yes” responses to the question are scored as “1” and no as “0.” To differentiate between countries that are not at war and countries that are at war but not in compliance, a third variable is added to the scoring. This leads to four possible scores for each indicator: rigorous adherence is scored 1-0-0, minimal adherence 0-1-0, non-adherence 0-0-1, and states that are not at war 0-0-0.

*there was not enough variation among cases in the “proper authority” requirement to allow for analysis.

Figure 3.5

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Note that this coding method allows for a two-tiered evaluation of the conflict without using a problematic scale variable and allowing for a score of all “0” to indicate a country which is not at war. (Scale variables are
maximum of one “1” per principle. If it adheres at the highest level, the other two scores are automatically “0”. This allows the coefficients associated with each indicator to represent the full impact of that particular level of adherence. In order to test the impact of any efforts to conform to specific standards, the two dummy variables associated with varying levels of adherence are folded into a single dummy variable (yielding a “1” in cases that have scored “1” in either “rigorous” or “minimal” levels of adherence.)

In the following paragraphs, these scoring mechanisms are laid out for each of the four indicators of the independent variable:

In classical just war theory, proper authority is derived from divine mandate. Contemporary just war theorists assert that proper authority is derived from democratic support,\(^9\) a perspective that is reinforced in the United Nations Charter (1945, VII) as well as a number of other international treaties that predate the Charter.\(^{10}\) For this reason, in its strongest form, proper authority arises solely from the formal backing of the United Nations as indicated by a formal resolution of the Security Council. In this capacity, the UN Security Council has approved war on seven occasions.\(^{11}\)

In the weak form, proper authority is simply derived from theory and practice rather than formal treaty. The contemporary call for democratic support of war as a source of proper would

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\(^9\) This is a clear illustration of the foundational shift which occurred in the Enlightenment and ultimately shaped the understanding of the purpose and nature of just war theory. Where God was previously the highest power, humanity is lifted up as the great norm. Broad human consensus has quite literally, in this example, supplanted God.

\(^{10}\) This includes the Covenant of the League of Nations and the Kellogg-Briand Pact.

\(^{11}\) The earliest example, in 1950, was the authorization of the use of force in Korea (UNSCR 84). The six other examples of UNSC authorized military interventions are: UNSCR 425 and 426 which authorized military action in Lebanon in 1978; UNSCR 678 which authorized the use of force against Iraq in 1990; UNSCR 770, 776, and 836 which authorized the military intervention in Bosnia in the early 1990s; UNSCR 1368 and 1378 authorized the war in Afghanistan in 2001, UNSCR 1497 authorizing intervention in Liberia in 2003; and UNSCR 1529 and 1542, which authorized military intervention in Haiti in 2004.
suggest that the endorsement of any durable intergovernmental institution\textsuperscript{12} is more appropriate than countries acting unilaterally. This is upheld, or at the least not overturned, by the dearth of prosecutions against countries that have initiated war with the support of regional entities.\textsuperscript{13}

This yields two questions for proper authority:

*Strong form of proper authority:* Was the country’s role in the war formally endorsed by the UN Security Council?

*Weak form of proper authority:* Was the country’s role in the war formally endorsed by a durable intergovernmental institution?

For scoring, consider the First Gulf War (1990-1991). The war could be analyzed from two different perspectives, the Kuwaiti/Coalition perspective and the Iraqi perspective. In the case of the Kuwaiti perspective, the war was clearly endorsed by the United Nations Security Council.\textsuperscript{14} This yields a “1” for the rigorous adherence and default “0” for the other two indicators. Iraq did not receive the endorsement of the United Nations nor did it receive the support of a durable intergovernmental organization. This is represented by “0” scores for both rigorous adherence” and “minimal adherence”. Iraq did, however, go to war meaning that it chose not to adhere to the principle\textsuperscript{15} earning a score of “1” for “non-adherence”.

Just cause is also clearly defined in international law. The strongest case for just cause is in response to unprovoked aggression. According to the Charter of the United Nations, Chapter 1, Article 51, “Nothing in the present Charter shall impair the inherent right of individual or

\textsuperscript{12} Examples of durable intergovernmental institutions would include NATO and the Warsaw Pact. Non-qualifying endorsements would include "coalitions of the willing" (not durable) or Amnesty International (not an intergovernmental organization.)

\textsuperscript{13} The most obvious case would be the NATO intervention in the Balkans in the 1990s.

\textsuperscript{14} Beginning with United Nations Security Council Resolution (UNSCR) 660 which demanded Iraqi withdrawal and ultimately culminating in UNSCR 678 which endorsed the use of force (specifically allowed for the use of “all necessary means”) to enforce UNSCR 660.

\textsuperscript{15} If Iraq had chosen not to go to war in the first place, it would obviously not be bound to follow the proper authority principle which is relevant only in time of war and would therefore have received a score of 0-0-0 for the three independent variables associated with proper authority.
collective self-defense if an armed attack occurs against a Member of the United Nations.” This concept of “collective self-defense” has broadly been interpreted to mean intervention on behalf of a state that has been targeted by unprovoked aggression.

The weak form of just cause allows for ulterior motives, as long as right intent remains a substantial and overt part of the logic. Note that “right intention”, is differentiated by some legal scholars from “right motives”. Terry Nardin asserts, “[an] agent’s intention is what he chooses to do; his motive is the disposition and desires that explain his choice” (Nardin, 2006: 10). This allowance for various underlying motivations is included in the permissive wording of the weak form. Additionally, in the UN committee report, “The Responsibility to Protect” (The International Commission on Intervention and State Sovereignty 2001, 4.18) the obligation to protect grows to include intervention on behalf of the powerless. This, too, is added to the weak form list of potentially just causes to initiate war.

This yields two questions for just cause:

**Strong form of just cause:** Did the stated objectives clearly and solely\(^{16}\) conform to permissible intentions (exhaustively: self-defense, aiding a state that is the victim of aggression)?

**Weak form of just cause:** Did the stated objectives include permissible intentions (exhaustively: self-defense, aiding the victim of aggression, intervening on behalf of the powerless)?

International law surrounding *jus in bello* principles is extensive because of its relatively long history.\(^{17}\) This, coupled with its more fluid nature, driven by technological and tactical changes in war making, contribute to a very different international legal context for *jus in bello*

\(^{16}\) Note that “solely” means that all evident objectives of the intervening state are either self-defense or aiding a state that is the victim of aggression. In the strong form, no other objective is permissible while in the weak form, other objectives are permissible as long as the objectives include one of the just

\(^{17}\) As noted in Chapter 1, efforts to codify *jus in bello* can be traced back to the Lieber Code in the mid 1800s while *jus ad bellum* codification, at the international level, did not occur until after the formation of the United Nations.
principles than *jus ad bellum*. As noted in the first chapter, the very earliest efforts to codify just war theory focused on war making behavior.

Differentiation of military targets from non-combatants has a particularly long history. Beginning with the Lieber Code and continuing through the various Geneva Conventions and Hague Conventions, international laws of war demand differentiation of combatants and non-combatants\(^\text{18}\) in targeting. Throughout the treaties, only viable combatant military\(^\text{19}\) assets are permitted to be targeted. The wounded (nonviable military asset), infirm (nonviable military asset), civilians (non-military asset), and non-combatant military (noncombatant military asset) personnel are never to be targeted directly and targeting should minimize the harm that comes to these groups even when attacking legitimate military assets. In the strongest form, respect for this principle would dictate that no non-combatant assets are targeted. In the weak form, it would demand that all targets at least have some clear, valuable connection to the military apparatus. This yields two questions for differentiation of targets:

*Strong form of the differentiation of targets:* Were targeting decisions made to target *solely* military targets? (No targeting of dual-use facilities, civilian facilities, or non-combatant military facilities such as hospitals or prisoners-of-war.)

*Weak form the differentiation of targets:* Were all targeting decisions clearly focused on military and military-combatant related facilities? (Avoiding unnecessary harm to civilian, prisoners of war, and non-combatant; associated facilities; but including dual use facilities.)

Finally, there is the issue of proportionality. It, along with target differentiation, are cited as the underlying reason for specific weapons bans, most notably nuclear, biological, and

\(^{18}\) Note that the term “non-combatant” does not necessarily mean “non-military.” It also includes military personnel who do not carry arms and/or participate in military objectives (espionage, sabotage, etc.) This group would include civilians of any type as well as military personnel like medics and chaplains.

\(^{19}\) “Viable” meaning still capable as functioning as a combatant. “Military” meaning a member of the nation’s defense forces. “Combatant” meaning prepared to actively engage in the war.
chemical weapons. In international law, such bans are the clearest and most prevalent voicing of the proportionality requirement. There is, however, an underlying set of assumptions present in international law that espouses the same humanism that motivated Grotius. The Universal Declaration of Human Rights, including the Preamble and Article I as well as Chapter I, Article 3 of the First Geneva Convention of 1949 lay out a vision of humanity that demands life be treated with the utmost care. In short, it is the core of the rationale offered for proportionality in its theoretical form: whenever possible killing should be avoided.

In the strong form, both the non-use of illegal weapons and a concerted effort to avoid unnecessary harm must be evident.\(^{20}\) In the weak form, illegal weapons remain proscribed, but there need only be evidence that the opposing state made decisions to curtail unnecessary violence.\(^{21}\)

*Strong form of proportionality:* Did strategic and tactical decisions represent a clear effort to minimize total harm AND refrain from the use of banned weapons (under the strictest interpretation upheld in international court) and tactics?

*Weak form of proportionality:* Did strategic decisions avoid damage and casualties that were not necessary to achieve stated military objectives (most notable in cases where an advantage was not pressed when it would have been militarily feasible resulting in lives and or property being spared) AND refrain from the use of banned weapons and tactics?

Note that documentation for many of these indicators provides a challenge. Briefly stated, it is impossible to prove the absences of a thing. If there is no use of banned weapons in a conflict and/or no endorsement by the United Nations or regional Intergovernmental

\(^{20}\) An example of this would be choosing to take part in ground operations which might be higher risk to the opposing force’s troops in an effort to avoid the collateral damage associated with a high altitude bombing campaign.

\(^{21}\) An example of this would be ceasing hostilities when there was evidence that an advantage could be pressed.
Organization, the lack of record is evidence of compliance to just war principles. In the case of the UN and regional IGOs, this is not particularly problematic because the non-presence in formal records represents a clear indicator that formal action was not taken.\textsuperscript{22} In the case of banned weapons, the non-presence of reporting in academic and journalistic sources is taken to be evidence of the non-use of the weapons in question. For each case, a resource list is offered to provide the reader some sense of the sources from which the information was derived. In order to combat the challenges associated with limitations of source and interpretation, robustness studies were conducted using the scores assigned by outside scorers.

**Dependent Variable**

The dependent variable in this study is justness of outcomes. This research assumes that an aggregate decline in the human condition is inherently “unjust” while an improvement in the human condition is “just”.\textsuperscript{23} The research utilizes different indicators for the dependent variable in the qualitative and quantitative portions of the research. In the qualitative work, three sub-indicators are used to develop an understanding of just outcomes rooted in the direct impact of the war, this includes damage to infrastructure, battle related deaths, and an

\begin{table}[h]
\centering
\begin{tabular}{|c|}
\hline
**Dependent Variable: Justness of Outcomes**  
\textit{Indicators in the quantitative test:}  
1) Economic outcomes measured by pcGDP in 1990 Geary Khamis dollars  
2) Health outcomes measured by life expectancy at birth in years  
\textit{Indicator in the qualitative test:}  
Total Societal Damage scored as a qualitative ordinal measure (“mild”, “moderate”, “extensive”, or “very extensive”)  
\textit{Derived from a consideration of three distinct components:}  
1) Battle-related deaths designated by an ordinal measure quantitatively evaluated (Fewer than 1 casualty per 10,000 people is scored as “mild”, 1-5 per 10,000 “moderate”, 5-10 “extensive”, and <10 deaths per 10,000 is scored “very extensive”)  
2) Socio-political impact designated by an ordinal measure qualitatively evaluated (“mild”, “moderate”, “extensive”, or “very extensive”)  
3) Infrastructural impact designated by an ordinal measure qualitatively evaluated (“mild”, “moderate”, “extensive”, or “very extensive”)  
\hline
\end{tabular}
\end{table}

\textsuperscript{22} Although, it remains difficult to cite.  
\textsuperscript{23} Iqbal offers an outstanding overview of the rationale. (Iqbal, 2010, pp 13-19)
analysis of socio-political damage. Each of these sub-indicators is evaluated as suffering “mild”, “moderate”, “extensive”, or “very extensive” damage. These scores are then considered to produce a score for the single indicator of total societal damage which is scored using the same four terms: “mild”, “moderate”, “extensive”, or “very extensive.” There is no formulaic conversion of the sub-indicators into the single indicator of total societal damage, but the constituent parts do serve as the basis for the judgment.24

In the quantitative study the indicators grow out of the constituent indicators of the Human Development Index (HDI): life expectancy, literacy rate, and per capita Gross Domestic Product (pcGDP).25 Note that due to a dearth of information on literacy over the breadth of countries in the time period under consideration (Huebler, 2008), only two of the three indicators commonly associated with the HDI are used: life expectancy and per capita GDP. Within the study, justice is defined as an increase life expectancy, and an increase in income in terms of per capita gross domestic product.

Data for the indicators for the dependent variable in the quantitative study comes from two sources. Life expectancy at birth is derived from the World Development Indicators of the World Bank. In brief, it is a statement of the number of years a child is expected to live at birth if conditions remained identical throughout his or her life. The World Bank’s data was selected among the reputable data sources because of the density and breadth of the data. The final data used in analysis comes from the WDI_GDF_Data.csv file procured from the World Bank website on May 20, 2011 (The World Bank 2011).

24 Developing a meaningful formulaic method of converting the three sub-indicators into the total societal damage indicator was not possible because of cases where “mild” and/or “very extensive” scores represented extreme outliers and, consequently produced outcomes that were inconsistent with other conflicts with the same scoring profile. As a consequence, the final indicator for the dependent variable grows out of the discussion associated with the sub-indicators, but is not derived directly from the score associated with the sub-indicators.

25 The constituent parts are: per capita GDP, an education indicator, and life expectancy.
The per capita gross domestic product (GDP) data came from the work of Dr. Angus Maddison of the University of Groningen, the Netherlands (Maddison 2008). Although a less well-known source, his work provides by far the most dense and broadly applicable economic data available in a methodologically and interpretively coherent format. The economic data is provided as per capita GDP in 1990 Geary–Khamis dollars. Broadly, the use of Geary-Khamis dollars serves much the same role as purchasing power parity (PPP) figures. The numbers reflect the average purchasing power of a citizen of the country in question that had been paid in United States Dollars in 1990 in the United States in 1990. This allows the data to account for issues such as post-war inflation in its exploration of justice.

26 Other sources under consideration included: United Nations Statistics Division (UNDATA), the World Health Organization (WHO), and the Organization for Economic Co-operation and Development (OECD). The “methodologically and interpretively coherent fashion” refers to the nature of the data set. That is, it does not require manipulation of multiple other data sets, it utilizes the same assumptions regarding currency, purchasing power, etc., and it was developed to maintain a balanced relative and absolute accuracy which is critical the interpretations of this project.
### Indicators of the Dependent Variable for the Quantitative Analysis

<table>
<thead>
<tr>
<th>Case</th>
<th>Target State</th>
<th>pre-war pcGDP</th>
<th>post-war pcGDP</th>
<th>pre-war Life Expectancy</th>
<th>post-war Life Expectancy</th>
<th>Infrastructural Damage</th>
<th>Sociopolitical Upheaval</th>
<th>Casualty Rate</th>
<th>Total Societal Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Indo-Pakistani War of 1965</td>
<td>Pakistan</td>
<td>$727</td>
<td>$829</td>
<td>50.90</td>
<td>52.98</td>
<td>mild</td>
<td>moderate</td>
<td>mild</td>
<td>moderate</td>
</tr>
<tr>
<td>2) Six-Day War</td>
<td>Egypt/Syria</td>
<td>$2,387</td>
<td>$2,375</td>
<td>49.47</td>
<td>52.35</td>
<td>extensive</td>
<td>very extensive</td>
<td>moderate</td>
<td>extensive</td>
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<td></td>
<td>Jordan</td>
<td>$2,938</td>
<td>$2,614</td>
<td>49.08</td>
<td>52.60</td>
<td>extensive</td>
<td>very extensive</td>
<td>very extensive</td>
<td>very extensive</td>
</tr>
<tr>
<td>3) War of Attrition</td>
<td>Egypt</td>
<td>$1,190</td>
<td>$1,287</td>
<td>48.10</td>
<td>51.49</td>
<td>moderate</td>
<td>mild</td>
<td>moderate</td>
<td>moderate</td>
</tr>
<tr>
<td></td>
<td>Israel</td>
<td>$6,126</td>
<td>$9,278</td>
<td>72.26</td>
<td>71.50</td>
<td>mild</td>
<td>extensive</td>
<td>moderate</td>
<td>moderate</td>
</tr>
<tr>
<td>4) Yom-Kippur</td>
<td>Israel</td>
<td>$8,763</td>
<td>$10,081</td>
<td>71.34</td>
<td>72.22</td>
<td>mild</td>
<td>very extensive</td>
<td>extensive</td>
<td>extensive</td>
</tr>
<tr>
<td></td>
<td>Egypt/Syria</td>
<td>$2,611</td>
<td>$3,452</td>
<td>53.59</td>
<td>56.30</td>
<td>moderate</td>
<td>mild</td>
<td>moderate</td>
<td>moderate</td>
</tr>
<tr>
<td>5) Bangladesh War</td>
<td>Bangladesh</td>
<td>$621</td>
<td>$517</td>
<td>43.82</td>
<td>44.76</td>
<td>extensive</td>
<td>extensive</td>
<td>moderate</td>
<td>extensive</td>
</tr>
<tr>
<td>6) Vietnamese Cambodian War</td>
<td>Cambodia</td>
<td>$671</td>
<td>$832</td>
<td>38.07</td>
<td>43.55</td>
<td>mild</td>
<td>very extensive</td>
<td>extensive</td>
<td>extensive</td>
</tr>
<tr>
<td>7) Ogaden War</td>
<td>Ethiopia</td>
<td>$621</td>
<td>$625</td>
<td>43.98</td>
<td>43.75</td>
<td>moderate</td>
<td>moderate</td>
<td>very extensive</td>
<td>extensive</td>
</tr>
<tr>
<td></td>
<td>Tanzania</td>
<td>$616</td>
<td>$582</td>
<td>49.03</td>
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<td></td>
<td>Uganda</td>
<td>$767</td>
<td>$587</td>
<td>50.70</td>
<td>49.97</td>
<td>extensive</td>
<td>very extensive</td>
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<td>extensive</td>
</tr>
<tr>
<td>9) Sino-Vietnam War</td>
<td>Vietnam</td>
<td>$811</td>
<td>$778</td>
<td>55.06</td>
<td>58.11</td>
<td>extensive</td>
<td>mild</td>
<td>moderate</td>
<td>moderate</td>
</tr>
<tr>
<td>10) War in Lebanon</td>
<td>Lebanon</td>
<td>$3,464</td>
<td>$2,413</td>
<td>66.58</td>
<td>67.92</td>
<td>very extensive</td>
<td>very extensive</td>
<td>very extensive</td>
<td>very extensive</td>
</tr>
<tr>
<td>11) Second Sino-Vietnam War</td>
<td>Vietnam</td>
<td>$914</td>
<td>$999</td>
<td>60.83</td>
<td>64.49</td>
<td>mild</td>
<td>mild</td>
<td>mild</td>
<td>mild</td>
</tr>
<tr>
<td>12) The First Gulf War</td>
<td>Kuwait</td>
<td>$7,828</td>
<td>$11,654</td>
<td>74.44</td>
<td>75.58</td>
<td>extensive</td>
<td>moderate</td>
<td>moderate</td>
<td>moderate</td>
</tr>
<tr>
<td></td>
<td>Iraq</td>
<td>$3,092</td>
<td>$1,142</td>
<td>64.10</td>
<td>67.19</td>
<td>very extensive</td>
<td>extensive</td>
<td>very extensive</td>
<td>very extensive</td>
</tr>
<tr>
<td>13) Eritrean Ethiopian War</td>
<td>Ethiopia</td>
<td>$605</td>
<td>$611</td>
<td>50.05</td>
<td>51.38</td>
<td>moderate</td>
<td>mild</td>
<td>very extensive</td>
<td>moderate</td>
</tr>
</tbody>
</table>

**Figure 3.7**
CHAPTER 4: CASES AND OUTCOMES

INTRODUCTION

This chapter qualitatively tests both hypotheses discussed in chapter 3 by examining the correlation between adherence to just war theory and the resulting outcomes. The indicators of the independent variable in these tests are the four requirements of just war theory previously described: proper authority, just cause, discrimination of targets, and proportionality.\(^1\) The indicator for the dependent variable in the qualitative study, total societal damage, describes the total impact of the war in three areas: loss of life, damage to infrastructure, and socio-political upheaval.

This chapter begins with an overview of each of the thirteen conflicts under consideration. For each case, a brief synopsis of the events, including four sections explaining the scoring of each of the four justness indicators, provides an introduction to the war. A summary of the scoring of the indicators of the independent variable is provided at the end of this introductory section.

For each case, a brief analysis section is included that is comprised of three sections: a description of the exceptional attributes of the war that may influence the interpretation of results, an accounting of the outcomes associated with the war including both total societal damage and the quantitative measures, and preliminary conclusions drawn from the case itself. As part of the discussion, a graph and chart comprised of the indicators of the quantitative dependent variable for five years preceding and five years following each conflict is included in the section. All the information in the graphs is derived from the same sources as the data for the

\(^1\) In each case, adherence is measured at three distinct levels—in the strong form of each requirement, in the weak form, and non-adherence to each requirement. For more information regarding the evaluation of the independent variable, see chapter 2.
formal modeling. For life expectancy, the source is the World Bank’s World Development Index (The World Bank 2011) and for gross domestic product, the source is Maddison’s database (Maddison 2008). In the former, life expectancy was derived as a non-weighted average of the countries’ life expectancy, in the latter the data is drawn directly from the Maddison database.

Regarding sources, the synopses are built on Meredith Reid Sarkees and Frank Whelon Wayman’s Resort to War. This text is part of the Correlates of War series and offers a clear, brief overview of the conflicts that are the foundation for the judgments of just cause, targeting, and proportionality. This work is augmented in each case by a variety of sources that are noted in a bibliography found in the final footnote of each case. The nature of the work requires many of the judgments to be based on the absence of information. As an example, the United Nations record of Security Council Resolutions serves as the source for the strong form of proper authority. If there is no record of action by the Security Council in its own archives, and not discussion within the texts, it is assumed to have refrained from endorsing the conflict. Similarly, the records of relevant regional intergovernmental organizations serve as the source for the weak form of proper authority while an absence of reporting on the use of illegal weapons in journalistic and scholarly accounts serve as the evidence for compliance with the bans on specific weapons.

It is critical to note that individual cases are not expected to be uniformly in compliance with a single hypothesis or with the resulting model itself. Instead, each case represents four indicators of the independent variable (proper authority, just cause, differentiation of targets, and proportionality) with results measured in terms of three different indicators of the dependent variable (per capita GDP, life expectancy, and total societal damage.) The two scale indicators

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2 For example the lack of illegal weapons, no record of civilian targeting, or the non-endorsement of various organizations.
of the dependent variable, pcGDP and life expectancy, are not measured simply as the change from one year to the next, but rather as the change relative to the change experienced in the rest of the world. In the statistical model described in chapter 5, this occurs through the inclusion of time in the model. In this chapter, the change in life expectancy and pcGDP is compared to global and regional change to determine the impact of the war relative to the change expected to occur.

In concrete terms, if Country A sees an increase in pcGDP of $3.00 over the year it is at war while regional and global averages increase by $12.00, Country A would be evaluated as having a relative decrease of $9.00 in pcGDP. This is calculated by determining the difference between Country A and its peers ($3.00 - $12.00 = -$9.00). The same method is used to determine the impact of war on life expectancy. Functionally, this comparison to averages serves as a rough counterfactual assumption. That is, the average is assumed to represent what would have happened within the state had war not occurred.

Although the statistical model is unable to support the use of total societal damage as an ordinal indicator for the dependent variable, it is essential to the qualitative analysis in this chapter. It is best viewed as a framework from which the various wars’ impacts can be compared. In this chapter, it contributes to the broader determination of the justness/unjustness of the war’s outcomes.
THE CASES

Indo-Pakistani War (1965)

Pakistan and India fought a short but significant war in 1965. Some brief historical background of the Pakistan-India conflict is necessary to contextualize the nature of their dispute over Kashmir. In 1947, British India was partitioned into the states of India and Pakistan. Pakistan was created as a homeland for the subcontinent’s Muslim population, though, in terms of actual numbers, Muslims comprised about 15% of India’s, more than 95% of West Pakistan’s, and about 80% of East Pakistan’s population in 1948. The princely states of the subcontinent retained the right to remain independent, join India, or join Pakistan at the discretion of the ruler. The princely state of Jammu and Kashmir had a predominately Muslim population but a Hindu ruler, Maharaja Hari Singh. Although Singh attempted to remain independent, pressure from both India and Pakistan, as well as his own population forced his hand. Jammu and Kashmir acceded to India in exchange for India’s intervention in fighting intruders from Pakistan. Thereafter, the territory of the princely state of Jammu and Kashmir remained divided between Pakistan and India, but Pakistan continued to claim the entire territory (Cohen 2004, 6-7).

The war of 1965 was initiated by Pakistan and initially fought in the Indian portion of the disputed territory of Jammu and Kashmir as part of its effort to secure the territory. Although the territory was internationally recognized as an Indian administered territory, the disputed nature of the land makes it difficult to assign India the role of target state. Later in the war, Pakistan opened a front that pushed minimally into undisputed Indian territory; however, if one considers the initial invasion as being in a disputed and relatively less populated region of India (Stoessinger 2008, 187-188) and the counter-invasion as pushing the fighting into Pakistan, Pakistan is considered the target state. Note that the fighting in Pakistan was considerably larger.
scale, particularly relative to the size of each country, than Pakistan’s invasion into undisputed Indian territory.

Target State (Source of DV): Pakistan
Opposing State (Source of IV): India

Proper Authority:

The United Nations Security Council did not endorse the activities of either side. Its greatest degree of involvement came in the negotiation of a ceasefire.

There was no formal endorsement by a durable IGO for India’s position.

Just Cause

Pakistan advanced into Jammu and Kashmir in “Operation Gibraltar” with the hopes of destabilizing the region through a series of guerrilla attacks and raids (Peter 2008, 129-130). The initiation of this plan by Pakistan ultimately precipitated the events that became the 1965 war. Pakistan’s decision and India’s response were clearly influenced by deep animosity making the “self-defense” claims asserted by both sides difficult to identify. Regardless of Pakistan’s motives, which are not the focus of this analysis because India is the opposing state, India’s case for self-defense has some clear support. Perhaps most notably, Pakistan’s initiation of hostilities make it the state attempting to revise the status quo. Because India was simply reacting to Pakistan’s actions, self-defense becomes a more plausible explanation. Also of great
significance, the territory in question was/is widely recognized as being part of India, albeit disputed.³

The weaknesses in India’s claim of self-defense grow from the obvious animosity between the two countries that might be viewed as a contributing cause to the war and from India’s decision to press into Pakistan’s territory in response to the invasion. Regarding the first point, it is important to distinguish between right intent and just cause. Regardless of the intention, the question here is cause and the aggression of Pakistan provides clear explanation of the cause. Evaluation of the second point is made considerably easier by hindsight. While India’s decision to push into Pakistan may appear to be an act of aggression, it served to force Pakistan to the negotiating table. Furthermore, India ultimately chose to forfeit all land that it had conquered suggesting that the counterstrike was an effective tool in stopping Pakistani aggression and that it was not used to secure new lands that would clearly represent a non-self-defense cause of war.

While there may be merit to Pakistan’s claim to Jammu and Kashmir, its choice to precipitate a war on soil that India was legally obligated to defend means that India had to react. The degree or nature of Pakistan’s claim relative to India’s is ultimately irrelevant. The lack of clarity regarding the long-term status of the territory does not absolve India of its responsibilities to protect the territory in the event of attack. Indeed, India’s action “clearly and completely conformed” to the self-defense requirement of just cause meaning that it was in compliance with the strong form of just cause.

³ In the late 1940s, India had agreed to allow a plebiscite in the territory so that the local population could join either Pakistan or India.
Differentiation of Targets

Targeting is extremely difficult to accurately assess in this conflict. Both parties used armor, air force and artillery assets in an effort to capture or target infrastructure and population centers, but there is a dearth of records on civilian casualties. The air forces of both countries were used for targeting of troops and military assets and there is no evidence of their involvement in the bombardment of population centers. Strategically, India chose to prioritize the capture/threat of capture of transportation routes and population centers that clearly brought the conflict close to civilian areas. However, there is no record of the targeting of civilians or civilian-only infrastructure (hospitals, schools, etc.). Aside from Pakistan’s limited naval bombardment of Dwarka, both sides appear to have made a concerted effort to focus attention solely on military objectives. Because the focus is clearly and solely on India’s behavior in war-making and there is no evidence of inappropriate targeting by India in the literature even when fighting in more populated areas, India is scored as being in compliance with the strong form of target differentiation.

Proportionality

Records of the engagements suggest that all weapons were conventional and legal. The targeting choices appear to reinforce the perception that India was focused primarily on defending territory while minimizing the scope of the conflict. According to Robert Johnson, “India’s strategic aims were modest – it aimed to deny Pakistani Army victory, although it ended up in possession of 720 square miles of Pakistani territory for the loss of just 220 of its own” (A region in turmoil: South Asian conflicts since 1947 2005, 61). While projecting counterfactual outcomes is problematic, it appears likely that India believed it was in a position to utterly defeat

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4 India’s largest such operation took place at the Battle of Chawinda, near the town of Chawinda in East Pakistan.
Pakistan by pushing into Lahore. Regardless of whether this was the case, India’s willingness to acquiesce to international pressure and respect a ceasefire suggests that ambitions for significant revision of international lines were limited. Further, though the choice to launch a counter-offensive may appear to violate the minimization of harm requirement, it appears to have served the purpose quite well. In short, the application of pressure on Pakistan appears to have substantially reduced Pakistan’s willingness to continue making war and contributed to a much more rapid end to the conflict.

In sum, by pursuing very basic goals of self-defense, relinquishing territory seized in the counter offensive, and accepting the ceasefire readily; India clearly prioritized minimization of harm. This demonstrates compliance with the strong form of the proportionality requirement.

The resulting scoring for all independent variable indicators can be seen in Figure 4.1.

<table>
<thead>
<tr>
<th>Indo-Pakistani War: 1965</th>
<th>India → Pakistan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
<td>Strong Form: 0</td>
</tr>
<tr>
<td></td>
<td>Weak Form: 0</td>
</tr>
<tr>
<td>Just Cause</td>
<td>Strong Form: 1</td>
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<td></td>
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<td>Targeting</td>
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<td>Weak Form: 0</td>
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<tr>
<td>Proportionality</td>
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<td></td>
<td>Weak Form: 0</td>
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</tbody>
</table>

*Figure 4.1*

**Exceptionalities of the War**

This war was imbedded in the larger, volatile dynamics of the Indo-Pakistani conflict. This makes it difficult to clearly identify the impacts of this specific war in the context of the broader effects growing out of the animosity between the two states. As noted in the previous discussion, the rivalry grew from the experiences of independence and had a dramatic influence on the domestic policies of both states. The 1965 war is perhaps best viewed as a manifestation
of the tensions between the countries rather a single event that defined the countries’ relationship.

There are a number of significant details surrounding this conflict that require some consideration. Perhaps the most pressing in terms of the justness scoring comes in understanding the Indian strategy to counterattack. This is a function of simple geography. Pakistan is relatively small, when compared to India. Its major city, Lahore, is less than 25 miles from the shared border to the east. Consequently, the loss of even a small amount of territory in this region would be catastrophic for Pakistan. The attack itself was launched from the North East that allowed India to make significant inroads without directly threatening Lahore. The large armored battle that took place at Chawinda was less than 100 miles away from Lahore.

Although the war is clearly a manifestation of the larger conflict, it did serve to alter the nature of the conflict by informing the strategic understanding of both the elite and the populous. The realities of geographic proximity in conjunction with India’s invasion during the 1965 war had a dramatic impact on the military elite who recognized the limitations of their military capacity (Cohen 2004, 103). This concern did not spread readily to the population of West Pakistan however. Effective domestic propaganda convinced a considerable portion of the population that Pakistan’s armed forces were largely successful ultimately blunting the societal impact on the general populous (American Embassy, Karachi 1965).

The experience of East Pakistan, now Bangladesh, was dramatically different. Painfully aware of their vulnerable position, the war served to anger the political classes of East Pakistan and ultimately contributed to the divisions which caused the Bangladesh War of 1971 (Cohen 2004, 73-74, Kuma 2003, 118). In a very real sense, this war is exceptional not only for its connection to the past, but also for its long reach as the countries developed. Regardless of the
justness of the conflict, it is likely that any war would have made these discrepancies more evident and, consequently, contributed to a certain degree of upheaval.

*Justness of Outcomes*

The war’s *total societal damage* in Pakistan was uneven, but generally less severe than the majority of cases under consideration in this study. The sociopolitical impact of the war was moderate. The conflict served to align Pakistan and India more closely to the East-West orientation of the Cold War. While India emerged with strengthened ties to the Soviet Union, Pakistan came out of the conflict isolated from regional peers and, consequently, a reluctant de facto ally of the United States. This represents a moderate shift in international affairs, but it yields extensive sociopolitical impacts when considered in conjunction with the domestic tensions created by the conflict (Cohen 2004, 73-74, Kuma 2003, 118).

The 3,800 battle deaths suffered by Pakistan represented about .7 deaths per 10,000 people based on its population of 57.5 million in 1965 (Sarkees and Wayman 2010, 156). Relative to the various other cases, this is a mild per capita loss of life. This is clearly a function of the large population density rather than a low number of battle deaths.

Damage to infrastructure in the northeast was substantial, but airstrikes were tightly targeted and the geographical range of the conflict was contained with minimal involvement by the Indian Navy and the preponderance of the Indian Army fighting large-scale engagements in contained areas of Pakistan. Generally, the damage associated with the war was mild.

In sum, the *total societal damage was moderate.*

In what is a common pattern in the per capita gross domestic product among target states, Pakistan’s pGDP was well below the global average and fell farther behind the average during
the course of the conflict due to a shallow growth curve. The data on Pakistan’s life expectancy during this period is quite different. In a counter-intuitive result, Pakistan actually showed increases in life expectancy at a rate faster than the global average.

The war itself scored as a particularly just conflict and demonstrated what appears to be a minimal change in the slope of the GDP graph. It demonstrates, perhaps, a leveling of GDP in 1965 where the rest of the region and the world saw a mild increase in the rate of economic growth, but this appears to be of negligible significance.

For per capita gross domestic product (pcGDP), the results reflect a mild decrease in the total purchasing power of the population during the period of the war relative to the whole world. Pakistan demonstrated a pcGDP gain of $41 between 1964-1965, rising from $771 to $812. During the same period, the average global pcGDP increased by $98 rising from $3,228 to $3,335. Regionally, roughly the same set of patterns hold with the region gaining $106 in pcGDP demonstrating a more rapid rate of increase in pcGDP than Pakistan.

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5 That is, the slope of Pakistan’s GDP is positive, but less steep than the global average.
6 All dollar values reported throughout this section are in 1990 Geary-Khamis dollars – that is the number reflects the purchasing power of the per capita GDP in 1990 US Dollars as if it were in the US market. In this case, the number means that on average, Pakistan would be expected to have suffered a loss in purchasing power comparable to the loss suffered by an American in 1990 if the American had lost $126.51.
Figure 4.2

As previously noted, life expectancy outstripped the increase in the global average over the same 1964-1965 period. Pakistan saw an increase from 51.4 years in 1964 to 52.0 years in 1965, an increase of .6 of a year. During the same period, the global average life expectancy at birth went from 54.5 years to 54.9 years, an increase of .4 of a year. Regionally, the growth split the difference with life expectancy increasing by a little more than .5 of a year.

**Conclusions**

In sum, the relative justness of the war appears to have contributed to the less extreme destruction noted in the societal impacts and is reflected in the indicators of the quantitative...
dependent variable under consideration. The apparent mild suppression of pcGDP is worth noting because it contributes to a broader pattern of notably slower-than-average pcGDP growth in Pakistan that ultimately yields a gaping disparity between Pakistan’s pcGDP and the global average. Note, however, that the question here is whether the more just war making contributed to worse pcGDP outcomes than a war that was fought unjustly.

Pakistan’s over performance in the area of life expectancy relative to the global average appears to be attributable to a number of factors. At its most basic, it appears likely that it reflects a reversion to the mean – that is, because Pakistan was well below the global average, higher than average growth is not wholly unexpected. However, it is worth noting that the growth did not appear to be stymied by the war. The limited damage to infrastructure and the continuity of order following the conflict both likely contributed to the improvement – if not by directly increasing it, then by avoiding the upheaval that would have contributed to much less robust growth.

The war was fought in a manner consistent with each of the three differentiated just war requirements\(^7\) so it is an example of just war making. It also produced outcomes that were relatively just. Ultimately, the case directly supports the first hypothesis, “Just wars have just outcomes.” It provides evidence, in conjunction with cases that show unjust wars yielding unjust outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\(^8\) While pcGDP did grow at a slow rate, life

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\(^7\) The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.

\(^8\) Three other cases have the same profile support the first hypothesis directly and providing evidence for the third and fourth hypotheses: the War of Attrition where Egypt was the opposing state and Israel was the target state; and the Yom Kippur War where Egypt and Syria were the opposing states and Israel was the target state.
expectancy actually outperformed the global averages. Regionally, the same patterns hold. This case appears to suggest that even just war making can have a negative impact on the economy relative to not going to war, while just wars appear to afford the opportunity for ongoing gains in life expectancy.

See footnote for complete bibliographic information for sources cited in this case. 9

**Six-Day War (1967)**

In the six-day war in June 1967, Israel struck first in what it clearly perceived as an act of preemption in the face of large-scale military mobilization on its borders and Egyptian demands for the removal of United Nations peacekeeping forces (Gorman 2001, 79-80). 10 Israel’s initial engagements focused on the Egyptian air bases’ (Gilbert 1998, 384-385). Similar strikes on Syria and Jordan precipitated extensive military engagements on the ground on Israel’s southern (Egyptian), eastern (Jordanian), and northeastern (Syrian) borders. Jordan and Syria shelled positions in Israel and Iraq attempted to bomb targets within Israel; however, the preponderance of the fighting occurred on Arab land (Egyptian, Jordanian, and Syrian) (Gilbert 1998, 392-394). For this reason, the focus of the analysis will be on Israel as the opposing state, and Jordan,

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9 Bibliography: Indo-Pakistani War (1965)
10 Sachar notes the extensive, costly preparations made within Israel (631-632) clearly demonstrating premeditation in the preemptive attack.
Syria, and Egypt as the target states. Because the scoring was similar, the description section that follows is done collectively. In the statistical model, each state is considered independently as a target state with impacts on the indicators of the dependent variable parsed out at the state level.

Target State (Source of DV): Jordan, Syria, and Egypt
Opposing State (Source of IV): Israel

Proper Authority:

The United Nations Security Council did not endorse the activities of any side although it did press for a ceasefire (Gorman 2001, 80). There is also no record of formal endorsement by a durable IGO for Israel’s position. Therefore, the warring parties do not adhere to the proper authority requirement of just war theory in either the strong or weak form.

Just Cause

The preemptive action of Israel is difficult to categorize for two primary reasons. First, because it was preemptive aggression, it is impossible to discern precisely how “imminent” the preempted aggression was. To make a judgment on this point is to employ some level of counterfactual prediction. Second, the relative newness of the state of Israel and the resulting frustration from the indigenous population makes it difficult to determine which parties can claim “self-defense” (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 615).

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11 These term “preventive war” is distinct from “preemptive war.” Preemptive war refers to a war launched in response to an imminent attack. Generally, troops are already amassed and it is seen as altering only the order of military aggression (who strikes first) of an inevitable war. Preventive war, on the other hand, is launched to degrade abilities or avoid a negative situation before an attack is imminent.
Regarding the first point, because a vast military array, including military assets from Egypt, Jordan, Iraq, and Syria were actually deployed and a blockade (an act of war in its own right) was introduced – it is reasonable to believe that a war was imminent and that war might pose a real and even existential threat to the state of Israel (Gilbert 1998, 374-379). Under such conditions, the war is not a war of choice and could be seen as an act of self-preservation.

The second point is more difficult to address. It is clearly evident that Israel, as an internationally recognized state, could be seen as acting in self-defense when attempting to protect its territorial integrity against neighboring states. However, under the concept of self-determination, a fundamental principle of international law, there is room to suggest that the action of the various countries was a war of liberation on behalf of the Palestinian population. In fact, this is precisely the argument that these countries made (The United Nations 1945, Article I). From this perspective, Israel cannot possibly be defending itself because it is the occupying force. Furthermore, from the perspective of the Arab states, the preemptive nature of the attack gives the appearance that the occupying force precipitated the event.

While both of these questions are defensible within a construct that delegitimizes the existence of Israel, the war would be viewed as an act of self-defense if one recognizes that Israel has the right to exist and defend itself preemptively against a pending attack. Because the United Nations clearly recognizes Israel, the perspective of the proper authority will serve as the foundation for the analysis. Therefore, the war is deemed to be in compliance, in the strong form, with the just cause requirement.
Differentiation of Targets

Israel engaged in actions that represent non-compliance with both the strong and weak form of target differentiation on all fronts. On the southern front with Egypt, the killing appears to have included Egyptian prisoners of war (Ibrahim 1995). On the eastern front with Jordan, it included the targeting of civilian homes and forced expulsion, particularly in and around Jerusalem and more broadly throughout the West Bank (Gilbert 1998, 387-389). On the northern front with Syria, Israel chose to take “retributive” action – that in the words of Howard Sachar, an author sympathetic to Israel (A History of Israel: From the Rise of Zionism to Our Time 1979, 655). The delayed and punitive nature of the attack, although it also had tactical significance, in conjunction with the fact that the action displaced over 80,000 people in the Golan clearly demonstrates a willingness to target civilian infrastructure and targets (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 658). In each of these cases, Israel showed non-compliance with both the strong and weak form of target differentiation.

Proportionality

There are no records of the use of illegal weapons in any of the engagements. Extensive use of carefully targeted airstrikes by Israel (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 639-642) and engagements between infantry, mechanized divisions, and armor in the desert contributed to a tight focus on specific military objectives in the south (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 647-650). In cases of desperate self-defense, proportionality is difficult to judge. Faced with the military power of three neighboring countries and additional belligerents, Israel’s robust, aggressive military posture appears to be proportional – particularly as the threat could reasonably be understood to be existential.
Related to the targeting issues acknowledged above; however, one must note that Israel did inflict unnecessary damage. Along with the execution of Egyptian soldiers, Israel forcibly removed civilians from the West Bank and the Golan Heights contributing to both Jordan and Syria’s losses during the war. Particularly in the case of Jerusalem, the self-defense claims of Israel have no apparent merit (Ben-Ami 2006, 112). Furthermore, both the timing and nature of the offensive in the Golan Heights, against Syria, appears to shirk responsibility for the well-being of Syrian life in any form (Gilbert 1998, 391-395, Ben-Ami 2006, 112-113). The major transgressions of the requirement make it impossible to rate Israel’s behavior as full compliance to the strong form of the question because the tactical decisions did not “represent a clear effort to minimize total harm.”

The weaker form which requires only, that strategic decisions “avoid damage and casualties that were not necessary to achieve stated military objectives” is somewhat more difficult to evaluate. Israel did press its advantage beyond the territory under dispute and made tactical decisions that clearly did not minimize pain. On the other hand, Israel was under an immediate existential threat that makes more extreme action proportional in light of the insecurity and high costs associated with a loss. In the case of the Golan Heights in particular, it appears that those behaviors that might be characterized as “excessive” were still advancing a legitimate self-defense interest rather than simply functioning as an act of vengeance. The choice to advance on Jerusalem, on the other hand, appears to be little more than a land grab, albeit one based on a deep culture, nationalistic, and in some instances religious perspective (Ben-Ami 2006, 122-124, Brecher 1980, 265).

In the cases of Syria and Egypt, the choice to advance beyond the initial borders did yield a clear strategic benefit that could be seen as a defensible decision in light of the multifaceted
threat that Israel faced and it was consistent with stated goals. The choice to advance against Jordan does not appear to even meet this level of justification (Brecher 1980, 265-269).

Furthermore, domestic actions following the conflict reinforce the perception that actions in the West Bank were part of a larger effort to secure land rather than an act of self-defense (Ben-Ami 2006, 125-127).

The raw numbers tell a stark tale of disproportionality (Ben-Ami 2006, 113). According to Sachar, Israel had 759 dead, about 2,200 wounded, lost 40 planes, and 80 tanks (658). The Arab countries had an estimated 30,000 causalities, lost 450 planes and about 1,000 tanks (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 658). By this estimation, the cost to the Arab states in human and material destruction was more than an order of magnitude greater than the losses suffered by Israel. The Correlates of War project demonstrates a similar ratio. It records the total Arab fatalities at 18,600 and the Israeli fatalities at 1,000 (Sarkees and Wayman 2010, 157).

Because the aggression and capture of land in the cases of both Egypt and Syria appear to have transpired in response to real and pressing existential security threats, the tremendous disparity in losses may be balanced against self-defense. For this reason, it is scored as “in compliance” with the weak form of the question for Egypt and Syria. Israel’s actions involving Jerusalem and the West Bank are much more difficult to justify because of their utter lack of military relevance, consequently, Israel’s actions against Jordan are scored as not complying in either the strong or weak forms.

The resulting scoring for all indicators of the independent variable can be seen on the following page in Figure 4.3.
Exceptionalities of the War

The exceptionalities of this war offer a variety of challenges. Extensive involvement by the superpowers during the Cold War makes economic indicators difficult to interpret because of aid and propaganda efforts of the patron states. Similarly, the role of the United Nations in forming Israel followed by its conquest of land beyond the territory allotted by the United Nations contribute to a unique backdrop upon which to evaluate claims of self-defense and even sovereignty.

The period of robust fighting was particularly brief. In fact, the inclusion of the war in this study is the result of the relatively long period of time it took between ceasefire and official ending of hostilities as recorded by the Correlates of War dataset. With that said, the aggressive preemptive nature of Israel’s attack led to extensive destruction well inside the boundaries of the three target states – particularly to facilities related to air defense.

The capture of land, of both strategic and nationalistic/political importance further distinguishes the war from many of the other conflicts under consideration. Israel initiated action on the preemptive case for self-defense, and went on to conquer land from three of its four bordering states. This led to a war that looked like a war of aggression, with Israel acting as the aggressor state and conquering land, but functioning largely as a war of self-defense.

12 Lebanon did not lose land in this war.
Together, these idiosyncrasies paint an interesting picture. The Arab states collectively had a single patron state in the Soviet Union. This facilitated a measured rearming but not a robust and rapid economic recovery. Also of note, regardless of the scoring of the conflict, all three countries experienced an unmitigated defeat. Jordan, Syria, and Egypt all suffered terrible losses to their air forces, substantial loss of land, and achieved no measurable victory. It is the degree and nature of the impact of this type of defeat that is examined below in an effort to quantify the societal impact of the war.

Justness of Outcomes

Within the three dimensions of total societal damage under consideration: loss of life, damage to infrastructure, and socio-political upheaval, Egypt experience substantial repercussions. In regard to the first dimension, Egypt suffered 10,000 battle deaths (Sarkees and Wayman 2010, 157). With a population of about 31.7 million at the time, that yields a rate of 3.2 casualties per 10,000 people. The damage to infrastructure was mixed. The loss of the Sinai and associated decline in power related to the Suez was substantial. Military infrastructure was utterly devastated (Oren 2002, 305-306). Civilian centers, on the other hand, remained wholly intact suggesting that the infrastructure damage was extensive but not catastrophic. Finally, the socio-political fallout was tremendous. The pain of the losses that were sustained were the express driving force behind two later wars with Israel and played a significant role in domestic and regional politics for decades. Without question, the socio-political impact was very extensive.
In sum, the moderate losses evident in the casualty rate, extensive infrastructure damage, and very extensive socio-political impact leads to a general assessment that the war caused extensive total societal damage in Egypt.

Syria had a similarly intense experience in the war. The demoralizing loss of the Golan Heights and heavy casualty rates coupled to create sociopolitical upheaval that reverberated in domestic politics. Military infrastructure was utterly destroyed and all supporting infrastructure for 80,000 people was lost in Israel’s conquest of the Golan Heights (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 689). Syria recorded 2,500 battle related deaths (Sarkees and Wayman 2010, 157). With a population of 5.7 million people in 1967, yielding 4.4 deaths per 10,000 people – slightly higher than Egypt’s losses. In sum, Syria’s experience of war yields a similar assessment of extensive total societal damage.

The war’s societal impact on Jordan had much in common with both Syria and Egypt with the overall effect of the war appearing greater by degrees. Its losses were, perhaps, the most significant in the eyes of the broader Arab world. Along with the loss of Jerusalem, a city of great importance to Islam, the West Bank had a population of nearly 1,000,000 and represented a significant percentage of the Kingdom of Jordan (Ben-Ami 2006, 113, U.S. State Department 2011). The loss of land, population, and related infrastructure brought about significant upheaval that was exacerbated by the instability associated with an influx by Palestinian refugees fleeing the West Bank. In sum, this represented very extensive sociopolitical upheaval and infrastructure damage. The range of estimated war deaths makes it difficult to identify the extent of Jordanian casualties. The Correlates of War dataset lists Jordanian battle-related deaths at 6,100 (Sarkees and Wayman 2010, 157). With a total population of 1.26 million in 1967, this
represents a very extensive casualty rate of 48.4 casualties per 10,000 people. All told, Jordan experienced a war that caused very extensive societal damage.

The volatility of the Middle East is particularly obvious in pcGDP numbers during this period. Strong economic connections to the energy sector, particularly oil, clearly complicate the connection between economic outcomes and war. Even so, there are some interesting patterns that emerge in the various countries over the period of the Six-Day War.

Beginning with the economic indicator, Egypt experienced a mild decline in pcGDP going from $1,213 in 1965, the year prior to the war, and falling to $1,192 in 1966 and again to $1,151 in 1967. This represents an average year-over-year decline of $31 in pcGDP and a total decline of $62 in pcGDP. During the same period, the global average pcGDP was $3,228 in 1965, $3,335 in 1966, and $3,390 in 1967 representing an average year-over-year increase of $31 and a total increase of $62. This means that at the end of the conflict, Egypt experienced a net loss, relative to the global average, of $128 in pcGDP over the period of the war.

Syria experienced an even more dramatic net decline in pcGDP over the period. Syria’s pcGDP began at $3,512 in pre-war 1965, declining substantially to $3,139 in 1966 and recovering slightly to $3,291 in 1967. This yields a year-over-year average loss of $110.50 and a total pcGDP loss of $221. When consider in light of the global average gain during the period of $62, this represents a relative loss of $283 of pcGDP.

Jordan roughly split the difference between the experiences of Egypt and Syria. During the same period, between 1965 and 1967, Jordan saw an average year-over-year decrease in pcGDP of $62 and a total decrease of $124 in pcGDP. Jordan’s pcGDP dropped from $3,183 in 1965 to $3,137 in 1966 to $3,059 in 1967. Combined with the global gain in pcGDP of $62 during the same period, the numbers represent a net relative loss of $186 in pcGDP.
Regarding life expectancy, the outcomes of the war in the three countries is more widely varying. Syria experienced strong growth during the period between 1965-1967 handily outstripping the rate of improvement in the global life expectancy. Syria’s life expectancy went from 51.91 years prior to the war in 1965 to 52.59 in 1966 to 53.30. This represents a total increase in life expectancy at birth over this period of 1.39 years in Syria. The global average over the same time increased from 54.90 years to 55.75 years, an increase of 0.86. This represents and over performing of the global average by 0.53 years. This difference may be attributed, in part at least, to regression toward the mean because Syria was somewhat below the global average life expectancy both before (by nearly 3 years) and after (by nearly 2.5 years) the war. In real world terms, it is likely that technological and institutional capacities have a more dramatic effect in countries like Syria where life expectancy is particularly low. In essence, Syria may have had so much proverbial low-hanging fruit that minor improvements in nutrition or medical care could have outweighed any losses attributable to the war.

Egypt experienced growth in life expectancy beyond the global average, likely for similar reasons. In 1965, Egypt’s life expectancy at birth was 48.09 years that grew to 48.55 years in 1966 and 49.01 years in 1967. This is a net growth of 0.92 years, 0.06 years more than the 0.86 years gain in the global average. Note that Egypt’s life expectancy at birth was a more extreme outlier than Syria, beginning over 6.5 years behind the global average and closing that gap by only .06 of a year – about 22 days.

Jordan, much like Egypt, was a low outlier that showed considerable improvement during this period. Jordan’s life expectancy at birth went from 49.73 years in 1965 to 50.47 years in 1966 to 51.27 years in 1967. This represents an increase of 1.55 years, a full 0.69 years better than the global increase of 0.86 years for the same period.
Conclusions

The war appears to have had a clear negative impact on the economies of the three countries in question, but analyzing its impact on life expectancy is somewhat more difficult. Because of the strong tendency for the passage of time to increase life expectancy and because of the nature of technological advances it is relatively easy to explain the remarkable growth in life...
expectancy as an idiosyncratic phenomenon growing out of the countries’ relatively low initial life expectancies. If this description is accurate, it is possible that the war actually reined in growth that would have otherwise been even more robust. On the other hand, it is also quite possible that the war had minimal negative impact – perhaps because of the geographically confined nature of the infrastructural damage.

The relatively unjust nature of the war yielded extensive total societal damage. Notably the use of aggression to secure land directly contributed to this outcome by demoralizing the countries of Egypt, Syria, and Jordan. Shlomo Ben-Ami and Martin Gilbert both discuss the durable costs of such an approach fundamentally arguing that Israel’s utilitarian indifference toward the wellbeing of its neighbors contributed to the ongoing frustration and anger in the Arab world that, in turn, contributed to further hostilities – Israel’s greatest threat to its ongoing survival (Scars of War, Wounds of Peace 2006, Gilbert 1998, 396-425).

If we consider the fact that Israeli actions in the war violated the targeting requirement and Israel also violated the proportionality requirement, it does not qualify as a just war. The outcomes of the war were unjust. This case directly supports the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases where just wars yield just outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.13

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13 Three other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Bangladesh War where Pakistan was the opposing state and Bangladesh was the target state; the Ogaden War where Somalia was the opposing state and Ethiopia was the target state; and the War in Lebanon where Israel was the opposing state and Lebanon was the target state.
The 1967-1970 War of Attrition was a prolonged confrontation between Israel and Egypt that involved ongoing low-grade military engagements triggered by the close proximity of hostile patrols, occasional artillery/air force bombardments, and small infantry incursions/raids (Lorch 2008). During the course of the conflict, there was ongoing unrest in the occupied territories of the West Bank and Gaza that may well have altered Israel’s experience of war. In a very real sense, the War of Attrition is a strategic continuation of the Six-Day War (A. S. Khalidi 1973). This creates a number of problems for measurement and evaluation – most notably, identification of the target state. Because the disputed land, the Sinai Peninsula, began (prior to 1967) in Egyptian hands but spent the entire duration of this conflict under Israeli control, it is difficult to determine which country would be most directly impacted by the military actions that focused on this territory. Land under the sovereign control of each state was attacked and soldiers from each state were killed on territory they were defending on behalf of...

their own government. For this reason, the case will be considered with both Israel and Egypt evaluated as target and opposing states.

Broadly, the war is recognized as a strategic decision by Egypt to improve leverage in negotiations and to assert some control over the situation (Ben-Ami 2006, 131).

Target State (Source of DV): A) Egypt B) Israel
Opposing State (Source of IV): A) Israel B) Egypt

**Conflict A: Israel → Egypt**

*Proper Authority:*

The United Nations Security Council did not endorse the activities of any side although it did press for a ceasefire. There is also no record of formal endorsement by a durable IGO for Israel’s position. Therefore, the warring parties do not adhere to the proper authority requirement of just war theory in either the strong or weak form.

*Just Cause*

The occupied land in the Sinai had been under the control of Egypt prior to the Six-Day War, for this reason any claim Israel might make to self-defense must be measured with caution. On the other hand, the strategic defensive value of holding the land in conjunction with the argument that Israel’s post 1967 occupation was the new status quo and Nasser’s explicit call for the destruction of Israel (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 689) combine to allows the self-defense argument to carry some weight.

To adhere to the “just cause” requirement in the strong form, one would need to assert that Israel’s whole purpose was self-defense. While the argument can be made in the points
above, this particular war in the Sinai appears to, at best, contribute to future security rather than immediate self-defense. If such arguments were considered justified a purely self-defense, any number of border regions would become justifiable war zones as potentially important holdings for future acts of self-defense. On the other hand, as demonstrated by Israel’s willingness to return the Sinai in exchange for peace, self-defense in the broadest sense was part of the cause of war. For this reason, it is scored as non-compliance in the strong form, but compliance in the weak form.

Differentiation of Targets

Israeli actions targeted civilian facilities including the oil installation in Suez City in the fall of 1967 (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 690) and the city of Ismalia that, according to Martin Gilbert, was “pulverized and destroyed; not a single house was left standing in its eastern quarters” (Israel: A History 1998, 410). Airstrikes with questionable military value included the targeting of dual use infrastructure deep in Egyptian territory (Gilbert 1998, 413).15 The strongest argument for the military value of the targets is associated with the damage caused to the economy – an explanation that would allow for the categorization of anything as a dual use facility. For this reason, Israel was in non-compliance in both the strong and weak form of the targeting question.

15 Note that some civilian killings, such as the bombing of the elementary school in Bahr el-Baqar did result in unjust civilian casualties; however, Israel acknowledged this as a mistake and consequently, the error is not highlighted as an intentional targeting of civilians.
Proportionality

Israeli actions can be considered as disproportionate to provocations by the Egyptians in a policy termed “asymmetric response” (Marshall 2002, 124). Further, the destruction of civilian areas not only demonstrate a lack of targeting discipline by just war standards, but a blatant disregard for the lives of the adversary (Gilbert 1998, 410, Sachar 1979, 690). The results of this approach are evident in the casualty reports. The Correlates of War Database shows that Egypt’s battle-related deaths were more than an order of magnitude larger than Israel’s with Israel sustaining 368 casualties compared to 5,000 for Egypt (Sarkees and Wayman 2010, 159).

The express policy of disproportionate response and the results of that policy demonstrate that Israel was not prioritizing minimizing harm and consequently, it is not in compliance with the strong or weak forms of proportionality.

Conflict B: Egypt → Israel

Proper Authority:

The United Nations Security Council did not endorse the activities of any side although it did press for a ceasefire. There is also no record of formal endorsement by a durable IGO for Israel’s position. Therefore, the warring parties do not adhere to the proper authority requirement of just war theory in either the strong or weak form.

Just Cause

Because the occupied land had originally been under the control of Egypt, Egypt’s self-defense claim requires careful consideration. With that said, it clearly does not rise to the strong level of “just cause” because Egypt’s Nasser was expressly seeking the destruction of Israel.
(Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 689), an outcome beyond the scope of any self-defense.

The self-defense claim is substantially undermined because there is reason to assert that a new status quo was established following the cessation of hostilities at the end of the Six-Day War. If such is the case, Egypt is not simply attempting to drive out an invader, but is actually acting as a reactionary power, attempting to install a reality that predates the status quo ante. If one accepts this perspective, the war is a war of aggression to reconquer land that is lost under the new status quo. Notably, the confusion surrounding the role of Egypt is evident in the scoring of the Correlates of War database. Egypt is coded as the “revisionist state,” that is, the state attempting to disrupt the status quo even as Israel is scored as the “initiator state” (Sarkees and Wayman 2010, 160).

In sum, Egypt’s cause included self-defense to the degree that it viewed the Sinai as its rightful territory that was annexed by force. Its case can be further strengthened by its claim to be attempting to assist the powerless Palestinians in their efforts to secure their internationally recognized right to freedom from occupation (UNSCR #242 1967). These were clearly not the sole purposes of Egypt’s military operation so it is in non-compliance with the strong form, but because it is a part of the rationale, Egypt is in compliance with the weak form of just cause.

**Differentiation of Targets**

Egypt’s targeting was limited to military targets throughout the war. The preponderance of the action took place on the ground in artillery exchanges. Limited engagements by the air forces of Egypt, Israel, and later the Soviet Union included military-on-military engagements in the skies; however, Egypt took no part in projecting air power into Israel. With the limited use
of air power, Egypt’s restraint in targeting appears to be more the result of capacity than careful targeting. Indeed, because of the Sinai’s inhospitable climate and its recent occupation by Israel, there were no Israeli targets within range of the line that Egypt could reach with its artillery (Ben-Ami 2006, 131). This represents functional compliance with the strong form of differentiation even if the compliance itself was not willfully or thoughtfully constructed as a response to just war theory.

**Proportionality**

A central purpose of the war was to hurt Israel and Israelis (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 689-690, Gilbert 1998, 410). With that noted, the violence was directed against an occupying force and ultimately ended with a negotiated agreement, albeit under the leadership of Anwar Sadat following another war and a transfer of power. In short, given the military objectives of Egypt, its efforts to shell positions concentrated along the front demonstrate a focused strategically and tactically defensible approach.

While it would be inaccurate to say there was an effort to minimize damage, Egypt refrained from the worst abuses of proportionality. Egypt’s strategic decision to entangle the Soviet Union in the war along with its stated objective of destroying the state of Israel clearly disqualifies compliance with the strong form of proportionality. For this reason, Egypt is scored in non-compliance with the strong form of proportionality (because it was not actively attempting to minimize causalities) but in compliance with the strong form.

The resulting scoring for all indicators of the independent variable can be seen below in Figure 4.5.

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16 An “occupying force” as defined by UN Security Council Resolution 242 of November 1967.
Exceptionalities of the War

This war is most exceptional for the discrepancies among the parties involved. Two distinct countries are evaluated as target states here, Israel and Egypt. Their experiences of war and the support each received from its allies are radically different. While the former is the intended focus of the study, the latter is critical in interpreting the outcomes.

Beginning with a consideration of the involvement of the two countries’ allies: Israel received substantial aid from the United States while Egypt was aligned with the Soviet Union. This pattern of alliance recurs throughout the cases in this study and is a direct result of the global politics of the bipolar global order of the Cold War. In this case, the United States clearly prioritized economic assistance and attempted to minimize direct overt military involvement on Israel’s behalf. The Soviet Union took a dramatically different approach with Egypt. It ultimately became deeply involved in the conflict supplying anti-aircraft missile batteries as well as military advisors and aircraft (Ben-Ami 2006, 132).

This pattern appears to have contributed substantially to the nature of the conflict. The Soviet involvement served to limit Israel’s capacity, particularly to use its air force to attack deep into Egyptian territory (A. S. Khalidi 1973, 70-71). On the other hand, the American approach appears to have served Israel well in its economic recovery from and development during the war.
Regarding infrastructural damage, Israel experienced only a mild impact. It suffered military losses, but the war itself was fought in a desert far from critical infrastructure. Egypt, on the other hand suffered extensive damage near the war zone itself, including the destruction of cities and the loss of revenues and facilities associated with the Suez Canal. Infrastructure damage deeper into Egyptian territory was mild. In sum, the impact on Egyptian infrastructure was moderate including the loss of control of one international border, the limitations in access to the Suez Canal, and the destruction of cities and related infrastructure near the front.

Sociopolitical impact is difficult to measure in this conflict. The Israeli government experienced a rare lack of public support for the operation (Ben-Ami 2006, 132). It did not, ultimately, lead to instability but it influenced domestic politics. The impact was extensive because of the disunity it spurred within Israel and because the broader experience may have contributed to Israel’s reluctance to initiate a preemptive strike prior to the Yom Kippur war.

Egypt, on the other hand, appeared to rally some support for its war, both domestically and in the broader Arab world. The war directly contributed to an increase Soviet presence in the country which, in turn, served to strengthen the military (A. S. Khalidi 1973, 87). The loss of life and bombing runs into Egypt proper had a mild impact, but generally the war was tolerated if not celebrated by the Egyptian population. The very real losses associated with the war were therefore partially mitigate by the mild impact on sociopolitical development within Egypt.

Finally, regarding casualty rates, Israel’s 368 battle-related deaths in light of its 1970 population of 2.9 million yields a moderate casualty rate of 1.3 per 10,000 people (Sarkees and Wayman 2010, 159). Egypt had 5,000 battle-related deaths (Sarkees and Wayman 2010, 159).

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17 The loss of the Suez Canal itself was ostensibly the result of the Six-Day War, but its ongoing loss to Egypt during this period was the result of hostilities and the ongoing instability caused by war.
With a population of 35.6 million in 1970, it experienced a comparably moderate casualty rate of 1.4 per 10,000 people.

In sum, Israel experienced the War of Attrition as having a *moderate total societal damage*. Although the infrastructural and military damage was clearly manageable, the sociopolitical unrest that the war precipitated was of some importance. Egypt experienced similarly *moderate total societal damage* with more severe physical damage to its military and infrastructure but with more mild sociopolitical outcomes.
During the period of war, Egypt actually experienced growth from a prewar pcGDP of $1,146 in 1968 to $1,201 in 1969 to $1,254 in 1970. This represents a year-over-year average increase in pcGDP of $54 and a total increase of $108. During the same period the average global pcGDP went from $3,505 to $3,729, a $224 increase. This means that Egypt suffered roughly $116 in forgone pcGDP gain relative to the larger world during this period.
Compared to other states in the region, Egypt began with a pcGDP over twice the average and outperformed the region over the war period. The Middle East region’s average pcGDP grew from $535 in 1968 to $574 in 1970. This is a year-over-year average increase of $18.50 and a total increase of $39 for the region. Egypt outperformed the regional average by $69 over the two-year period.

Israel’s actual and relative growth was both quite strong. While the world grew by $224 in pcGDP during this period, Israel went from a prewar pcGDP of $7,033 in 1968 to $7,723 in 1969 to $8,101 in 1970. This is a very strong year-over-year average of $534 and a total gain of $1068. This represents an astounding $844 increase in pcGDP beyond the global average. Israel similarly dramatically outstripped regional growth by over $1,000 during this period.

Life expectancy offers another story of divergent experiences. Egypt shows an initial life expectancy of 49.48 years prior to the onset of the war in 1968. This improved by nearly half a year to 49.95 years in 1969 and as the war ended, was at 50.43 years in 1970. This is an increase of 0.96 over the period. The global average over the same period increased from 56.18 years to 57.03, an increase of 0.85 years. This leaves 0.11 years of additional increase in Egypt’s life expectancy over and above the global average. Over the same period, regional life expectancy went from 56.55 years in 1968 to 57.18 years in 1969 to 57.79 years in the final year of the war. This represents an increase of 1.24 years, noticeably better than Egypt’s increase over the same time period.

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18 Round error accounts for the $1/100^{th}$ difference in sums.
Conclusions

This case offers an interesting example where two countries engaged in war within each other’s territory using markedly different approaches to just war theory. The results appear to confirm that more just wars yield more just outcomes. Whether considered in qualitative terms focusing on total societal damage or measured using economic or life expectancy data, the differences between the outcomes in the two countries are stark. Even so, one must be careful in interpretation. The countries had very different patron states in the heart of the Cold War. Israel’s experience was undoubtedly influenced by the support of the United States just as Egypt’s was undoubtedly impacted by the decisions of the Soviet Union. The countries also have widely differing cultural, historic, and ethnic backgrounds as well as different economies and different baseline statistics for life expectancy. Where Egypt was well below the global average life expectancy and pcGDP, Israel was well above in both categories. The very nature of the economic structures in each country would be expected to react differently over any given time period regardless of the presence of war. Consequently, all results must be considered in light of the vast differences between the countries under consideration.

Ultimately, with that acknowledged, Israel’s experience of war at the hands of Egypt was relatively just compared to Egypt’s experience of war at the hands of Israel. The results show a clear and radical improvement in Israel’s outcomes relative to the rest of the world. While it appears likely that this is, at least in part, the result of robust support from the United States as a patron state, the relatively minimal damage the war caused in terms of societal impact undoubtedly deserves some careful consideration.
Egypt’s war on Israel was fought in a manner consistent with each of the three differentiated just war requirements so it is an example of just war making. It also produced outcomes that were relatively just. Ultimately, the case directly supports the first hypothesis, “Just wars have just outcomes.” It provides evidence, in conjunction with cases that show unjust wars yielding unjust outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.

Egypt’s experience of a far less just war yielded significantly less positive outcomes. It underperformed global improvement economically while narrowly keeping pace with the global average in life expectancy. The limited societal impacts appear to be largely associated with some sense of redemption after the embarrassment of the Six-Day War. Ultimately, these results were inconclusive and therefore do not offer clear support to any of the research hypotheses.

See footnote for complete bibliographic information for sources cited in this case.

19 The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.

20 Three other cases have the same profile support the first hypothesis directly and providing evidence for the third and fourth hypotheses: the Indo-Pakistan War of 1965 where India was the opposing state and Pakistan was the target state; and the Yom Kippur War where Egypt and Syria were the opposing states and Israel was the target state.

Yom-Kippur (1973)

The 1973 war between Israel and its Arab neighbors is, for the purposes of this study, analyzed from two distinct perspectives. The collective justness of Egyptian and Syrian war making will be considered because of their incursions into Israeli held territory at the beginning of the war. In this case, Israel is the target state and Egypt and Syria together form a coalition that will be collectively described as the opposing state. In the second half of the war, Israel advanced into Egyptian and Syrian territory. In this encounter the roles are reversed.

The Yom-Kippur War began as a coordinated surprise attack launched by Egypt and Syria. In both cases, the combination of surprise and application of lessons learned from the disastrous effort of the Six-Day War led to significant military success by Egypt and Syria in the early stages of the War (Gilbert 1998, 428-439, Ben-Ami 2006, 146-147). Israel had some warning, but was generally caught off guard by the initial assault (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 752-755). After regaining its footing and finding both Egypt and Syria over-reaching, Israel was able to turn the tide of the conflict and ultimately won back all land that was lost (Gilbert 1998, 440-445 and 453-457, Ben-Ami 2006, 147).

Because both Syria and Egypt focused their assaults on occupied land, the front itself avoided densely populated areas. Similarly, Israel’s initial counter-attacks pushed back over the same land, eventually continuing into both Syrian and Egyptian territory. In the end, the ceasefire returned land holdings to the pre-war status quo.

Target State (Source of DV): A) Israel  B) Egypt and Syria
Opposing State (Source of IV): A) Egypt and Syria  B) Israel
Conflict A: Egypt and Syria → Israel

Proper Authority:

The United Nations Security Council did not endorse the activities of any side, although it did press for a ceasefire. There was no formal endorsement by a durable IGO for Egypt or Syria’s position. Notably, the war did serve as a Cold War proxy fight between the USSR and the USA with the Soviets siding with Arab powers offering robust assistance to both Egypt and Syria. This, however, does not appear to meet the most basic requirement of proper authority because the authorizing/supporting powers were clearly viewed as regional rivals and the United Nations was explicitly opposed the action. The sides were therefore not in compliance with proper authority in either the weak or strong forms.

Just Cause

There is a particularly challenging aspect to determining the root cause of the war. From an Israeli perspective, Egypt went to war in a blatant land grab after having threatened to destroy Israel in the Six-Days War and the War of Attrition. From the Egyptian perspective, Israel had initiated the previous war with a preemptive strike and this was simply an act of delayed self-defense in pushing Israel out of unjustly occupied land. In the Golan Heights, a similar question of just cause plays out from the Israeli and Syrian perspectives.

Because of the evident lack of clarity, the actions of Egypt and Syria do not meet the stipulation that the cause “clearly and completely conform[s]” to self-defense. The bigger question comes in how to evaluate Egypt and Syria’s position that the war which they initiated could be construed as an act of self-defense. Because of the time which elapsed between the Six-Days War in 1967 and the Yom-Kippur War in 1973, it is difficult to see the actions of Syria and
Egypt as simply a continuation of self-defense from the Six-Days War. A widely acknowledged status quo peace had developed. This offered ample opportunity for non-military solutions. Although in the extreme, this argument can be made within the classical just war concept of last resort, in this context, it suggests that the self-defense is, at best, well removed from the core motivation. A second argument from the Arab states\(^{22}\) includes defense of the powerless citing the plight of the Palestinians. This is a believable secondary priority; indeed, Egypt expressly backed the empowerment of Yasser Arafat and the Palestine Liberation Organization (PLO) following the war. However, the Arab states ceased hostilities and the West Bank and Gaza were not liberated. In light of the negotiated resolution, concern for the well-being of the Palestinians did not appear to be the primary concern. When hostilities were concluded, Egypt used its leverage to focus on reclaiming the Sinai. However, because the weak form of construction of just cause only requires that just causes be “included”, it is in compliance with the weak form of just cause.

**Differentiation of Targets**

Throughout the war, civilians were generally distinguishable from the armies. In the Sinai, the population was sparse. In the Golan, settlers were evacuated prior to the offensive (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 756) and Syria did not press its advantage into Israel proper, though this appears to be the result of lack of capacity rather than a strategic decision. The ability to distinguish between military and civilian targets makes Syria’s decision to launch rocket attacks into Israel particularly problematic. There are no discernible military objectives in the area and the choice of weapons clearly indicates a disregard

\(^{22}\) Including Syria and Egypt, but also the governments of Iraq, Jordan, Morocco, Saudi Arabia, Libya, Kuwait, Algeria, and Sudan which sent expeditionary forces.
for civilian wellbeing. Because Syria and Egypt were explicit allies, their war making behavior is considered together. Therefore, Syria and Egypt are scored as “not in compliance” in either the strong or weak form of target differentiation.

**Proportionality**

There is no evidence that either Syria or Egypt used banned weapons. The offensives were clearly intense, causing significant losses; however, in light of both the military objectives and the final outcomes, it appears that the ferocity of the initial attacks was warranted within the stated objectives. Furthermore, the property damage was geographic limited and the duration was minimized with both opposing powers readily agreeing to a United Nations proposed ceasefire.\(^{23}\)

With the benefit of hindsight, it is clear that the strength and intensity of the attacks was insufficient to achieve even the most basic goals of reclaiming occupied land. The wording of the strong form of proportionality is difficult to fully assess. In part, it reads, “Did strategic and tactical decisions represent a clear effort to minimize total harm…?” If one contests that the war was avoidable, than the answer must surely be “no;” however, there is not a clear “last resort” requirement in international law, so the question is considered in the context of the military action itself with a particular eye to the Red Cross’ analysis of belligerents.

Finally, the asymmetry of the death toll reinforces the perspective that the opposing forces were not excessive in their use of force. Sachar reports the opposing losses as 11,200 dead, 9,000 captured, with 2,500 tanks and planes destroyed compared to Israel’s losses: 2,552

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\(^{23}\) This may well be attributed to their decreasing fortunes in the war and tremendous pressure from the Soviet Union which had made a herculean effort to assist Egypt, Syria and its allies but was reluctant to further escalate the conflict.
dead, 3,000 wounded, and 918 tanks and planes destroyed (1979, , 786). Sarkees and Wayman offer roughly the same 4:1 loss of life suggesting that the opposing losses were 11,200 and the Israeli losses were 2,838 (Resort to War 1816-2007 2010, , 163).

Taken together, the data suggests that Syria and Egypt conformed to the strong form of the proportionality requirement, even if this is primarily the result of capacity, location, international pressure, and timing.

Conflict B: Israel → Egypt and Syria

Proper Authority:

As noted in the analysis of “Conflict A” above, the United Nations Security Council did not endorse the activities of any side and the support of Cold War powers does not constitute legitimate authority in light of the actions of the United Nations. Israel, too, is viewed as being in none compliance with the proper authority requirement in both the strong and weak form.

Just Cause

While one could contest the nature of the occupation, the decision to protect territory that was broadly recognized to be under Israel’s control is clearly self-defense. Furthermore, the initiation of military action was, without question, the decision of Egypt and Syria (Bar-Joseph and Kruglanski 2003). For these reasons, Israel is scored as being in compliance with the strong form of the just cause measure.

Differentiation of Targets

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24 Sachar is overtly pro-Israel so there are discrepancies in the nature of reporting, in this case, it takes the form of noting the wounded among the Israelis while not offering a comparable statistic for the Arab forces.

25 That is Syria and Egypt to Israel and recorded as “battle deaths.”

26 This is only the number for Egypt and Syria only, Sarkees and Wayman report and additional 401 combined battle deaths from Iraq, Saudi Arabia, and Jordan (Resort to War 1816-2007 2010, , 163).
As noted above, much of the initial fighting occurred in areas with relatively small populations and military targets were relatively easy to discern. As the war progressed, two strategic decisions by Israel show non-compliance with the strong form of the target differentiation though, arguably, they might be viewed as conforming with the weak form.

The first example of Israel attacking dual use infrastructure comes in its decision to advance into Syrian territory toward Damascus. The targeting of transportation infrastructure and population centers had clear military value as it served to relieve pressure along the border between the occupied territories and Israel proper.\textsuperscript{27} Even so, there is no doubt that the targets were used by civilians and consequently dual-use.

The second example is similar. Israel’s counteroffensive in the south pushed across the canal and captured the population centers of Suez and Abadiye (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 778-784). As above, this represents a targeting of dual-use infrastructure with military intentions reinforcing the scoring of compliance in the weak, but not in the strong form.

\textit{Proportionality}

Israel deployed only conventional weapons and used widely accepted tactics.\textsuperscript{28} Israel was facing the full force of two states and expeditionary forces from a number of other states (Sarkees and Wayman 2010, 163-164). Under such conditions, robust military action within the theater is more readily defensible as proportional because of the immediate existential threat posed by such a collection of adversaries. Israel did expand the territory under its control in a

\textsuperscript{27} Notable examples of the targeted population centers include Beit Zann and Deir al-Adas (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 770-774).

\textsuperscript{28} It did deploy napalm against military targets, but napalm was not regulated by international law until 1980 when the Convention on Certain Conventional Weapons (CCW) was ratified.
move that is not self-evidently consistent with self-defense; however, it served to encourage rapid acceptance of a ceasefire proposal by the United Nations. Some question regarding proportionality arise regarding Israel’s willingness to violate the ceasefire (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 781-784) although the violation was either concurrent with or in reaction to violations by Egyptian forces.

On balance, the counteroffensive appears to have been defensible as a strategic decision to facilitate the basic objective of ending a war of aggression. As noted above, the outcome, that shows roughly a 4:1 ratio (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 786, Sarkees and Wayman 2010, 163) of battle deaths favoring Israel make it difficult to view Israel’s behavior as fully proportional; however, in light of the existential threat posed to the state of Israel, a robust response is defensible. Not only is it defensible because of the immediacy and intensity of the threat, but also because the extreme response appeared to be strategically critical to bring about the capitulation of the Arab states and their Soviet patron. Although it appears to be solely the result of international pressure, Israel’s decision to ultimately allow for the reprovisioning of Egypt’s Third Army represents a clear effort to minimize total harm (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 784-785). 29 As a result, Israel is scored as being in compliance with the strong form of proportionality in this conflict.

The resulting scoring for all indicators for the independent variable can be seen below in Figure 4.7.

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29 Israeli Prime Minister Golda Meir clearly preferred a more brutal approach suggesting that Egypt’s Sadat should experience the “full flavor of his defeat.” (Sachar, A History of Israel: From the Rise of Zionism to Our Time 1979, 784)
**Yom Kippur War: 1973**

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<td>Just Cause</td>
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</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 1  Weak Form 0</td>
<td>Strong Form 0  Weak Form 1</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 1  Weak Form 0</td>
<td>Strong Form 1  Weak Form 0</td>
</tr>
</tbody>
</table>

*Figure 4.7*

**Exceptionalities of the War**

As noted in the previous Arab-Israeli wars, the role of the Cold War patron states cannot be overlooked. In the case of the Yom Kippur War, both the United States and the Soviet Union were actively supplying military aid to their respective sides. The presence of arms and training may well contribute to different strategic and tactical decisions thereby influencing the indicators for the independent variable even as the aid during and following the conflict is likely to influence the nature of economic recovery and perhaps life expectancy. Also of note, Israel’s conquest of lands beyond the scope of the borders initially granted by the United Nations makes questions of sovereignty in occupied territories challenging to evaluate, particularly regarding claims of self-defense.

The lack of clarity surrounding claims to land yields a range of problems beyond basic questions of self-defense. There is evidence that settlers in the northern region of Israel, Galilee, had very strong feelings about securing the Golan Heights even as others may have been more interested in broader ideas of security or the Old City of Jerusalem (Gilbert 1998, 419). In many cases this was seen as a desire for a return to the status quo ante; however, the “ante” refers to pre-Diaspora boundaries that may not have existed for nearly 2,000 years. Beyond this understanding of nationalism through deep historic and/or religious roots, there is strong evidence that Israel saw the attack as a natural continuation of the irrational and aggressive hate
of their Islamic neighbors and so conquest of land was a pragmatic way to ensure that the
granted boundaries were defensible (Brecher 1980, 175). Clearly, such appeals are radically
different from the Arab perception. The status quo ante from this perspective would include a
thousand years of wars and peoples settling and being uprooted. From this perspective, the war
was a freedom struggle against the occupation and aggression of another interloper.

*Justness of Outcomes*

The *total societal damage* of the Yom-Kippur war varied dramatically among the various
countries involved. Each state suffered heavy losses to its military infrastructure. With the
exception of Syria, which had moderate civilian infrastructural damage, the preponderance of the
destruction was absorbed by military assets. Casualty rates were high, Egypt lost 7,700 soldiers,
Syria 3,500, and Israel 2,838 (Sarkees and Wayman 2010, 163). With Israel’s relatively small
population of a little less than 3.2 million, it suffered extensive per capita casualties, nearly 9
battle-related deaths per 10,000 people. Syria’s experience was more moderate. With a
population of about 7 million in 1973, Syria lost just under 5 people per 10,000. Egypt’s
substantially larger population diluted it’s substantially higher casualty rate when measured per
capita. It’s population of about 38 million in 1973 lost just a little over 2 people per 10,000.

The sociopolitical upheaval associated with the Yom Kippur war was extensive and
markedly less favorable to Israel than the previous wars. Public frustration with intelligence
failures and lack of preparedness caused significant upheaval ultimately leading to the decline of
the ruling domestic political party (Gilbert 1998, 461 and 463-465). Internationally, the war
served to isolate Israel and emphasized its dependence on the United States in both diplomatic
and financial terms (Gilbert 1998, 459-461).
Syria experienced a limited increase in prestige in the Arab world because of its moderate successes early in the war and its willingness to continue threatening Israel in the Golan Heights for some period after the war (Gilbert 1998, 465-466). Egypt’s government experienced even more substantial gains in prestige in domestic politics, the broader Arab world, and in the eyes of Israel that contributed to a more powerful negotiating position (Ben-Ami 2006, 147). In sum, both Syria and Egypt’s experiences of sociopolitical upheaval were mild with the most negative aspects substantially mitigated by the positive outcomes associated with the perceived vindication of their military might.

In sum the total societal damage in Israel was extensive. While the mild infrastructural damage might appear to warrant a less extreme appraisal of the damage, both the casualty rate and the sociopolitical impact were extreme. The experience of military vulnerability dramatically altered domestic politics, daily life, and future negotiations and the accumulation of massive war debts dramatically increased Israel’s dependence upon the United States (Ben-Ami 2006, 146-147, Gilbert 1998, 461-467)

The mixed results of the Yom Kippur War in both Syria and Egypt led to moderate total societal damage. The lost land has not been recovered by Syria some forty years later and Egypt’s land was only regained after acknowledging the state of Israel. On the other hand, both nations’ militaries gained credibility domestically and internationally. Damage to military infrastructural was extensive, but substantial support from the Soviet Union served to mitigate the worst losses. Civilian infrastructure was less significantly damaged though economic growth remained sluggish and below the global average for the period.

Syria’s economic losses represent that most extreme of the war, dropping from a prewar pcGDP of $4,544 in 1972 to $4,017 in 1973. This $527 pcGDP decrease is even more dramatic
in light of the global average increase of $178. Note that Syria began above the global average pcGDP of $3,904 in 1972 and ended the war below the 1973 global pcGDP average of $4,083. This represents a relative loss of $705 pcGDP over the period. Within the regional context, Syria’s losses look even more extreme. The increase in average pcGDP for the Middle East region was $506 between 1972-1973, this represents over $1,000 in pcGDP losses relative to other states in the region.

Egypt’s experience is less extreme. It managed modest growth in its pcGDP over the period increasing from a prewar value of $1,284 in 1972 to a post war value of $1,294. This modest $10 pcGDP gain is swallowed by the average global increase during the same period that was $178. The resulting loss relative to the global average of $168 in pcGDP is substantial, but clearly less extreme a sum that is in line with projections of the model. Egypt’s anemic growth is particularly evident when compared to the regional growth of the era, losing $496 relative to the average of regional states.

Israel managed solid growth during the war period raising its pcGDP from $9,478 to $9,645; a $167 gain in pcGDP. In light of the global average growth of $178, this does represent a net relative loss of $11 in pcGDP, and perhaps more troublingly for Israel, marked the beginning of a very difficult economic period where growth continued to remain sluggish. Again, as a state within the middle east region, the slower pcGDP growth is accentuated when compared to the robust growth within the region. Israel’s $178 growth in pcGDP becomes a net relative loss of $418 in pcGDP relative to the regional average.

Unlike the economic indicators, the life expectancy indicators for Israel look relatively strong. It increased by a robust .62 years during the war period, 71.08 years in 1972 to 71.69 in
This is all the more remarkable because it outstripped the global average when increased from 57.91 years to 58.28 years, a rise of 0.37 years, in the same period. Regional growth from 56.44 to 57.10 years represents a slightly larger increase of .67 years; however the region’s life expectancy remained more than a full decade lower than Israel’s.

Syria and Egypt showed similarly robust growth of 0.77 and 0.57 years respectively over the period. Egypt began well below the global average with a life expectancy of only 51.47 years at birth in 1972 compared to a global average of 57.91 years. Syria’s growth is all the more remarkable because it began much closer to the global average and continued to outstrip the growth in the global average by .4 years in a single year. The regional average increase in life expectancy does not dramatically alter the interpretation. The regions increased .67 years between 1972-1973, splitting the difference between the Syria and Egypt.

The war, as experienced by each of the three countries, was conducted with some degree of adherence to three of the four just war principles and yielded mildly negative economic results and broadly positive life expectancy results which is identified as a broadly just outcome. Syria experienced the most acute negative economic outcomes which are likely emphasized and perhaps entirely the result of Syria’s decision to prolong the conflict through the threat of war a continued war of attrition. Notably, however, Syria’s economy made a robust recovery, outpacing the global average by a wide margin over the three years following the war.

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30 The .01 difference is the result of rounding error.
Israel’s immediate economic response was notably less negative; however, it did show much slower growth over the following years – keeping pace with the sluggish global pcGDP growth rate of the mid-1970s. This may be, in part, the result of an economy that was more fully integrated into the western market. Regardless, it appears likely that the war had minimal impact on pcGDP in Israel.

Egypt experienced some pcGDP losses relative to the global average in the year of the war, but like Syria, it outpaced the global average over the three years following the war. This

<table>
<thead>
<tr>
<th>Year</th>
<th>Israel pcGDP</th>
<th>Egypt pcGDP</th>
<th>Syria pcGDP</th>
<th>Region pcGDP</th>
<th>World pcGDP</th>
<th>Israel Life Expectancy</th>
<th>Egypt Life Expectancy</th>
<th>Syria Life Expectancy</th>
<th>Region Life Expectancy</th>
<th>World Life Expectancy</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$8,101.00</td>
<td>$1,254.00</td>
<td>$3,540.00</td>
<td>$2,567.78</td>
<td>$3,729.44</td>
<td>71.21</td>
<td>50.43</td>
<td>55.49</td>
<td>55.14</td>
<td>57.03</td>
</tr>
<tr>
<td>1971</td>
<td>$8,711.00</td>
<td>$1,283.00</td>
<td>$3,759.00</td>
<td>$2,900.55</td>
<td>$3,802.97</td>
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<td>50.94</td>
<td>56.24</td>
<td>55.78</td>
<td>57.46</td>
</tr>
<tr>
<td>1972</td>
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<td>$1,284.00</td>
<td>$4,544.00</td>
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<td>$3,904.44</td>
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</tr>
<tr>
<td>1974</td>
<td>$10,025.00</td>
<td>$1,317.00</td>
<td>$4,821.00</td>
<td>$4,619.77</td>
<td>$4,099.38</td>
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<td>52.64</td>
<td>58.55</td>
<td>57.78</td>
<td>58.66</td>
</tr>
<tr>
<td>1975</td>
<td>$10,148.00</td>
<td>$1,421.00</td>
<td>$5,570.00</td>
<td>$4,670.67</td>
<td>$4,087.27</td>
<td>72.05</td>
<td>53.26</td>
<td>59.33</td>
<td>58.47</td>
<td>59.05</td>
</tr>
<tr>
<td>1976</td>
<td>$10,071.00</td>
<td>$1,606.00</td>
<td>$5,976.00</td>
<td>$5,036.60</td>
<td>$4,213.39</td>
<td>72.96</td>
<td>53.90</td>
<td>60.11</td>
<td>59.16</td>
<td>59.46</td>
</tr>
</tbody>
</table>
too would suggest that the war itself had limited negative impact on economic growth as measured by the pcGDP.

Life expectancy is much clearer. All three countries outperformed the global average during the war, and, with the exception of Israel in 1974, all roughly matched or exceeded the global average growth in life expectancy for each of the following three years. Certainly, the extensive aid of the superpowers may well have contributed to this outcome; however, it does suggest that the relatively just war had a minimal negative impact on the health of citizens within the three countries under consideration. This too, then, is broadly supportive of the second hypothesis – that just wars tend to produce more just outcomes.

Conclusions

As with the previous two Arab-Israeli conflicts described above (the War of Attrition and the Six-Day War), the impacts of the Cold War superpowers are difficult to differentiate from the expected impacts of war. Substantial military aid and strategic advice from both the United States and the Soviet Union undoubtedly altered the economic profile and likely the war making behaviors of Egypt, Syria, and Israel. Acknowledging these potential shortcomings, the case still offers a unique opportunity to evaluate the impact of just war making. Because the case is juxtaposed against two regional conflicts that included both Israel and Egypt immediately preceding the Yom Kippur War, in which similar Cold War dynamics were in play, the better outcomes for the Arab target states in light of the more just war making by Israel suggests that more just war making by the opposing state yields more just outcomes for the target state.

Israel’s increased adherence to just war principles appears to have contributed to better outcomes for both Syria and Egypt in all three indicators for the dependent variables: total
societal damage, per capita gross domestic product, and life expectancy outcomes when compared against previous, less justly prosecuted wars. The more limited infrastructural damage associated with more careful targeting coupled with the reality that the territory under contention was sparsely inhabited as a result of previous conflicts and hostile environmental factors clearly contributed to this reality. Although tangentially related to the research presented here, it is worth noting that this case suggests that more just action in war may also yield worse results for the war making country. Israel’s more just approach to war here (relative to the War of Attrition and the Six-Day War) not only did less harm to the civilian population of its adversaries, but appears to have contributed to worse outcomes for Israel. The choice to forgo preemptive strikes, in particular, allowed for a considerably closer adherence to just cause requirement by allowing for a clear self-defense case but it also allowed Syria and Egypt to gain the element of surprise and the strategic initiative in the early stages of the war. This, in turn, led to considerable losses in the early phases of the conflict and difficult operations to reconquer lost land.

It is not, however, so clear that this decision was inherently damaging to Israel in the long term. Although it springs from political motivations, Israel’s strict adherence to common understandings of self-defense provided the United States with ample cover to offer robust military and economic aid that clearly contributed to a stabilized Israeli economy and military. Furthermore, following the Yom Kippur War, the conflict between Israel and its neighbors substantially decreased. Though the nature of the mechanism is not obvious, it is worth noting that the limitations of just war may well contribute to non-war solutions. In Israel’s loss of its sense of invincibility, the negotiations and non-war interactions of the adversarial states changed. Within these limitations, durable ceasefires and peace treaties appear to have become more
palatable to all sides. This potential mechanism by which just war might influence post war interactions requires further investigation, but the three Arab-Israeli wars of the 1960s and 1970s offer some interesting cases for study.

The war was fought in a manner consistent with each of the three differentiated just war requirements\(^{31}\) so it is an example of just war making. It also produced outcomes that were relatively just. Ultimately, the case directly supports the first hypothesis, “Just wars have just outcomes.” It provides evidence, in conjunction with cases that show unjust wars yielding unjust outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\(^{32}\)

See footnote for complete bibliographic information for sources cited in this case.\(^{33}\)

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\(^{31}\) The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.

\(^{32}\) Three other cases have the same profile support the first hypothesis directly and providing evidence for the third and fourth hypotheses: the Indo-Pakistan War of 1965 where India was the opposing state and Pakistan was the target state; and the War of Attrition where Egypt was the opposing state and Israel was the target state.

\(^{33}\) Bibliography: Yom-Kippur War
**Bangladesh War (1971)**

The 1971 war between Pakistan and India resulting in the creation of Bangladesh had its roots in the ill will between East and West Pakistan on issues of political representation, language, and particular events such as West Pakistan’s neglect of East Pakistan during the 1965 war (Cohen 2004, 73-74; Sisson and Rose 1990, 8-28). Tensions increased after Pakistan’s 1970 elections, when the dramatic divide in the country became obvious as the most the two most influential parties, the Awami League (East Pakistan) and the Pakistan People’s Party (West Pakistan) focused their respective campaigns to draw support exclusively from their preferred regions (Sisson and Rose 1990, 28 and 32). The Awami League emerged as the largest party in Pakistan’s National Assembly after the 1970 elections, and laid claims to power. The political and military establishment in West Pakistan opposed these claims. Eventually, East Pakistan declared its independence, Pakistan’s military cracked down on East Pakistan, millions of refugees from East Pakistan fled to India, and an East Pakistan guerrilla campaign, supported by India, battled Pakistan’s army. In late 1971, anticipating a larger conflict with India, Pakistan’s military initiated a military attack on India, and India responded forcefully, defeating Pakistan’s army in East Pakistan.

In sum, the war developed from the deep political rifts that were both old and new (Sisson and Rose 1990, 38-43 and 54-58). What began as distrust actually grew into open animosity following the 1970 election leading to an open crisis (Sisson and Rose 1990, 111-131). India was closely involved in the conflict, in large part because of the tremendous pressures associated with the influx of millions of refugees, though in the actual war East Pakistan/Bangladesh experienced all the fighting on its territory making it the clear target state (Sisson and Rose 1990, 1, 37).
Because this is a successful war of secession, it is difficult to develop a baseline for the indicators of the dependent variable because the indicators are measured at the state level and Bangladesh did not exist prior to the start of the conflict. Both data sets do parse out the data for Bangladesh. This is problematic because the full state did not survive the war and a new state emerged from it. However, the roles of the various countries are clear. West Pakistan (eventually Pakistan) was the opposing state, attempting to keep possession of East Pakistan (eventually Bangladesh) through military action in East Pakistan. India’s involvement was on behalf of East Pakistan and consequently is included in the analysis of the indicators for the dependent variable.

Target State (Source of DV): East Pakistan/Bangladesh
Opposing State (Source of IV): West Pakistan/Pakistan

Proper Authority:
The United Nations Security Council did not endorse the activities of any side, although it did press for a ceasefire. There was no formal endorsement by a durable IGO for East Pakistan’s/Pakistan’s position. For these reasons the war did not comply with either the strong or weak form of the proper authority requirement.

Just Cause
Revolutions and civil wars are challenging in interpretation. On the one hand, the party attempting to protect its territorial integrity and prevent the secession of some portion of its territory can reasonably claim self-defense. This sentiment can be seen in West Pakistan’s
concerns during the negotiation process (Sisson and Rose 1990, 128). On the other hand, the rebelling party often has grievances and can claim that war was the only option to address the grievances making a claim of self-defense/protection of the powerless. This perspective is evident in the negotiating position of the Awami League on behalf of East Pakistan (Sisson and Rose 1990, 128).

Both West and East Pakistan made efforts to find a political solution to the impasse that ultimately precipitated the war; however the efforts were ultimately unsuccessful (Sisson and Rose 1990, 111-131). Because West Pakistan initiated the conflict, it’s claim that it was fighting in self-defense is partially undermined. This means it does not “clearly and completely conform” to the self-defense requirement because as mandated by the strong form of just cause. Self-defense was, however, clearly part of the logic of greater Pakistan – particularly in light of its perceived security threat from India and its explicit founding purpose to provide a homeland for the Muslim population. For this reason, the war is scored as being in compliance with the weak form, but not the strong form of just cause.

Notably, particularly in the later stages of the war, India was extensively involved. This means the war was coded as an interstate conflict rather than a purely internal/civil war.

Differentiation of Targets

As previously noted, unrest in East Pakistan grew over a period of years leading up to a civil war and Indian intervention in 1971 (Sarkees and Wayman 2010, 162-163, Sisson and Rose 1990, 11-131). Early in 1971, as talks over a new constitution faltered, West Pakistan openly accused the leaders of East Pakistan of treason, disbanding their dominant party and setting the stage for dramatic civil unrest (Sisson and Rose 1990, 154). In “Operation Searchlight” the
military chose to target civilian leaders in an effort to weaken the will of East Pakistan and the structure of the political wing of the group, the Awami League (Sisson and Rose 1990, 157). While this targeting did not necessarily mean assassination, the harassment begat mass riots and large scale civilian deaths in East Pakistan ensued. This, in turn brought about the formal beginning of the internal struggle and ultimately drawing India into the war (Islam 1981, 37-38). One example of such West Pakistan’s actions in East Pakistan, most notably in the city of Dhaka served as the precipitating event that brought the conflict to open war. In many ways, the massacre of students and civilians at Dhaka University served to galvanize both East Pakistan and secure the sympathies of India (Sisson and Rose 1990, 157-158). At its best, West Pakistan was indifferent toward civilian casualties and demonstrated a willingness to describe all sympathizers as legitimate targets military. At its worst, West Pakistan appears to have made strategic decisions to directly target unarmed and civilians who had no violent role in conflict. Regardless, West Pakistan clearly took part in the intentional targeting of civilian non-combatants and is therefore in non-compliance with the targeting norm.

Proportionality

Proportionality of actions is somewhat harder to determine. Regarding use of weapons, there is no record of illegal weapons used in any of the texts cited in the bibliography. As the war developed, West Pakistani forces were increasingly engaged by guerrilla fighters (Islam 1981, 235-242 and 248-250). This led to some challenging decisions regarding appropriate tactics.

Pakistan did show constraint upon India’s entry into the war. This is likely attributable to sound strategic judgment as much as careful consideration of just war principles, but regardless
of the reason, Pakistan did not expand the scope of the conflict. This represents some level of compliance with proportionality requirements at least in regards to India.

Because of the substantial threat that the rebellion in East Pakistan represented to West Pakistan, it is difficult to name effective military tactics as disproportional, particularly in light of the counter-insurgency practices of the day as demonstrated by the United States in Vietnam. However, Pakistan demonstrated systemic and particularly egregious examples of retaliation against East Pakistan that appeared to have no military significance. In short, because West Pakistan acted in vengeance rather than with a clear purpose of achieving military objectives, it is scored as non-compliant in any form of proportionality.

The resulting scoring for all indicators for justness of war making can be seen in Figure 4.9.

<table>
<thead>
<tr>
<th>Bangladesh War: 1971</th>
<th>Pakistan → Bangladesh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
<tr>
<td>Just Cause</td>
<td>Strong Form 0 Weak Form 1</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
</tbody>
</table>

**Exceptionalities of the War**

The Bangladesh War was exceptional among the cases for a variety of reasons. Most notably, it led to the disintegration of greater Pakistan. It included civil unrest and rebellion within the state’s eastern territories as well as direct intervention by India that led to significant shifts in the diplomatic stance of the former East Pakistan. The success of the secession is unique among the cases which yields a variety of challenges related to the attribution of shifts in the indicators for just outcomes. With a new state, structures, and all the turmoil associated with
the formation of a new government, it is difficult to specify what portion of the observed changes in economic and health indicators are the result of the successful secession and what portion are the result of specific war making behaviors of Pakistan.

Justness of Outcomes

Nearly 8,000 battle-related deaths, extensive disruption to transportation and educational infrastructure, and the obvious sociopolitical upheaval that grows from a revolution all contributed to very extensive total societal damage.

The analysis of societal impact is really quite straightforward. Regarding battle-related deaths, the 7,982 dead of a population of 63,500,000 yields a moderate casualty rate of about 1.3 per 10,000 (Sarkees and Wayman 2010, 162). Infrastructural damage was extensive within East Pakistan/Bangladesh in large part because of the early efforts to quell the revolt. The destruction in the early stages of West Pakistan’s campaign included military infrastructure, institutions of higher learning, and commercial transportation (Sisson and Rose 1990, 157-158). Finally, the sociopolitical turmoil was extensive. Bangladesh needed to form a new government, develop a national identity in the presence of strong Hindu and Islamic influences, and define its relationship with both Pakistan and India. In terms of broad societal impact, the exodus and consequent repatriation of millions of refugees also clearly contributed to the sociopolitical impact of the war (Sisson and Rose 1990, 1). These challenges were partially mitigated by the success of the revolution itself which provided some sense of national pride and definition of position in the region that facilitated the formation of national identity. In sum, the total societal damage of the conflict was extensive. West Pakistan’s decision to target civilian leadership at the beginning of the war combined with its approach to the just cause requirement, unilaterally
declaring East Pakistan’s position unacceptable, certainly contributed the intensity of the total societal damage.

The indicators for the justness of outcomes show Bangladesh as a country struggling well below global average in both pcGDP and life expectancy. Its difficult and short history as a modern nation state was marked by turmoil first during the painful division of India and followed about two decades later by the war in question here.

<table>
<thead>
<tr>
<th>Bangladesh War</th>
<th>pcGDP</th>
<th>Life Expectancy at Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
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<td>Region</td>
</tr>
<tr>
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<td>$619.00</td>
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<td>1969</td>
<td>$615.00</td>
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<td>$630.00</td>
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<td>1972</td>
<td>$506.00</td>
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<tr>
<td>1973</td>
<td>$497.00</td>
<td>$2,163.59</td>
</tr>
<tr>
<td>1974</td>
<td>$547.00</td>
<td>$2,138.69</td>
</tr>
</tbody>
</table>

Figure 4.10

Prior to the start of hostilities in 1970, Bangladesh had a pcGDP of $630. In the following year, the pcGDP dropped to $586, a decrease of $44. The global average pcGDP during the same period (1970-1971) increased by $74 from $3,729 to $3,803. Combined, this yields a pcGDP loss of $118 relative to the global average during the same period. While this
may appear to be a manageable loss; however, Bangladesh was an extreme low outlier with a prewar pcGDP just over 15% of the global average. The $44 loss represented roughly a 7% decrease in pcGDP. Forgone growth only amplifies this impact.

Regionally, Bangladesh’s experience is, perhaps, less extreme but clearly still negative. Over the same period, the regional average pcGDP increased by $60 from $1,862 in 1970 to $1,921 in 1971. This regional growth represents a somewhat smaller increase than the world as a whole and the total value of the regional pcGDP is markedly closer to Bangladesh’s than the larger world. Even so, Bangladesh begins the period with a lower pcGDP than the regional average and falls farther behind over the course of the conflict.

Bangladesh experienced modest growth in life expectancy during this period from 44.10 years in 1970 to 44.32 years in 1971, of 0.23.34 Compared to the global average gain in life expectancy between 1970 and 1971 of 0.43 years, Bangladesh experienced a relative loss of .21 years. Notably, however, in life expectancy as in pcGDP, Bangladesh was an extreme low outlier so the relatively modest relative losses contribute to a widening gulf between Bangladesh and the larger world. Regionally, as with pcGDP, Bangladesh begins behind the regional average and falls farther behind over the course of the conflict.

Case Conclusions

East Pakistan experienced a broadly unjust war that correlated with extensive negative societal impacts, an absolute decrease in an already low pcGDP, and slower than average growth in life expectancy. The impact of West Pakistan’s lack of conformity to just war principles can be seen clearly in the outcomes experienced by East Pakistan. Although in compliance with the weak form of just cause, Pakistan’s decision to eliminate or muzzle its political opponents and

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34 The 1/100th difference is the result of rounding error.
military assets in East Pakistan prior to the formal start of the war escalated the conflict to the point the war was all but inevitable. The government of Pakistan chose to focus on the secessionist rumbling within the Awami League and chose to address them using severe rhetoric and demonstrating broadly unyielding negotiation tactics (Sisson and Rose 1990, 112-128). Ultimately, even the just cause requirement that hinges on West Pakistan’s contention that it was fighting in self-defense to maintain territorial integrity, appears to be the byproduct of unjust prewar decisions.

The negative impact of the war on quantitative indicators is reinforced by particularly negative impacts on the qualitative indicator, total societal damage. Though battle-related deaths were moderate, all other indicators tell the story of a state that was severely damaged, in many cases as a direct result of unjust war making behavior. The dramatic lack of justness in war and resulting abysmal outcomes directly supports the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases where just wars yield just outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.35

See footnote for complete bibliographic information for sources cited in this case.36

35 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Six-Day War where Egypt and Syria were the opposing states and Israel was the target state; the Six-Day War where Israel was the opposing state and Egypt and Syria were the target states; the Bangladesh War where Pakistan was the opposing state and Bangladesh was the target state; the Ogaden War where Somalia was the opposing state and Ethiopia was the target state; and the War in Lebanon where Israel was the opposing state and Lebanon was the target state.

36 Bibliography: Bangladesh War (1971)
Vietnamese Cambodian War (1975-1979)

The Vietnamese Cambodian War of 1975-79 was fought using guerrilla tactics by two young governments over historic boundary disputes. Ongoing extensive civilian and military deaths make it difficult to identify the starting date of the war itself (Sarkees and Wayman 2010, 170). Despite the lack of clarity about the specific starting date and even the facts surrounding specific events, there is overwhelming clarity in regards to the justness of the various parties. Notably, it is thoroughly entangled with the Sino-Vietnam War of 1978-1979 discussed below.37

The context and nature of this war make it unique. Although Vietnam and Cambodia were both communist countries, the invasion occurred during the height of the Cold War. Soviet and Chinese interests fell on opposite sides of the conflict, but the alignment, and consequently the international politics, were markedly different than the wars discussed to date. Another feature that is replicated in only one other conflict is the domestic setting of the target state. Cambodian civilians experienced mass killings at the hands of their own government. In such a situation, the opposing state becomes something of a liberator to portions of the population and conventional understandings of state-based identity become blurred.

Ostensibly, the war was fought over a colonial era border dispute (Sarkees and Wayman 2010, 169, Morris, Why Vietnam Invaded Cambodia: Political Cultural and the Other Causes of War 1999, 23-46). In the prelude to the war, China offered extensive military and economic support to Cambodia that intensified and broadened the conflict and served to draw the Soviet Union in on Vietnam’s behalf (SarDesai 1992, 122-124). In early 1979, Vietnam succeeded in

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37 Note that the wars overlap in time, but that Vietnam is the target state with China acting as the opposing state in the Sino-Vietnam War. This allows the two conflicts to be neatly separated both mathematically and conceptually because the dependent variable is derived from the experience of the target state.
toppling the Khmer Rouge and installed a friendly government. The war continued to drag on as a civil war for a full decade after the ending of hostilities between Vietnam and Cambodia (Sarkees and Wayman 2010, 169).

Target State (Source of DV): Cambodia
Opposing State (Source of IV): Vietnam

Proper Authority:
The United Nations Security Council did not endorse the activities of any side. There was no formal endorsement by a durable IGO for either party’s position. In something of an unusual arrangement, the war served as a proxy fight between two communist patron states with the Soviets backing Vietnam and the Chinese backing Cambodia. Because these individual countries do not constitute durable IGOs, their support does not meet the minimum requirement for proper authority so Vietnam is in non-compliance in both the strong and weak form of the proper authority requirement.

Just Cause
Cambodia initiated the military action associated with the border dispute though Vietnam played some role in precipitating the disagreement (Sarkees and Wayman 2010, 168, SarDesai 1992, 122). This offers some measure of plausibility to a self-defense claim though it certainly does not account for the invasion of Cambodia and eventual overthrow of the regime.

The brutality of the Khmer Rouge against their own people allows Vietnam a fig leaf in claiming a just cause under the auspices of protecting the innocent (Roberts 2006, 369-370, Sarkees and Wayman 2010, 169). Notably, with the express purpose of overthrowing the regime, the intentions of Vietnam are consistent with the requirements of right intent in just war
theory even as the *motivations* driving the intentions may be less noble.\textsuperscript{38} Whatever the case, there is little question that some portion of the cause of the war was related to Vietnam’s desire to incorporate Cambodia within its sphere of influence (SarDesai 1992, 122).

Ultimately, this means that the cause of the conflict included both self-defense and the protection of innocents. These were not, however, the complete causes of war. For this reason, the war was in compliance in the weak but not the strong form of just cause.

*Differentiation of Targets*

The war was horrific in its general disregard for the well-being of civilians. The population generally experienced attacks on civilians from its own government only to be replaced by a harsh occupation. Where the Vietnamese forces were seen as liberator, the inhabitants had been brutalized by the Khmer Rouge (Martin 1994, 197 and 212). As the Vietnamese forces rapidly gained control of the vast majority of Cambodia in the months following its invasion, it immediately instituted an unpopular, repressive puppet government (Martin 1994, 215). The Vietnamese offensive included extensive attacks on population centers and civilians by militias and regulars (Sarkees and Wayman 2010, 168-170). In sum, Vietnam was not in compliance with either the strong or weak form of target differentiation.

\textsuperscript{38} For more detailed information about the distinction, consult Terry Nardin’s work on Humanitarian Intervention (Nardin 2006, 10).
Proportionality

As noted in the decision not to differentiate targets, it is abundantly clear that neither side prioritized non-harm of non-combatants. Indeed, strategically and tactically, the Vietnamese were committed to overthrowing the government of Cambodia, the Khmer Rouge. Although the Khmer Rouge had a horrific record of mass killings within its own borders, the actions of Vietnam were calculated to inflict damage on people and infrastructure associated with the Khmer Rouge regardless of their status as combatants. This, on its own, is strong evidence for scoring Vietnam as being noncompliant because of the evident lack of respect for human life that it shows. However, there is space to make a distinction between targeting and proportionality. Because the actions of the Vietnamese were consistent with their military objectives and avoided broad retaliatory actions against non-combatants throughout the country, there is evidence that Vietnam did avoid the most egregious violations of proportionality.

It must be noted that regardless of Vietnam’s behavior, the population of Cambodia experienced horrific disproportionality as part of its own internal politics. Mass-murder under the Khmer Rouge was on a tremendous scale and affected the entire country. The question, then, becomes one of interpretation. Although the people of Cambodia experienced noncompliance with proportionality, the purpose of this research is to illuminate the impact of opposing country behavior. To remain consistent in scoring across the cases and to focus on how the actions of an opposing party’s war making influence outcomes, Vietnam’s behavior is the focus of the scoring yielding a recorded score of compliance in the weak form, but not the strong form of proportionality.

39 Deaths associated with the regime’s killings within its own borders exceeded 1,000,000 people (Sarkees and Wayman 2010, 169).
40 This would include taking part in the intervention in the first place and maintaining a tight focus on those targets Vietnam deemed enemies even if they were non-combatants.
The resulting scoring for all indicators for justness of war making can be seen below in Figure 4.11.

<table>
<thead>
<tr>
<th>Vietnamese-Cambodian Border War: 1977-1979</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
</tr>
<tr>
<td>Vietnam → Cambodia</td>
</tr>
<tr>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Weak Form 0</td>
</tr>
<tr>
<td>Just Cause</td>
</tr>
<tr>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Weak Form 1</td>
</tr>
<tr>
<td>Targeting</td>
</tr>
<tr>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Weak Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
</tr>
<tr>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Weak Form 1</td>
</tr>
</tbody>
</table>

**Exceptionalities of the War**

The war itself led to a new government with loyalties to a neighboring country. It ended a horrific genocide, altered the landscape among communist countries, and ultimately left Cambodia with a decade of painful Vietnamese occupation (Morris 1999, 219-220). Analysis of the outcomes in this case requires careful consideration of a number of complicating factors. Perhaps most obviously, the impact of the mass killings under the Khmer Rouge must be acknowledged though it is difficult to identify the ways in which it might affect Cambodia. The killings stopped early in 1979, but it is simply impossible to predict the nature or shape of a state’s recovery when over 10% of its population has been killed. Complicating the analysis further, the war, in part, was fought to end the Khmer Rouge regime. In order to fully evaluate the impact of the war, the observed outcomes would need to be compared to the outcomes if the Khmer Rouge had remained in power. Obviously developing such a counterfactual case is highly speculative at best.

A secondary factor that clearly influenced both the war itself and the recovery is the regional politics. The war emphasized the Russian relationship with Vietnam and exacerbated Sino-Vietnamese animosity. Discerning how these shifts in regional alignment influenced outcomes is difficult for much the same reason as determining the role of the Khmer Rouge. In short, there is no way to reliably identify the counterfactual outcomes.
In many cases, such factors make it difficult to determine the degree of a war's impact. In this case, it is somewhat difficult to determine whether the war’s impact can even be estimated to be broadly positive or negative because of the extreme conditions in Cambodia prior to the war. The status quo ante bellum was so horrific under the Khmer Rouge that one might argue the losses associated with the war are less than the losses would have been under continued Khmer control. In order to maintain focus on the core research question, this analysis will attempt to discern the impact of Vietnam’s approach to the war. That is, an effort will be made to consider how the justness of the war influenced outcomes rather than how the presence or non-presence of war influenced outcomes.

Justness of Outcomes

Although considerably lower than the casualties inflicted by the Khmer Rouge, battle-related deaths were high relative to the other cases under consideration here. Cambodia experienced 5,000 battle-related deaths during its war with Vietnam (Sarkees and Wayman 2010, 168). With a population of just over 6.7 million in 1979, Cambodia suffered 7.4 battle-deaths per 10,000 people as a result of the war. This represents an extensive casualty rate.

The infrastructure was already decimated under the Khmer Rouge. The general state of disrepair of the infrastructure prior to the invasions contributed to a theater of war in which Vietnam was able to operate while causing relatively small amounts of additional damage. As a result the total impact of the war on infrastructure was mild.

Finally, as noted above, the sociopolitical upheaval was very extensive. The ruling Khmer Rouge were ousted, a puppet government was installed, and regional political alignments were altered. Regionally, Cambodia was left in the geographic and political epicenter of the
struggles within its political world between the core communist actors of China and the Soviet Union as well as the tensions among East Asian countries to find a place in the Cold War order with non-aligned, communist, and free market regional peers.

In sum, the war had *extensive total societal damage*. Political shifts included the challenges of a widely unpopular Vietnamese occupation, the overthrow of the Khmer Rouge, and the ongoing civil war waged by the Khmer Rouge in an effort to re-seize power. The sizeable casualty rate is on the one hand mitigated by the ending of the mass killings, but on the other, simply adds to the total number killed. The various factors show the high impact the war had on society, but it is difficult to discern the degree to which the costs were the unavoidable price of defeating the Khmer Rouge and to what degree the costs spring from careless or unjust war making.
Figure 4.12

The indicators for justness of outcomes from the previous case, Bangladesh, and this case, Cambodia, are quite similar in peacetime. However, the upheaval of the escalating war in Vietnam in the early 1970s followed by the brutal toll of the Khmer Rouge is obvious in Cambodia’s dramatic decrease in life expectancy between 1970-1980. Generally, the indicators of the dependent variable show a country that is struggling with extremely low life expectancy and pcGDP.

Prior to the war in 1975, Cambodia had a pcGDP of $580 growing to $643 in 1976 and $717 in 1977. This represents a total of $137 in pcGDP growth. Over the same period the
global average rose from $4,087 to $4,309 an increase of $222 in pcGDP. When compared to geographically similar states in the Southeast Asian region, Cambodia the same story unfolds. The regional average pcGDP in 1975 was $2,171 growing to $2,344 in 1977. This represents an increase of $173 in pcGDP, eclipsing Cambodia’s growth by $36 over the period.

Beginning at an extremely low 33.97 year life expectancy at birth in prewar 1975, Cambodia reached its nadir with life expectancy dipping to 32.93 in 1976. A mild recovery brought the life expectancy up slightly to 33.02 in 1977. Even with the slight rebound, Cambodia suffered a net loss of 0.95 years of life expectancy during this period while the global average improved from 59.05 years to 59.89 (an increase of 0.82 years of life expectancy) during the same period. This represents an extremely large net loss relative to the global average of 1.77 years in just a three-year span – an outcome that is all the more shocking because of Cambodia’s already extremely low life expectancy. Regional averages confirm Cambodia’s difficult situation. The average life expectancy for states in Southeast Asia in 1975 was 56.72 years, more than 20 years longer than Cambodia. Regional growth was quite low over the period, increasing just .05 years over the two-year period. Even so, relative to Cambodia’s loss of .94 years over the same period and in light of its dramatically better starting point, the toll of Cambodia’s experience is evident.

Conclusions

This case is difficult to analyze in terms of the basic hypotheses. As noted above, one would need to discern how the justness of Vietnam’s war making behavior influenced the observed outcomes relative to a more or less just war. The real world scenario, however, affords very limited comparisons. Regional peers did not experience the brutality of the Khmer Rouge
and consequently, their economic and health indicators do not reflect the same baseline experience as Cambodia. In Cambodia itself, it is difficult to parse out the source of the low pcGDP and life expectancy. While it is quite possible the Vietnam’s actions in war contributed to the difficulties, it is also possible that the numbers reflect an improvement over what would have occurred with the continuing rule of the Khmer Rouge.

Although these limitations are real, there are some clear results to be found. Economically, as measured by the pcGDP, Cambodia clearly underperformed reasonable expectations for the period, but did manage some meaningful growth. Life expectancy declined dramatically yielding one of the lowest national life expectancies in the world during this period. Ostensibly, these results are consistent with the second hypothesis that states that unjust war would yield unjust outcomes. Generally the war was relatively unjust adhering to the weak form of two indicators and not adhering at all to two other indicators. This corresponds with results that were somewhat better economically than the record of the Khmer Rouge but worse than other states in the region. Abysmal life expectancy that decreased over the period of conflict coupled with *extensive total societal damage* offer a picture of dramatically unjust outcomes.

This case ultimately offers no clear endorsement of the research hypotheses. Though a superficial analysis suggests that this is a case of unjust war yielding unjust outcomes, the outcomes appear to be more closely related to the actions of the Khmer Rouge than the Vietnamese. Furthermore, Cambodia does appear to reap some long-term benefit from the Vietnamese invasion that does not appear in the short-term analysis. As an example, note the dramatic recovery in life expectancy in the years following the cessation of hostilities. In sum, this case is valuable as an example of the challenges surrounding the use of this form of analysis in cases of intervention. Because of the distortions caused by the Khmer Rouge, it is simply
impossible to determine what additional benefit or costs may have been associated with more just prosecution of the war by the Vietnamese.

See footnote for complete bibliographic information for sources cited in this case.41

Ogaden War (1976-1980)

The Somali-Ethiopian war of 1976-1980 was a dispute over land and people. Somalia began the war with a push into Ethiopian territory ostensibly to reclaim the Ogaden Territory, land with historic and cultural ties to Somalia, but economic and domestic political considerations may also have played some role in Somalia’s invasion. Alliances shifted during the course of the war, but the fighting remained within Ogaden which means Ethiopia is the sole target state. Although Somalia’s allies changed over the course of the war, the justness of the war making behavior of Somalia and any military group fighting on its behalf will be evaluated as part of the justness of the entire operation (Bever 1996, 163-164). All such actions will be operationally attributed to Somalia which serves as the opposing state.

In the Correlates of War dataset, the war is scored as three distinct conflicts. Because Somalia was involved throughout (directly or indirectly) and because it provides for clearer interpretation of the impacts of war, the three conflicts are combined in this analysis (Bever 1996, 166, Selassie 1980, 118). The war began as an insurrection within Ogaden that Ethiopia

41 Bibliography: Vietnamese Cambodian War
attempted to put down (Sarkees and Wayman 2010, 435).\textsuperscript{42} Over a year later, Somalia and Cuba entered the war on behalf of the Ogaden region and continued fighting through 1978 (Sarkees and Wayman 2010, 167-168).\textsuperscript{43} In the final two years of the war, Ogaden was again fighting a rebellion without formal support from Somalia (Sarkees and Wayman 2010, 436).\textsuperscript{44}

<table>
<thead>
<tr>
<th>Target State (Source of DV):</th>
<th>Ethiopia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposing State (Source of IV):</td>
<td>Somalia</td>
</tr>
</tbody>
</table>

\textit{Proper Authority}:

The United Nations Security Council did not endorse the activities of any side although it did press for a ceasefire.

There was no formal endorsement by a durable IGO for Somalia’s position. Somewhat tangentially, the politics of the cold war led to an awkward shift in the major power alliance in the middle of the conflict (Bever 1996, 163-164). Somalia was therefore not in compliance with either the strong or weak form of the proper authority.

\textit{Just Cause}

Somalia had a deep historical ethnic claim to the Ogaden region of Ethiopia. During the European colonization of Africa, greater Somalia was partitioned into three regions with colonial powers controlling two of the regions and the third given to Ethiopia (Bever 1996, 161-163). At the end of the colonial era, the two regions rejoined making Somalia. After Ogaden attempted to secede, Somalia joined the fight in an effort to bring the region under its control.

\textsuperscript{42} This is coded as intra-state conflict #805 “The Second Ogaden War Phase 1 of 1976-1977.”
\textsuperscript{43} This is coded as inter-state conflict #187 “The Second Ogaden War Phase 2 of 1977-1978.”
\textsuperscript{44} This is coded as intra-state conflict #808 “The Second Ogaden War Phase 3 of 1978-1980.”
The initial guerrilla war, fought as a civil war by Ogaden with support from Somalia illustrates the primary challenge to the concept of just cause as it is articulated in international law. The problem comes in defining “self” within the concept. Self-defense within the context of self-determination refers to social constructs: nations. As read by the states, which are party to the various conventions and charters that address self-defense, the “self” refers to the state and not the various nationalities that may reside within its borders. Under the former definition, focusing on self-determination, the population of Ogaden and by extension their Somali patrons were fighting for a just cause. Under the state-centric definition, the cause is unjust because the territorial integrity of Ethiopia is being challenged.

To be sure, there is reason to identify Ogaden as part of the larger Somali nation. The common culture, language, and history of the Somali people goes back several centuries and represents a unique robust nation on the African continent both in its geographic breadth and its historical depth (Selassie 1980, 98). A common Islamic religious experience with a strong nationalistic tradition served to keep the nationalist identity alive throughout the colonial period (Selassie 1980, 99-100). Furthermore, the division of the territory following colonial rule did not follow any particularly logic – certainly not any logic that is satisfactory in light of common norms of self-determination.

Even so, the legal understanding self-defense remains clear on the point. Particularly when the state is not directly targeting a nationality within its borders, the arguments for territorial integrity of a state trump rights for self-determination. While there are always exceptions to this interpretation, the common understanding likely springs from the fundamental reality that states, not nations, have created the laws and serve as the units that comprise the bodies that interpret them.
Because claims of self-defense on behalf of a nation are tenuous and because the war was begun in an effort to revise the status quo, it is clear that self-defense cannot be construed as the cause of the war. Similarly, defense of the powerless is not a legitimate claim because the violence was initiated by the group that Somalia was supporting. In short, the war does not meet the strong form of just cause because economic and nationalistic objectives played a significant part in the rationale for war (Tareke 2000, 638). It is not in compliance with the weak form because the most noble of intentions attributable to Somalia, self-determination, simply cannot be conflated with self-defense.

Differentiation of Targets

The war was horrific in its general disregard for the well-being of civilians. The initial Ethiopian effort to suppress the uprising was brutal. The Somali offensive targeted and held population centers. In a counter-insurgency effort, Ethiopia responded by poisoning wells, killing cattle, and strafing settlements (Bever 1996, 166). As the fighting escalated, civilian deaths grew dramatically (Bever 1996, 167).

There are no authoritative accounts that provide proof of Somalia’s formal involvement in any specific atrocity though the actions of the Western Somalia Liberation Front (WSLF), a paramilitary organization associated with Somalia, clearly focused on the capture of civilian centers (Selassie 1980, 120). Indeed, it is difficult to identify which parties were behind a number of the acts of brutality associated with this war. Perhaps the most egregious atrocities are the result of the method and nature of Somalia’s approach. In the early stages of the conflict, Somalia chose to use Somali militias that were poorly trained and equipped (Tareke 2000, 639). The lack of training and discipline led to a range of targeting violations including the targeting of
civilian administrators and property. Over time, this grew into looting, pillaging, kidnap, torture, and murder (Tareke 2000, 641-642). This represents complete non-compliance with the just war requirement of differentiating civilian and military targets.

Proportionality

There is no evidence of the use of illegal weapons in this war; however, the tactics that were employed by irregular military units were problematic. In this case, the same evidence that showed a willingness to kill civilians also demonstrates a blatant disregard for life. Early in the conflict, the strategic decision to arm and use untrained militias outside the chain of command contributed to atrocities across the Ogaden (Tareke 2000, 639-642). The indifference shown by such tactics not only leads to targeting violations, but represents a lack of regard for human life. The conventional phase of the war fell largely within the proportionality requirement; however, after Somalia was defeated, its ongoing use of irregular military units and guerrilla tactics continued. With no evident hope of success, the operations appeared to be largely born of frustration and appeared to focus on exacting revenge. This, too, represents a dramatic violation of the proportionality requirement. For this reason, it is in non-compliance in both the strong and weak form of proportionality.

The resulting scoring for the indicators of the independent variable can be seen below in Figure 4.13.

<table>
<thead>
<tr>
<th>Proper Authority</th>
<th>Somalia → Ethiopia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Just Cause</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 0 Weak Form 0</td>
</tr>
</tbody>
</table>

Figure 4.13
Exceptionalities of the War

Structurally, the Ogaden War is different from the majority of cases under consideration because it is fundamentally a civil war. As such it has significant commonalities with the Bangladesh War and, to a lesser extent, the Eritrean-Ethiopian War. In both the Bangladesh War and the Ogaden War, a sovereign state joins the rebellion elevating the civil war to an interstate conflict that makes it eligible for inclusion in this study. The most notable difference between the two comes in the conclusion of the war. While the Bangladesh War concluded with the successful secession of Bangladesh and official agreements, the Ogaden War returned to a civil war after Somalia withdrew from action. The Eritrean-Ethiopian war shares similar nationalist territorial roots though it lacks the clear internal stages of rebellion.

The role of Cold War Superpowers also requires careful consideration. The United States choice to distance itself from Ethiopia following the overthrow of Haile Selassie and the Soviet Union’s decision to shift support from Somalia to Ethiopia dramatically influenced both the prosecution and outcomes of the war. Briefly, as the Soviets found support of the Somali’s increasingly untenable and an opportunity in the vacuum left as the United States offered less support to Ethiopia, the Soviets shifted support to Ethiopia, providing military advisors and hardware for a significant counteroffensive that ultimately pushed Somalia back into its own territory (Tareke 2000, 656-661). In response, the United States offered limited support to Somalia, focusing primarily on deterring an Ethiopian invasion of Somali territory.

Ethiopia itself, as the target state, was a clear outlier with particularly low pcGDP and life expectancy numbers prior to the conflict. One could interpret this as increasing the likelihood of improvement in these two statistics as Ethiopia might be expected to revert toward the global
mean or as evidence that Ethiopia was a low outlier for a durable reason and that the problems that led to the problem prior to the war would likely continue.

*Justness of Outcomes*

As noted above, the indicators for the dependent variable demonstrate a common profile among the cases. Ethiopia has a markedly below average life expectancy and pcGDP with what appears to be a much lower slope/trend over time. Prior to the start of hostilities in 1975, Ethiopia’s pcGDP was $610 dollars. Ethiopia saw steady if modest growth through 1980 with the exception of 1978. In 1976 pcGDP rose slightly to $611 and again in 1977 to $613 before falling to $597 in 1978. It rebounded in 1979 to $627 and grew again modestly to $648 in 1980. In all, the economy gained $38 in pcGDP between 1975 and 1980. During the same time period, the global average pcGDP rose by $425 from $4,087 in 1975 to $4,512 in 1980. This represents a total loss of $387 in pcGDP relative to the global average during this time. Regionally, the numbers reflect the challenging experiences of countries in East Africa. Beginning with a pcGDP of just $289 in 1975, the region grew by a modest $60 during this period to $349 in 1980. This outstripped Ethiopia’s growth by a little less than a factor of two. Ultimately, this represents a continued widening of an already broad gap between Ethiopia and the global average and a closing of the gap between Ethiopia and the region.

Life expectancy followed an even more troubling pattern. Beginning at 44.19 years in 1975, it declined steadily to 43.88 years in 1980. This led to a total decrease of 0.31 of a year in life expectancy over the course of the conflict. When compared to the global average, the trend is even more troubling. During the same period, the global average rose from 59.05 years in 1975 to 61.13 years in 1980, an increase in life expectancy of 2.08 years. Regionally, life
expectancy increased at a slower rate than the global average rising 1.78 years from 47.06 in 1975 to 48.84 in 1980. In sum, this represents a net loss, relative to the region and the larger world, of over 2 years of life expectancy.

Regarding societal damage, the results are widely mixed. There was extensive loss of life as a result of the war. In the first stage of the civil war, Ethiopia proper suffered 9,000 battle-related deaths and the rebel Western Somalia Liberation Front (WSLF), which was composed primarily of Ethiopians from Ogaden, suffered 20,000 battle-related deaths (Sarkees and Wayman 2010, 435). In the second phase, after Somalia formally entered the war in 1977, Ethiopia experienced an additional 1,800 battle-related deaths (Sarkees and Wayman 2010, 167). In the final stage of the civil war, between 1978-1980, Ethiopia proper lost an additional 2,000 people and battle-related deaths in Ogaden accounted for an additional 20,000 deaths (Sarkees and Wayman 2010, 436). This yields a total of 52,800 battle deaths for greater Ethiopia. With a population of 29.9 million in 1980, that represents more than 17 deaths per 10,000 people.

Infrastructural damage, on the other hand was moderate. Although extensive in and around the cities that suffered through the direct assaults, greater Ethiopia experienced the infrastructural damage as geographically limited. This was because of the contained nature of the ground war and Somalia’s inability to use its air force for targeting within Ethiopia (Tareke 2000, 666). Perhaps more importantly, Ethiopia suffered extensive damage to its military infrastructure and incurred substantial debt (Tareke 2000, 664-665).
Finally, regarding sociopolitical upheaval, the war had a *moderate* impact within Ethiopia. While Somalia experienced dramatic upheaval as a result of their loss, that ultimately contributed to the fall of the regime in Mogadishu, Ethiopia experienced increased confidence in its military and a closer relationship with the Soviet Union (Tareke 2000, 666-667). However, along with these benefits, Ethiopia also had the disruption of ongoing civil unrest. The Amhara ethnic majority largely accepted the government’s legitimacy, but ethnic Somali Ethiopians largely continued to resist, in some cases violently. Further, the shift of alliance from the United
States to the Soviet Union forced a significant realignment of foreign policy and substantial changes in domestic policy.

In sum, the *total societal damage* of the war was *extensive*. The substantial losses in the quantitative indicators are only accentuated by the very extensive casualty rate. While the infrastructural damage was geographically contained for the most part, the alienation of the large Somali ethnic minority and the significant war debt that was incurred both contributed to ongoing challenges to infrastructure development. Finally, the sociopolitical stability certainly mitigated the worst possible outcomes, but it hardly represented a strong positive outcome of the war – rather, it is perhaps viewed as the area of least damage.

**Conclusions**

This war is scored as wholly unjust and ultimately appears to have led to largely unjust outcomes. The indicators for the justness of war making show Somalia in noncompliance with each of the four just war concepts. The indicators for the justness of outcomes show extensive damage to Ethiopia with abysmal growth in pcGDP, a decrease in already low life expectancy, extensive casualties, and moderate infrastructural and sociopolitical upheaval.

There are a range of possible mechanisms that connect the independent and dependent variables in this case. Foundationally, Somalia’s lack of a just cause appears to have contributed to the strategic decisions to engage in unjust targeting and disproportionality, particularly in Somalia’s decision to promote civil war both before and after its formal engagement in the conflict. In the counterfactual situation, Somalia would have been focused to some greater or lesser degree on the wellbeing of the Somali population in Ogaden. Instead, in an effort to gain maximal economic and territorial benefit with minimal cost to the state, Somalia chose to use
piecemeal guerrilla tactics that protracted the conflict and led to approximately 40,000 Somali battle-related deaths in Ogaden (Sarkees and Wayman 2010, 435-436). The use of irregular military units likely contributed to lax targeting standards because of weakened command structures and lack of training that ultimately produced a lack of accountability on the battlefield. Furthermore, the use of less trained military served to prolong the war.

Instability born of lax targeting and security concerns associated with civil war, and exacerbated by the considerable duration of the conflict, likely played a part in the stagnation in economic growth and decreasing life expectancy. Such results are likely as the war drove away foreign capital and pulled money out of the domestic economy because Ethiopian war supplies were not produced domestically. These realities coupled with a range of other negative pressures likely including emigration of young professionals, shifts in funding from education and healthcare to war making, as well as societal fracturing common in cases of ethnic strife would all have likely contributed to the declines observed in the quantitative indicators.

In sum, the unjustness of Somalia’s war making behavior appears to have contributed directly to the negative outcomes experienced by Ethiopia. Although it is impossible to know the outcomes of a counterfactual scenario with certainty, it is highly likely that a more just conflict would have yielded less negative results. If Somalia had awaited a just cause, war would likely never have been initiated. More careful targeting and adherence to proportionality requirements would have required a markedly different approach to the war, likely an elimination of Somali support for the civil war that bookended its formal involvement in the conflict. At a minimum, this could be expected to have shortened the duration of the conflict and it likely would have decreased some of the 40,000 casualties suffered by the poorly trained and regulated rebels in Ogaden.
The war violated all three of the differentiated just war requirements so it does not qualify as a just war. The outcomes of the war were unjust. This case directly supports the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases where just wars yield just outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively. 

See footnote for complete bibliographic information for sources cited in this case.

Ugandan Tanzanian War (1978-1979)

The Uganda-Tanzania war of 1978-79 had two distinct stages. In the first stage, Uganda was the aggressor and pushed into Tanzania. In this phase of the war, all significant fighting took place within Tanzanian territory making it the target state and Uganda the opposing state. Tanzania then launched a counteroffensive that met with considerable success. It ultimately pushed deep in Uganda and precipitated regime change. During this stage, Uganda became the target state and Tanzania was the opposing state (Sarkees and Wayman 2010, 170-171).

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45 The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.

46 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Six-Day War where Egypt and Syria were the opposing states and Israel was the target state; the Six-Day War where Israel was the opposing state and Egypt and Syria were the target states; the Bangladesh War where Pakistan was the opposing state and Bangladesh was the target state; the Ogaden War where Somalia was the opposing state and Ethiopia was the target state; and the War in Lebanon where Israel was the opposing state and Lebanon was the target state.

47 Bibliography: Ogaden War (1976-1980)
The war itself was largely, and perhaps even solely, the result of the decisions of Uganda’s dictator, Idi Amin. His brief but brutal record prior to the invasion of Tanzania demonstrates a general disregard for the wellbeing of civilians (Gwyn 1977). Ostensibly, the attack was in response to Tanzania’s willingness to harbor enemies of Uganda. There is, however, evidence that the decision to invade was largely an effort to redirect domestic unrest and secondarily to facilitate easier access to the Indian Ocean (Sarkees and Wayman 2010, 170, Bever 1996, 154).

Uganda’s invasion was brief, being both poorly planned and prosecuted. Strategically, the invasion focused on civilian infrastructure and population centers which violates basic just war norms. This broader problem was compounded by lack of military discipline and a troubling record of violence within the regime leading to broad violations of targeting and proportionality by the Ugandan military. As Uganda’s invasion was repulsed, Tanzanian forces were further strengthened by Ugandan expatriates. The combined force launched a counteroffensive into Uganda that demonstrated similar lack of military discipline yielding additional violations of just war principles. The counteroffensive ultimately overran the country forcing Amin into exile.

Target State (Source of DV): A) Tanzania  B) Uganda
Opposing State (Source of IV): A) Uganda  B) Tanzania

Conflict A: Uganda → Tanzania

Proper Authority:

There was no endorsement by the United Nations or any regional power for Uganda’s part in the war. Uganda is therefore not in compliance with the strong form of the proper authority requirement.
The regional intergovernmental organization, the Organisation of African Unity (OAU), was effectively impotent.\textsuperscript{48} Amin himself served as the Secretary General from 1975-1976 just two years prior to the war. Generally, the OAU was more interested in protecting the sovereignty of the relatively young post-colonial states than confronting a strongman.

\textit{Just Cause}

By all accounts, Uganda’s Amin initiated the attack for reasons of political desperation and self-aggrandizement (Bever 1996, 154, Federal Research Division of the Library of Congress 2010, Southall 1980, 638-639). Indeed, this pattern of misdirection and saber rattling had been a recurring theme nearly leading to war with Kenya and regularly producing disastrous results for Uganda (Southall 1980, 631-635). In light of Amin’s consistent pattern of provocation, any appeal that the action was in self-defense is simply not credible. As a consequence it is in non-compliance with both the strong and weak form of just cause.

\textit{Differentiation of Targets}

Many of the targeting issues appear to have sprung from a total lack of military discipline. Notably, this same lack of discipline limited the significance and strength of Uganda’s incursion into Tanzania. This case illustrates a challenge in the scoring system. While there is no evidence of target differentiation, the general inefficacy and brevity of the invasion limit the scope of the violations of the targets and likely the impact of the violations – at least during the operations in Tanzania. Of note, when the Tanzanian military advanced into Uganda, these same soldiers ravaged their own country in retreat. Banks were raided, businesses and homes plundered, and broad destruction and industrial sabotage was carried out as overt actions of spite (Southall 1980, 645). In Tanzania, the record of destruction is less clear, however, there

\textsuperscript{48} The alternative British spelling reflects the official name of the OAU.
is ample evidence of brutality to suggest that the Ugandan military targeted both dual use and civilian-only targets making it in non-compliance with both the strong and weak form of target differentiation (Uganda 1990).

Proportionality

There is no evidence of illegal weapon use, however tactics proscribed by the Geneva Conventions appear to be common within the Ugandan military. The extensive record of abuse including torture, theft, and kidnapping prior to the invasion suggest that similar behavior was likely in the invasion of Tanzania (Southall 1980, 641-644). In light of this historic behavior and the records of pillaging and destruction during the limited time in Tanzania, it is obvious that there was no effort to minimize damage (Uganda 1990). Because such behavior shows a wonton disregard for the wellbeing of the target population, Uganda’s military is in noncompliance with both the strong and weak forms of the proportionality requirement.

Conflict B: Tanzania → Uganda

Proper Authority:

There was no endorsement by the UN or any other durable intergovernmental organization. The only regional IGO that made a formal statement was the Organisation for African Unity that actually condemned Tanzania’s counterattack into Uganda. As noted above, Idi Amin had served as the president of the organization prior to the war. Tanzania’s role in the conflict, therefore, is not in compliance with either form of the proper authority requirement.
**Just Cause**

Tanzania responded to an attack in Tanzanian territory initiated by Uganda. Without question, this meets the requirements of self-defense. However, this is not the core question under consideration. The critical questions rise in Tanzania’s decision to launch a counteroffensive that moved into Ugandan territory with the expressed purpose of ousting Idi Amin. Although the motivations included a self-serving desire to stabilize its neighbor, limit the refugee flow, and mitigate instabilities resulting from Amin’s erratic behavior, the intent in both cases is clearly within the allowable just causes for war. In short, the cause of the counteroffensive was a mix of self-defense and defense of the powerless, even as the motivations for attempting to address each may have been self-serving. This means that Tanzania scores as being in compliance in the strong form of just cause.

**Differentiation of Targets**

In the early stages, when fighting on its own land, it was clearly careful in targeting of military assets because civilian assets in the region were Tanzanian. As the offensive moved into Uganda, Tanzania was substantially assisted by Ugandan exiles. The Tanzanian forces themselves, perhaps as a result of their limited size, strategically maintained selective military targeting (Uganda 1990). However, there are insinuations in various readings, including the work of Edward Bever and Aidan Southall that the Tanzanian military demonstrated a problematic lack of discipline that may have led to inappropriate targeting (Bever 1996, 150, Southall 1980, 650). The trouble in scoring comes in attribution of the targeting of civilians. Clearly, it was not the policy of Tanzania nor did it serve any strategic purpose. On the other hand, it does reflect the experience of the targeted population. For the purposes of scoring, to
bind the research to policy implications of state-level actors, the purposeful actions of the opposing state are the focus of the analysis. When focusing on the actions of Tanzania, the operation appears to have remained tightly focused in targeting. Tanzania is scored in full compliance with both the weak and strong forms of target differentiation. Notably, as discussed in the analysis below lack of discipline dramatically alters the real world experience of tightly focused targeting.

Proportionality

There is no evidence of the use of illegal weapons, therefore the scoring of proportionality is focused on war making behavior. In the face of a war of aggression and in response to the brutality of Amin against his own people, robust military action appears to be both justified and proportional to the evil it was confronting. Explicitly using the language of the measurement instrument, the “clear effort to minimize total harm” is somewhat easier to achieve when the total harm caused by inaction is so dramatically high. Because the toppling of the Amin regime was so dramatically valuable in decreasing harm, it may be just to make decisions that cause considerable harm.

The action is similar in nature to Vietnam’s actions in toppling the Khmer Rouge in Cambodia; however, the actions of Tanzania were more moderate by all accounts. This may be attributable to Amin’s position – he had much less domestic support than the Khmer Rouge, or Tanzania’s decision. It may also be the result of an oversight in sources. As noted above, the same lack of discipline that may have led to targeting irregularities may also have contributed to disproportional behavior in war (Bever 1996, 150, Southall 1980, 650). Even so, Tanzania is scored as being in full compliance with the strong form of the proportionality requirement.
The resulting scoring for indicators of the independent variable can be seen below in Figure 4.15.

<table>
<thead>
<tr>
<th>Proper Authority</th>
<th>Conflict A: Uganda → Tanzania</th>
<th>Conflict B: Tanzania → Uganda</th>
</tr>
</thead>
<tbody>
<tr>
<td>Just Cause</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 1 Weak Form 0</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 1 Weak Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 1 Weak Form 0</td>
</tr>
</tbody>
</table>

Figure 4.15

*Exceptionalities of the War*

The broad use of torture and mass murder to maintain control over the population of Uganda is the most important confounding influence when interpreting the results of the war. As a case, it has much in common with the Vietnamese-Cambodian War where the Khmer Rouge were similarly oppressing their own people. In both cases, the countries effectively suffered a war waged by the government against its people. Obviously, in such a case, the effects of the internal war are already significant before the neighboring country intervenes. In this case, as in the case of the Vietnamese-Cambodian War, such a reality is likely to mask the real impacts of the conflict under consideration.

A second important influence on the outcomes of the war is the micro-level behavior of the soldiers. As discussed in the sections above on Tanzania’s adherence to targeting and proportionality requirements, there is considerable evidence that individual soldiers acted in ways that were at odds with the state-level policy and strategy. This leads to a foundational question about purpose and unit of analysis. Because the study if focused on state behavior, state-level policy is of primary concern. For this reason, the behavior of the soldiers that is
counter to state policy – even when the soldiers’ behaviors are widespread – will be treated in the same way that domestic behaviors are treated in the preceding paragraph. It will be acknowledged in the qualitative analysis, but not factored into the scoring for the quantitative analysis.

Justness of Outcomes

The graphs tell a story of how both Tanzania and Uganda declined from poverty to greater poverty during the course of the war. Both countries began and ended the war period markedly below the global averages in both life expectancy and pcGDP. Although Tanzania did manage some modest growth in life expectancy, the relatively minor change in slope represents a broader trend in which both Tanzania and Uganda continued to lag further behind the larger world.

In 1977, prior to the war, Tanzania’s pcGDP was $623, slightly lower than Uganda’s, much lower than the global average, but well above the regional average. It showed no change in 1978 and decreased slightly to $613 in 1979. This slight decline actually allowed Tanzania to briefly surpass Uganda in terms of pcGDP.

Uganda saw its pcGDP fall from its 1977 prewar level of $757 to $697 in 1978 and $606 in 1979. This represents a total decline of $151 in pcGDP. At the same time the world average pcGDP increased from $4,309 to $4,500, a gain of $191. This represents a loss, relative to the world average of $342 in pcGDP over this period. This is larger than the model predicts by a factor of three.

Regarding life expectancy, Uganda continued on a strong negative trajectory even as Tanzania roughly kept pace with positive trajectory of the growth in global average life expectancy. Tanzania’s life expectancy went from 49.38 in 1977 to 49.94 in 1979, an
improvement of 0.56 of a year in two-year period. Uganda saw a decrease of 0.37 over the two years of war from 50.51 years in 1977 to 50.14 years in 1979. During this same period, the region showed an increase from 47.75 to 48.47, an increase of .73 years, while the global average grew from 59.89 in 1977 to 60.71 in 1979, an increase of .82 years. Relative to both measures, Uganda and Tanzania saw losses in life expectancy. Tanzania, however, managed growth nearly on par with these measures while Uganda saw an absolute decline even as the region and world saw increases in life expectancy over the period.

The experience of total societal impact on both countries is quite different. The direct total societal damage of Uganda’s invasion of Tanzania was mild. Tanzania’s counteroffensive actually caused considerably more societal challenges than Uganda’s invasion. Left without support from regional or international partners, Tanzania incurred considerable cost as it attempted to rebuild Uganda as the occupying power which, in turn, diverted funds from infrastructural needs and stressed the sociopolitical structures of the country.

Because the core area of interest is the impact of Uganda’s war making, rather than Tanzania’s response, the total societal damage is mild. Infrastructural and sociopolitical damage was extremely limited because the Ugandan offensive was limited in both duration and geographic area. Casualty rates were, similarly, mild. With 1,000 battle-related deaths and a population of 18.1 million people in 1979, Tanzania experienced under .6 battled-related deaths per 10,000 people (Sarkees and Wayman 2010, 170).

Uganda’s experience was more severe in every way. It experienced 1,500 battle-related deaths in a smaller population of 12.3 million people yielding more than twice the casualty rate at 1.2 battle-related deaths per 10,000 people (Sarkees and Wayman 2010, 170). This is scored as a moderate casualty rate.
Infrastructure, too, was more extensively damaged in Uganda than in Tanzania. The counteroffensive in Uganda was longer and covered considerably more territory. Not only did Uganda have to deal with the damage caused by expatriates and the Tanzanian military, but Amin’s troops also plundered the countryside in retreat. The greatest mitigating force that limited the infrastructural damage was its state of disrepair prior to the conflict. Whether measured as miles of paved roads, student hours in the classroom, or scope of mail delivery services, the infrastructure was in such horrific condition that there simply was not much that
could be done to damage it further. In sum, the war caused moderate infrastructural damage within Uganda.

Sociopolitical upheaval was clearly very extensive. Idi Amin was overthrown. This led to a cascade of changes as the soldiers who once operated within impunity were now targeted. Socially, the population moved from the experience of government under a volatile strongman to an experience of occupation under Tanzanian rule.

Where Tanzania experienced mild societal upheaval Uganda experienced *extensive* upheaval. The differences appear to come predominately from the degree of success experienced by the opposing forces. In Tanzania, where Uganda was the opposing force, its lack of efficacy was clearly more important than its war making behavior in limiting the damage done to Tanzania. Similarly, Tanzania’s effective counteroffensive led directly to the ending of Amin’s regime. This invariably had a large societal impact, regardless of the justness of Tanzania’s war making.

*Conclusions*

The raw results suggest that just war making actually yields less just results. Tanzania experienced a largely unjust war but had more stable quantitative outcomes than Uganda and more less significant *total societal damage*. This in spite of the fact the Uganda experienced a more just war waged by Tanzania. As discussed above, this difference appears to be much more the result of the efficacy of the opposing forces rather than the justness of the forces’ war making. While Uganda’s military efforts failed rather quickly, the Tanzanian counteroffensive effectively ousted Amin. This difference alone likely accounts for the dramatic difference in the magnitude of the war’s impact on each country.
A number of mechanisms may have further contributed to Uganda’s negative outcomes in this war. In a situation like Uganda where a government has repeatedly shown a total lack of respect for the principles of just war theory, every aspect of society must adjust to function under the new rules. The impact of Amin in Uganda is well documented. Politicians dropped any causes that might possibly offend Amin in the interest of simple survival (Gwyn 1977, 148). The roles of soldier, businessperson, judge, and even mother had different meaning under the Amin regime and required careful consideration to avoid horrific outcomes (Southall 1980, 641-644). This reality contributed to the justification for Tanzania’s invasion, but efforts to reform the state after the successful military campaign were complicated by the tremendous task of reconstituting the structures of the state and society itself. In short, the very nature of Amin’s regime scarred Uganda so dramatically that recovery of a healthy civil society and economy became a nearly impossible task (Southall 1980, 645-650).

Another possible source of the negative outcome in Uganda is less intimately connected to just war theory itself. Tanzania fought the war, in part, as a war of intervention in response to the extreme instability and violence of the Amin regime, as noted above, this had a high cost when Uganda was rebuilding itself, but it also had an immediate cost. Before the challenges of reconstruction, the actions of the regime clearly had a dramatic negative impact on the indicators used to measure outcomes before the war began. Saber rattling and the invasion of Tanzania only exacerbated the problem. As a result, before and during the war, the economic and life expectancy indicators of Uganda were already on a negative trajectory.

In sum, the results show that the unjust war waged by Uganda may have had a negative impact on the Tanzanian economy, but otherwise had minimal negative impact. At the same
time, Tanzania’s more just war against Uganda corresponds with a set of particularly negative outcomes.

Tanzania’s actions in its action in Uganda were consistent with each of the three differentiated just war requirements\(^{49}\) so it is an example of just war making, but it produced outcomes, that were relatively unjust. This case directly challenges the first hypothesis, “Just wars have just outcomes.” It provides evidence, in conjunction with cases that show unjust wars yielding just outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\(^{50}\)

Uganda’s actions, on the other hand, were highly unjust and yielded relatively just outcomes. This directly challenges the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases that show just wars yielding unjust outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\(^{51}\)

The conclusion is contestable due to extreme differences in the level of success of the two campaigns and because of a variety of mechanisms that might inaccurately attribute negative outcomes for Uganda as being related to the justness of war making. As with the previous case

\(^{49}\) The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.

\(^{50}\) Only one other case has the same profile that directly challenges the first hypothesis and indirectly challenges the third and fourth hypotheses: the First Gulf War where Coalition was the opposing force and Iraq was the target state.

\(^{51}\) Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Sino Vietnam War where China was the opposing state and Vietnam was the target state; Second Sino Vietnam War where China was the opposing state and Vietnam was the target state; and the First Gulf War where Iraq was the opposing state and Kuwait was the target state.
of intervention, Vietnam’s invasion of Cambodia, the distortions caused by the precipitating event make interpretation of the outcomes difficult.

See footnote for complete bibliographic information for sources cited in this case. 52

Sino-Vietnam War (1979)

The 1979 Chinese invasion of Vietnam was largely intended to punish Vietnam for its role in the Vietnamese-Cambodian War (Pao-min 1987-1988, 629-632). Secondarily, it offered China an opportunity to counteract Russia’s increasing influence in the region (Sarkees and Wayman 2010, 171). China’s limited success ultimately weakened its position relative to these goals (Herring 2004, 21). The totality of the war was fought on Vietnamese soil. China initiated the conflict, advanced in Vietnam, and then withdrew under diplomatic pressure from Russia. Because the war was limited solely to Vietnamese territory and because China was the sole state attacking Vietnam, the roles of target and opposing state are clear.

The war was both brief and intense. It lasted only 38 days with the two sides suffering well over 20,000 casualties during this period. China’s incursion was a broad attack, developing at multiple points along the border. Robust Vietnamese defenses in conjunction with difficult terrain slowed the invasion substantially, even so, China destroyed portions of four Vietnamese

52 Bibliography: Ugandan Tanzanian War (1978-1979)
省级首府城市，然后单方面撤军（Sarkees 和 Wayman 2010，171）。

**Target State (Source of DV):** Vietnam

**Opposing State (Source of IV):** China

**Proper Authority:**

中国没有得到国际社会的支持。东南亚国家联盟（ASEAN）可能是最相关的区域国家间组织，但并未正式支持任何一方。这可能是因为ASEAN当时还很年轻，与中越之间没有密切的联系。最终，冲突在强、弱两种形式的正当权威中都未能遵守。

**Just Cause**

nullifies any claim of preventive war. In sum, any claim of self-defense is moot. Consequently China is in noncompliance with the just cause requirement.

**Differentiation of Targets**

The initial targeting within the conflict was wholly military in nature. The Vietnamese were well dug in and the Chinese launched a multipronged attacked that challenged these military targets directly. However, the mission quickly moved on to target civilian-only resources, most notably three provincial capitals: Lao Cai, Cao Bang, and Lang Son (O’Dowd and Corbett 2003, 353). Journalistic accounts of the action clearly describe brutal assaults on the cities (TIME Magazine 1979). With China purposefully choosing a strategy predicated on the conquest of cities through the use of artillery and direct ground-based assaults, success was actually defined as the conquest or destruction of civilian infrastructure as a way of “teaching Vietnam necessary lessons” (Pao-min 1987-1988, 631). Such an approach represents a clear violation of the targeting requirements in either the strong or the weak form.

**Proportionality**

There is no record of the use of illegal weapons. As noted above, China’s purpose was punitive. By its very nature, such an approach violates proportionality. Whether attributable to cultural differences, as suggested by Pao-min, or political concerns as discussed by Sarkees and Wayman, China’s approach to war and decisions following the war strongly suggest that the primary purpose of the military action was to inflict maximal pain (Pao-min 1987-1988, 629-630, Sarkees and Wayman 2010, 171).

Aside from the evident disproportionality of the attacks on Vietnam, China also showed broad disregard for the lives of its own soldiers. Tactically, the Chinese military relied on mass
infantry assaults that contributed to massive unnecessary loss of life by Chinese soldiers (O’Dowd and Corbett 2003, 355, 367). Ultimately, the conflict cost over 20,000 lives and yielded no change in the position of borders (Sarkees and Wayman 2010, 171). The only reason that China receives any consideration of compliance to proportionality norms is because it chose to stop the assault. Notably, compliance in the weak form requires the opposing state to make, “strategic decisions avoid damage and casualties that were not necessary to achieve stated military objectives”. Because China “ruined four Vietnamese provincial capitals” (Sarkees and Wayman 2010, 171) and killed over 20,000 people while having no clear military objectives described or achieved, it is scored as being in non-compliance with the proportionality requirement in both the strong and the weak form.

The resulting scoring for the indicators of the independent variable can be seen below in Figure 4.17.

<table>
<thead>
<tr>
<th>Sino-Vietnam War: 1979</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>China → Vietnam</strong></td>
</tr>
<tr>
<td>Proper Authority</td>
</tr>
<tr>
<td>Just Cause</td>
</tr>
<tr>
<td>Targeting</td>
</tr>
<tr>
<td>Proportionality</td>
</tr>
</tbody>
</table>

Figure 4.17

**Exceptionalities of the War**

China initiated the war primarily as a response to Vietnam’s invasion of its ally, Cambodia, in the Vietnamese Cambodian War. The countries involved create an unusual dynamic for the era. This war along with the Vietnamese Cambodian War and the Second Sino-
Vietnamese War were the only three examples where two communist states went to war with each other during the Cold War. The impact of the patron states, usually the United States and the Soviet Union in the other wars of the era, is a dominant theme and clearly has an impact on the results. In this case, China and Vietnam were trying to exert regional hegemony with the Soviet Union acting as a patron to Vietnam.

This leads to another abnormal aspect of the war. Note that Vietnam is at the center of each of the wars between communist states and it is at war from the beginning of the time under consideration until 1979 including a 15 years of war with the United States just over three years of war with Cambodia, and one year of war with China. Vietnam’s persistent state of war in this period offers two distinct challenges. First, it makes evaluation of the data challenging because it affords no baseline from which to judge the changes in. This is particularly significant in the wars with China when Vietnam is the target state. Second, it underscores the idiosyncrasies of war in Vietnam and perhaps war more broadly. The nature of North Vietnam’s victory established it in a unique position among the communist countries because it was perceived as a victory over the United States. This caused tension as Vietnam attempted to convert the victory into tangible gains and China attempted to retain some respect for its role as a patron state. This power dynamic is at the root of all three conflicts that followed the Vietnam war and ultimately skews the conduct of the war and, consequently, potentially the outcomes.

*Justness of Outcomes*

Although Vietnam’s pcGDP follows a common profile within this study, its life expectancy is somewhat higher than neighboring Cambodia or the previously discussed African nations of Uganda and Tanzania. A brief inspection of the pcGDP graph demonstrates some
minor downturns, with the kink at 1979 likely being the result of this conflict. Also of note, the American war in Vietnam was active through 1975 which may offer some explanation for the irregularity of growth and retraction evident in the graph prior to 1979.

Vietnam’s pcGDP fell by $11 from $806 in 1978 to $795 in 1979. During the same period, life expectancy rose by 0.8 of a year from 55.99 years to 56.79. The pcGDP losses are particularly notable because both regional and global pcGDP during the same period showed growth of $108 and $77 respectively. The life expectancy gain, on the other hand, actually outperformed both the regional and global average increase during the same period.

The total societal damage of the war was moderate. China’s intentional effort to cripple civilian infrastructure in the north and east led to large-scale destruction in communications, transportation, and manufacturing. This was partially mitigated by the limited geographic extent of the damage and by the relatively short duration of the war. Even so, the damage to infrastructure was clearly extensive.

Sociopolitical damage was considerably lighter. Because of robust resistance and strong support from the Soviet Union, the war was contained both geographically and chronologically. This, in conjunction with a strong nationalist impulse and a general impression within the country that the military acquitted itself admirably, allowed political and social structures to remain stable through the war and the post-war period. The war, then, only had a mild impact on sociopolitical structures.

The casualty rate was moderate. With a population of 52.2 million in 1979, Vietnam experienced 8,000 battle-related deaths (Sarkees and Wayman 2010, 171). That is about 1.5 deaths per 10,000 people.
In sum, the war appears to have been damaging to the economy and, to a lesser extent, the sociopolitical structures. As noted throughout, the relatively brief duration of the war and its limited geographic scope appear to have been crucial in limiting the total damage absorbed by Vietnam. For whatever reason, perhaps because of its extensive experience with war, some intangible cultural component, or a strong nationalistic sentiment, Vietnam was able to remain largely intact through a military engagement that was potentially posing an existential threat to the state.
Conclusions

This case appears to be an example where an unjust conflict yields relatively just outcomes. Note that this is not a suggestion that the war produced more desirable outcomes than the absence of war would have but rather that the relative unjustness of the war does not appear to have contributed to a more unjust outcome than a more just war would have. Obviously, there is no definitive proof that such is the case; however, it is hard to imagine how a war of this magnitude could have had less impact given Vietnam’s relatively minor pcGDP losses in conjunction with its life expectancy gains and the moderate societal upheaval.

Superficially, this suggests that just war making yields unjust outcomes. There is, however, a reasonable explanation for this counterintuitive result. As noted in describing the exceptionalities of the case, Vietnam’s experience with war was unique in its duration. Vietnam had been at war for such an extended period of time and under such dire conditions that the country may actually be demonstrating a rebound from a previous war even as the Sino-Vietnamese War is continuing. The long war that included civil war and the struggle with the United States claimed well over 1,000,000 lives with catastrophic damage to the economy, infrastructure, and political structures of Vietnam (Sarkees and Wayman 2010, 155-156, 415-416). This was followed by the border war with Cambodia and an ensuing occupation that required significant resources (Sarkees and Wayman 2010, 68-70). It would be possible, then, to assert that these experiences of war had already impeded development within the state to such a degree that the relatively minor impact of the Sino-Vietnamese War is simply evidence that it is a continuation of the stunted development experienced from the previous war.

Even so, the war violated just war requirements and yielded the outcomes that were relatively just. Therefore, the results directly challenge the second hypothesis, “Unjust wars
have unjust outcomes.” It provides evidence, in conjunction with cases that show just wars yielding unjust outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.53

See footnote for complete bibliographic information for sources cited in this case.54

War in Lebanon (1982)

The 1982 war in Lebanon developed out of a complex combination of internal and external strife. The country was destabilized by an influx of Palestinians following the Black September War in 1970 and continued to struggle through internal political and civil strife as well as external interventions by Syria and Israel (Sachar, A History of Israel: Volume II 1987, 166-169).55 In 1975, Lebanon began to descend into full-blown civil war (Rabinovich 1985, 34-43). Although it continued as a low-grade conflict for some time after the ending date recorded

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53 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: 53 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Uganda Tanzanian War where Uganda was the opposing state and Tanzania was the target state; the Second Sino Vietnam War where China was the opposing state and Vietnam was the target state; and the First Gulf War where Iraq was the opposing state and Kuwait was the target state.

54 Bibliography: Sino-Vietnam War (1979)

55 Black September is found in the Correlates of War data set as intra-state conflict #780 (Sarkees and Wayman 2010, 426).
by the Correlates of War dataset, the war itself was technically concluded in 1976. The end of the war brought no meaningful resolution with highly contentious factions continuing to struggle for power (Rabinovich 1985, 89-90). This factionalism and the resulting tension directly contributed to the most significant violations of just war theory found in this conflict.

The 1982 war was initiated by Israel in an effort to drive the Palestinian Liberation Organization (PLO) from its bases of operations in Lebanon and was not intended to directly target Lebanon (Rabinovich 1985, 121-122). The war ultimately included multiple parties from within Lebanon as well as covert and overt involvement of a number of other states. From a just war perspective, the presence of so many parties with such a wide range of intentions led to a host of challenging decisions for Israel in attempting to conquer and occupy Lebanon.

Target State (Source of DV): Lebanon
Opposing State (Source of IV): Israel

Proper Authority:

Authority was not granted by the United Nations or any other durable intergovernmental organization. The Arab League was involved in the peace process associated with the civil wars within Lebanon, but clearly did not endorse Israel’s efforts. For this reason, Israel is in non-compliance in both the strong and the weak form of the proper authority requirement.

Just Cause

From the Israeli perspective, there was obvious interest in protecting the state from external threat (Rabinovich 1985, 121-122). The name of the initial invasion, “Operation Peace
for Galilee” makes clear reference to a purpose of self-defense. The self-defense claim is further upheld by Sachar’s study of the internal workings of the Israeli government (A History of Israel: Volume II 1987, , 176). At a minimum, this demonstrates compliance in the weak form because self-defense comprised a portion of the cause for the larger war.

Notably, however, the threat was not imminent and, although Israel was responding to an act of terrorism on its soil, one would be hard pressed to call the threat existential (W. Khalidi 1979, 123). The invasion was, at the time it was undertaken, a war of choice with Israel having acted as the provocateur through much of the preceding period (W. Khalidi 1979, 124-125). This clearly limits the degree to which self-defense can be called the cause. Furthermore, issues relating to economic, political, and ideological objectives clearly became increasingly important and led to a dramatic shift in the nature and purpose of the war (Sachar, A History of Israel: Volume II 1987, 178-195). The inclusion of motives such as the installation of a friendly government and the expulsion of Syrian influences within Lebanon exceeds what can reasonably be defined as self-defense (Rabinovich 1985, 122-123). The extent to which basic self-defense requirements were exceeded became clear later in the war as Israel chose to lay siege to Beirut, the capital city well outside the 40 km range identified by Israel as necessary for a defensible border (Rabinovich 1985, 138-143). Israel, then is not in compliance with the strong form of just cause because some portion of the cause was not self-defense, but it was in compliance with the weak form because self-defense was a part of the decision.

Differentiation of Targets

The complexity that arose from multiple domestic and foreign parties within the state in conjunction with unconventional tactics and unclear objectives contributed to a problematic

56 “Galilee” is the northern region of Israel. It shares a border with Lebanon and was the target of PLO attacks.
targeting environment for Israel. The initial invasion was relatively clean with a focus on military and dual-use targets (Sachar, A History of Israel: Volume II 1987, 166-168). In this phase, Israel may have maintained an argument for compliance in the weak form because many of the civilian targets had imbedded military assets as well making it plausible to describe them as dual use infrastructure. However, even at this stage, some of the tactical decisions appear to violate reasonable targeting expectations. In its effort to dislodge the PLO and avoid heavy losses itself, Israel chose to shell civilian areas including the Rashidiyeh refugee camp and the town of Damour. An estimated 6,000 Palestinians were killed in the bombardments of refugee camps in South Lebanon (Sachar, A History of Israel: Volume II 1987, 182-183).

As this early stage unfolded in the first three-days, Israel’s objectives began to morph, leading to an expansion of the war to include the Syrian military (Rabinovich 1985, 137-138). This development was not wholly unforeseen by Israel (Rabinovich 1985, 134). The resulting course of the war, however, produced a very difficult targeting situation for Israel.

Israel relatively quickly eliminated the Syrian military threat giving the Israeli army position on the outskirts of Beirut (Rabinovich 1985, 137-138). With a meaningful PLO presence in Beirut, Israel saw an opportunity to eliminate the ongoing political influence of the PLO using its allies from within Lebanon, the Maronite Christians (W. Khalidi 1979, 130). When this proved unsuccessful, Israel laid siege to Beirut bringing the civilian population directly into harm’s way through the denial of necessary goods (Rabinovich 1985, 141-143). Extensive bombing, ultimately forced the PLO to evacuate Beirut; however, it also led to extensive civilian casualties (Rabinovich 1985, 142-144). During the occupation, with Israel

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57 Towns used as bases by the PLO offer one example of dual-use assets that were targeted. Specific examples of targeted towns include Tyre, Nabatiyeh, Sidon, and Beiteddiq with dual-use targeting also including transportation infrastructure such as the Beirut-Damascus highway (Sachar, A History of Israel: Volume II 1987, 177).
assuming police duties, sectarian violence escalated leading to mass killings by Israel’s local allies against their sectarian rivals (Rabinovich 1985, 144, W. Khalidi 1979, 128-129).

In light of the siege, it is difficult to consider Israel in compliance with just targeting requirements. This is compounded by heavy-handed tactics throughout the conflict, particularly the decisions to shell population centers (W. Khalidi 1979, 125-128). Clearly, Israel was in gross violation of the targeting requirements in both the strong and the weak form.

**Proportionality**

Although proportionality and targeting are distinct concepts, there are single behaviors that demonstrate violations of both. In this case, Israel’s decision to target population centers with heavy shelling in an effort to limit its own losses represents a clear and blatant disregard for the lives of people (Sachar, A History of Israel: Volume II 1987, 182-183, W. Khalidi 1979, 128-130). While there is no evidence of illegal weapons use, both strategic and tactical decisions demonstrated a wanton disregard for the lives of Palestinians and Syrians. This judgment is reinforced by the Israeli abdication of responsibility as an occupying power that contributed directly to the killing of unarmed civilians in the Sabra and Shatila refugee camps in Beirut (Sarkees and Wayman 2010, 174). The narrowly defined “battle related deaths” recorded by the Correlates of War project show Syria suffering 1,200 battle deaths to Israel’s 455 (Sarkees and Wayman 2010, 174). Israel is in clear violation of both the strong and weak form of proportionality.

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58 For example, one might choose to assassinate a civilian leader. This would be a clear violation of both the strong and weak form of the targeting requirement but might actually enhance a claim for proportionality if the action limited the duration or intensity of a war. Similarly, one could target an army that is fleeing and thereby meet the targeting requirement while still being disproportional. Finally, one could choose to attack a city which would violate both proportionality and targeting norms.
The resulting scoring of the indicators for the independent variable can be seen below in Figure 4.19.

<table>
<thead>
<tr>
<th>War in Lebanon: 1982</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Israel → Lebanon</strong></td>
</tr>
<tr>
<td>Proper Authority</td>
</tr>
<tr>
<td>Just Cause</td>
</tr>
<tr>
<td>Targeting</td>
</tr>
<tr>
<td>Proportionality</td>
</tr>
</tbody>
</table>

*Figure 4.19*

**Exceptionalities of the War**

The ongoing wars within Lebanon including open civil wars, sectarian violence, and extensive interference from neighboring Syria and Egypt clearly skews both the baseline and post-war numbers. In much the same way that the experience of war in Vietnam is skewed by a perpetual state of war during this period, it is reasonable to assume that Lebanon’s response to war will be shaped by the conflicts which surround the specific invasion under consideration. There are major differences between Vietnam’s experience and Lebanon’s experience. Where the Sino-Vietnamese war represented a decrease in total intensity from the earlier American-Vietnamese war, Israel’s invasion is a clear escalation of intensity. As such, one might reasonably expect to see more pronounced effects of just war making.

As with the other wars in the Middle East during this period, the dynamics of the Cold War played a notable role. The United States was critical in facilitating Israel’s invasion and occupation of Lebanon. Not only did the US offer extensive material support, but it also provided political cover even as violations of just war concepts became obvious (Ryan 1982).
This may have served to embolden Israel and facilitated a more aggressive war making posture by protecting Israel from the harshest international ramifications of its war making. Note, however, that this would not be expected to influence the outcomes observed in Lebanon, but simply explain why Israel was willing to take such robust action even against common understandings of just war principles.

Lebanon’s allies did little to contribute to its capacity to recover. Syria worked toward a ceasefire as rapidly as possible that allowed it to minimize its losses, but afforded Israel the opportunity to turn its attention to the siege of Beirut (Rabinovich 1985, 138). The Soviet Union, allied with Syria, also offered minimal support though they did press for a ceasefire in the United Nations and directly with the United States. In short, Lebanon received minimal assistance from the international community and dealt with unrest continuing within its border for much of the next decade.

Justness of Outcomes

Lebanon’s experience was extremely negative, particularly in light of its already depressed baseline. It’s prewar pcGDP was $3,362 in 1981. In one year, it declined by 7% or $228 to $3,134. With ongoing civil strife, it is worth noting that the decline continued through 1982 to $3,100 before rebounding in 1983 to $3,165. Lebanon’s $228 decline in pcGDP, from 1981 to 1982, corresponds with a broad global economic decline. In the same period, the region saw 12% decrease of $1,704, from $13,560 to $11,856 and the global average fell by $22 from $4,523 to $4,501.
Life expectancy numbers show a more substantial loss relative to the world. Lebanon saw a modest 0.18 years increase in life expectancy at birth from 66.75 years to 66.93 years. This compares to a regional increase of 0.58 years and a global increase of 0.40 years.

*Total societal damage* was clearly very extensive, though it is difficult to parse out the degree to which the invasion by Israel is responsible for the dramatic shifts. Both infrastructural and sociopolitical damage was very extensive. Casualty numbers are nearly impossible to determine with certainty though they appear to fall somewhere in the extensive to very extensive category.

Infrastructural damage was clearly most extreme in the south where Israel essentially pursued a scorched earth policy. In practice, this meant the destruction of population centers and associated infrastructure, including “bridges, electricity and telephone networks, hospitals, schools, clinics, [and] water reservoirs…” (W. Khalidi 1979, 128). Beirut itself suffered similar destruction with both Israeli bombardment and sectarian actions wreaking havoc on the infrastructure. In sum, the devastation was extreme and clearly ranks as very extensive.

The war’s impact on the sociopolitical order came in many forms. It served to solidify and reinforce already intense sectarian animosity. The war not only reinforced the divides that were previously present, but added “a legacy of occupation and resistance” (Murden 2000, 33). Following the war, the potentially beneficial impacts of Lebanese nationalism was dealt a severe blow with the sectarian divisions gaining identity as proxies for Lebanon’s neighbors, Israel and Syria.
As dramatic as these social changes were, the war was similarly impactful in the political front. The invasion ultimately served to facilitate the rise of a president sympathetic to Israel, the Maronite leader Bashir Jumayyil (Rabinovich 1985, 143). Jumayyil was promptly assassinated leading to Israel’s reassertion of police power. It was during this time that the mass killings in the refugee camps occurred and tensions continued to escalate contributing to the violence after Israel left. Clearly, the sum total of these experiences had a very extensive impact on the sociopolitical life of Lebanon.
Mortality figures are nearly impossible to obtain. Syria suffered 1,200 battle-related deaths in Lebanon, but this only accounted for a very small percentage of the total (Sarkees and Wayman 2010, 174). Journalistic accounts of Lebanese casualties estimate roughly 50,000 battle-related deaths including civilians.\footnote{The best summary of journalistic accounts may be found at the Necrometrics site. The 50,000 estimate is pulled from sources including the Christian Science Monitor from the 14th of October, 1982; the Beirut based paper An Nahar; and the Washington Post from the 3rd of September of the same year (Necrometrics 2011).} In 1982, Lebanon was a small country with a total population of about 2.82 million people. If only 1% of the reported 50,000 deaths were deemed battle related, when added to the 1,200 suffered by Syria, Lebanon would have suffered an extensive casualty rate of over 6 deaths per 10,000 people. If one accepts the full 50,000, the rate jumps to a catastrophic 182 deaths per 10,000 people – clearly very extensive loss of life.

Conclusions

This war is a clear, stark example of unjust principles yielding unjust results. The brutal tactics of Israel clearly and directly contributed to extensive damage and upheaval. Indifference and perhaps even malice toward Lebanon’s Palestinian population led to horrific acts of destruction in the south that violated both proportionality and targeting norms. These violations of just war making led to large-scale loss of life and extensive destruction of critical infrastructure that made return to the region difficult (W. Khalidi 1979, 128-129). As the war progressed, the lax adherence to just cause, evident in the active tampering with domestic politics, yielded extensive sociopolitical damage. The same indifference to proportionality that caused such damage in the south clearly contributed to the massacres at the refugee camps of Sabra and Shatila in Beirut as Israel appeared to take a pragmatic view, seeing their ally’s actions as beneficial in weakening their Palestinian adversary.
In sum, this case is an obvious example of how violations of just war principles can lead to unjust outcomes. This case directly supports the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases where just wars yield just outcomes, that supports the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\textsuperscript{60} The instability that the conduct of this invasion contributed was not only detrimental to the population of Lebanon, it facilitated ongoing unrest that, in turn, has had a durable negative impact on Israel’s efforts to achieve a stable border and advantageous peace process (Murden 2000).

See footnote for complete bibliographic information for sources cited in this case.\textsuperscript{61}

\textbf{Second Sino-Vietnam War (1987)}

The Sino-Vietnam war of 1987 was in many ways a continuation of the 1979 border war discussed earlier (Sarkees and Wayman 2010, 175). Ongoing hostilities from 1979 to 1987 included artillery barrages, incursions by patrols on sea and land, and efforts to sabotage agricultural production along the border, though all the actions remained below the threshold of

\textsuperscript{60} Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Six-Day War where Egypt and Syria were the opposing states and Israel was the target state; the Six-Day War where Israel was the opposing state and Egypt and Syria were the target states; the Bangladesh War where Pakistan was the opposing state and Bangladesh was the target state; and the Ogaden War where Somalia was the opposing state and Ethiopia was the target state.

\textsuperscript{61} Bibliography: War in Lebanon


full blown war (Sarkees and Wayman 2010, 175-176). As with the first Sino-Vietnam War, the second war was a continuation of the effort by China to reestablish its regional dominance in the face of rising Vietnamese power. It was fought with a similar lack of regard for just war principles, and ultimately ended in much the same manner. After inflicting damage, China declared victory and withdrew. Notably, it was a war defined as a war by the Correlates of War project because of casualty numbers. As a consequence, it is not widely acknowledged as a separate incident in the literature.  

Target State (Source of DV): Vietnam  
Opposing State (Source of IV): China

Proper Authority:

There was no endorsement of either side’s position by the United Nations. As was the case previously, the most significant regional intergovernmental organization, ASEAN, did not endorse China’s aggression which is of some note because China worked to improve its relationship with ASEAN as the conflict simmered through the 1980s (Ku 2006, 115-120). China was in non-compliance in both the strong and weak form of the proper authority requirement.

Just Cause

As with the previous case, there is simply no evidence that the actions were related to self-defense. China initiated the conflict and was under no immediate threat from Vietnam (Sarkees and Wayman 2010, 175). There is some potential for an appeal to defense of the

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62 Notably, this leads to a dearth of peer reviewed sources. For this piece only, GlobalSecurity.org is used as a reference. GlobalSecurity.org is the website of security analyst John Pike and is broadly consumed as a source of information by policy analysts.
innocent because ethnic Han Chinese residents in Vietnam had experienced discrimination by the Vietnamese government (Sarkees and Wayman 2010, 176). However, the argument can be dismissed because of the limited scope of the discrimination and the Chinese strategic decisions in war. To the first point, the losses of ethnic Chinese included substantial loss of property, but freedom of motion was not impinged and there are no reports of violence (Pao-Min, Peking, Hanoi, and the Ethnic Chinese of Vietnam 1982). In short, while this was uncomfortable for the Han Chinese in Vietnam, it would seem wildly disproportionate to go to war over such discrimination. Regarding Chinese policy, it is also difficult to accept the cause as defense of the innocent when China’s decision to begin and end hostilities correlated with political and ideological tensions rather than the plight of the Chinese minority in Vietnam (Pike 2005). It does, therefore, appear that Chinese actions were motivated by a desire to punish Vietnam for disloyalty/misplaced loyalty. For these reasons, China is scored as being in noncompliance with either form of the just cause requirement.

Differentiation of Targets

The war itself was fought predominately as a guerrilla war. While there was action along a defined front and substantial artillery exchanges, much of China’s action was focused on disrupting and destroying civilian assets within Vietnam. This included both psychological operations and direct acts of sabotage – particularly of agricultural operations (Pike 2005).

Because China chose to actively target civilian only infrastructure – specifically food production, it is clearly not in compliance with either the strong or weak form of the target differentiation requirement.
Proportionality

There is no evidence of the use of banned weapons in this war. China’s punitive objectives provide clarity in analyzing its compliance with the proportionality requirement. Put simply, the explicit purpose of China was to cause harm to Vietnam, including the population at large as well as the state itself. With the express purpose of causing harm, China is clearly in non-compliance with both the strong and the weak form of proportionality.

The resulting scoring of the indicators for the independent variable can be seen below in Figure 4.21.

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
<td>Strong Form 0</td>
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<tr>
<td>Just Cause</td>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 0</td>
</tr>
</tbody>
</table>

Figure 4.21

Exceptionalities of the War

The escalation of violence along the Vietnam-China border that ultimately led to 4,000 casualties in just over a 1-month period in early 1987 is a case worthy of study. However, because of the low-grade background violence preceding this incident, the case itself has not been distinguished from the broader conflict in much of the academic literature. The border violence that preceded the war along with the costly ongoing occupation of Cambodia serves to not only dominate the academic literature, but potentially to obscure the impacts of the war itself (SarDesai 1992, 141).

Justness of Outcomes
Vietnam actually experienced more than 0.9 years growth in life expectancy during this period from 61.64 years in 1986 to 62.55 years in 1987 (outstripping both the regional and global averages of .35 and .37 years respectively.) Vietnam’s anemic pcGDP growth of $12 from $929 to $941 is particularly evident when compared to regional and global growth. East Asian states saw an average increase in pcGDP of $109 between 1986 and 1987 with the global average increasing $99 (rising from $4,833 to $4,932.) This represents mixed results that are consistent with the exceptionalities of Vietnam’s war making experience. Prior to the war, Vietnam had already demonstrated a tendency for slow growth in pcGDP. This is likely associated with its perpetual state of war and very low life expectancy numbers, nearly 9 years below the global average, in the 1960s. As the extreme conditions of the American-Vietnamese war eased in 1975, it would seem natural that Vietnam would see some reversion to the mean as the civil war ended and national healthcare structures took shape.

These same complications of ongoing conflict influenced the war’s impact on society. The Vietnam’s northern border regions were heavily damaged in the first Sino-Vietnamese border war of 1979. Ongoing shelling and the threat of invasion limited the development of infrastructure and, consequently the total damage to infrastructure as a result of the war in question. Consequently, the infrastructural damage was mild.

In a similar vein, the ongoing violence and associated tensions were an expected part of Vietnamese society and politics. As a consequence, the border war in 1987 did not have a significant impact on political structures. Socially, the conflict served to further escalate distrust of the Han Chinese population living in Vietnam; however, this was a shift by degrees of by a population already suspicious of the ethnic Chinese population rather than a wholesale change in attitudes (Pao-min 1987-1988). In sum, the sociopolitical impact was also mild.
Finally, regarding deaths, the Correlates of War data suggests that Vietnam suffered a total of 2,200 battle-related deaths. With a population of 62.4 million people in 1987, Vietnam suffered less than 0.4 deaths per 10,000 people as a result of this war. This represents a mild casualty rate.

<table>
<thead>
<tr>
<th>Year</th>
<th>Vietnam pcGDP</th>
<th>Region pcGDP</th>
<th>World pcGDP</th>
<th>Vietnam Life Expectancy</th>
<th>Region Life Expectancy</th>
<th>World Life Expectancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984</td>
<td>$891.00</td>
<td>$2,328.31</td>
<td>$4,668.17</td>
<td>60.05</td>
<td>60.70</td>
<td>62.63</td>
</tr>
<tr>
<td>1985</td>
<td>$923.00</td>
<td>$2,431.33</td>
<td>$4,748.02</td>
<td>60.80</td>
<td>61.14</td>
<td>62.96</td>
</tr>
<tr>
<td>1986</td>
<td>$929.00</td>
<td>$2,503.15</td>
<td>$4,832.77</td>
<td>61.64</td>
<td>61.52</td>
<td>63.28</td>
</tr>
<tr>
<td>1987</td>
<td>$941.00</td>
<td>$2,612.37</td>
<td>$4,932.17</td>
<td>62.55</td>
<td>61.87</td>
<td>63.65</td>
</tr>
<tr>
<td>1988</td>
<td>$976.00</td>
<td>$2,792.97</td>
<td>$5,056.28</td>
<td>63.50</td>
<td>62.16</td>
<td>63.92</td>
</tr>
<tr>
<td>1989</td>
<td>$996.00</td>
<td>$2,932.39</td>
<td>$5,130.04</td>
<td>64.49</td>
<td>62.46</td>
<td>64.30</td>
</tr>
<tr>
<td>1990</td>
<td>$1,025.00</td>
<td>$3,088.78</td>
<td>$5,149.73</td>
<td>65.47</td>
<td>62.68</td>
<td>64.52</td>
</tr>
</tbody>
</table>

Figure 4.22

On the whole, the outcomes associated with the war are as positive as could reasonably be expected. All societal indicators suggest that the impact was mild. While there was lower than average growth in pcGDP as measured against both global and regional metrics, the growth was consistent with Vietnam’s historic averages. Furthermore, Vietnam’s life expectancy actually increased relative to regional, global, and its own historic rate.
Conclusions

This war offers an example of a highly unjust war yielding outcomes that appear to be as just as could possibly be expected. As described above, this appears to be the result of a unique combination of experiences. Vietnam’s experience of over 15 years of high intensity civil and interstate war followed by a costly invasion and occupation of a neighbor skewed the baseline assessment of Vietnam. The ongoing border conflict, beginning with the 1979 war, not only influenced baseline measures, but contributed to the minimal response of indicators to the specific conflict in question. This took many forms. From the degradation of infrastructure within the area most affected by the 1987 war to the durable low-grade nature of the engagement, the population was likely to develop a sense of the conflict and its associated damage as a normal part of life. Perhaps relatedly, the various political and economic structures had nearly a decade to adjust to war with China prior to the outbreak of this specific war.

While the case ostensibly challenges the concept of just wars yielding just outcomes, it appears that this is the result of unusual circumstances rather than particularly beneficial aspects of China’s unjust war making policy. Even so, the war violated all three of the differentiated just war requirements while producing outcomes that were relatively just. This reality directly challenges the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases that show just wars yielding unjust outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making

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63 The three differentiated indicators of just war making are: just cause, differentiation of targets, and proportionality. The proper authority requirement did not have sufficient variation among the cases to produce meaningful results and is consequently discounted.
contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.64

See footnote for complete bibliographic information for sources cited in this case.65

The First Gulf War (1990-1991)

Iraq’s invasion of Kuwait was the precipitating event of the Gulf war, making Iraq the opposing state and Kuwait the target state at the onset. Following the initial conflict between Iraq and Kuwait, a United Nations sanctioned coalition entered the war driving Iraq out of Kuwait and pressing the attack onto Iraqi soil making Iraq a target state. Iraq’s initial invasion was militarily decisive and rapid. The coalition response was similarly decisive and quick, though it took some time for the international community to prepare the response.

The compressed timeline and distinct stages of the conflict itself offer at least two different approaches to analysis. The first is to divide the conflict chronologically, making all Iraq’s war making behavior prior to the involvement of the UN coalition relevant, but ignoring everything afterward when Iraq becomes the target state. The other is to consider all of Iraq’s war making actions in Kuwait as a measure of the justness of Iraq’s war against Kuwait – even

64 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: the Uganda Tanzanian War where Uganda was the opposing state and Tanzania was the target state; the Sino Vietnam War where China was the opposing state and Vietnam was the target state; and the First Gulf War where Iraq was the opposing state and Kuwait was the target state.

when Iraq was on the defensive. This analysis takes the latter approach. As long as Iraq was in Kuwait its actions are evaluated because it is still in the role of occupier and as such, the justness of its behavior is influencing Kuwait’s experience of war.

Though brutal, the first stage of Iraq’s offensive into Kuwait was considerably less destructive than Iraq’s retreat. Perhaps similarly, the coalition’s behavior while in Kuwait was considerably more measured than it was when attacking Iraqi troops on Iraqi soil. In sum, the justness of the two conflicts is particularly uneven with some portions of the conflict appearing considerably more just than others.

Also of note, the scoring here does not include an analysis of Saddam Hussein’s domestic actions following his defeat in Kuwait. Such actions are simply beyond the scope of the study. Just as the Khmer Rouge continued to influence Cambodian outcomes after Vietnam invaded, Hussein continued to influence Iraq’s economy and health system after the war officially ended. While this may skew the measured outcomes, it is a distortion that appears to be a real consequence of fighting a limited just war. Put another way, Hussein’s response appears to be within the bounds of what one might expect in similar scenarios so will be treated as a natural outcome for this particular form of just/unjust interaction.66

66 As an example, consider the challenges associated with UN endorsed mission in Libya where Moammar Gadhafi survived limited war for a period of months and continued to contribute to unrest and instability in the surrounding region. It seems that UN endorsement, just cause, moderate attention to targeting, and moderate attention to proportionality tends to yield a durable state of unrest within the target country.
**Conflict A: Iraq → Kuwait**

*Proper Authority:*

The United Nations Security Council did not endorse Iraq’s invasion of Kuwait. In fact, it expressly condemned the invasion and endorsed the response of the coalition. Similarly, there was no support for Iraq’s action among regional intergovernmental organizations. Iraq was therefore not in compliance with the proper authority requirement in either the strong or weak form.

*Just Cause*

Iraq, under the pretext of an invitation from an interim government, invaded Kuwait and promptly annexed it into greater Iraq (Stoessinger 2008, 297). The already flimsy claim of supporting a legitimate government is dismissed in light of Saddam Hussein’s ongoing focus on self-aggrandizement and horrific record of abuses as well as the decision to annex Kuwait immediately following the invasion (O’Neill and Kass 1993, 23, Nyang and Hendricks 1995, 28-42). Ultimately, the decision appears to have been driven by a combination of economic and security concerns, most notably economic concerns surrounding oil in conjunction with the large debt incurred while fighting the Iran-Iraq war and security concerns that grew out of the economic concerns (O’Neill and Kass 1993, 24, Nyang and Hendricks 1995, 44-45, 72, Yergin 1991, 21-26). Note that Iraq’s claim that the border was unjustly created may have merit, but does not constitute an acceptable “just cause” under the definition provided here (Nyang and Hendricks 1995, 21-25, Frankel 1991, 16-25).\(^\text{67}\) Obviously, then, Iraq does not meet the requirements for just cause in either the strong or the weak form.

\(^\text{67}\) Historic wrongs, however grievous, are not acknowledged as a just cause in international law.
Differentiation of Targets

The invasion itself was tightly targeted and succinct (Walzer, Justice and Injustice in the Gulf War 1992, 4, Nyang and Hendricks 1995, 76-77). Although civilian roads were used to facilitate the invasion, little damage was done until Iraq entered the capital. There was large scale pillaging reported within the capital and Iraq immediately seized all Kuwaiti oil facilities (Nyang and Hendricks 1995, 77). Kuwait’s experience of war; however, became markedly less just as the occupation continued. With the entry of the United Nations’ coalition into Kuwait, Iraq was pushed out. As it retreated, Iraq’s military set Kuwait’s oil fields on fire causing substantial environmental and economic damage (Freedman and Kars 2011, 29). This last action represents a clear targeting of civilian only infrastructure. This, coupled with the looting documented during the capture of Kuwait city, provides ample evidence that Iraq was not in compliance with target differentiation in either the strong or the weak form.

Proportionality

As with the targeting requirement, Iraq’s actions associated with proportionality can be divided into two distinct pieces: the invasion itself and the defense of the occupied territories after the Coalition began to drive Iraq out. As noted above, the invasion was rapid, but did include looting in the capital city (Walzer, Justice and Injustice in the Gulf War 1992, 4, Nyang and Hendricks 1995, 76-77). While the sheer size of the military involved in the invasion was tremendous, the invasion itself stayed within its military objectives and, with the exception of looting, appeared to avoid unnecessary damage. The second phase, Iraq’s retreat under the UN coalition onslaught, was brutally disproportionate. The requirement that strategic and tactical decisions avoid unnecessary harm was clearly violated in the destruction of oil fields in what
appeared to be an act of spite with minimal discernible benefit to Iraq (Sands, et al. 1991, 221).
Consequently, Iraq was clearly violating the proportionality requirements.

**Conflict B: Coalition → Iraq**

*Proper Authority:*

The United Nations Security Council formally endorsed the coalition’s military action to drive Iraq out of Kuwait in Security Council Resolution 678. This means that the coalition was acting in compliance with the strong form of proper authority.

*Just Cause*

The most common critiques of the coalition’s action in Iraq are related to questions of motivation. It is important to note that “right intention”, must be differentiated from “right motives”. Terry Nardin asserts, “[an] agent’s intention is what he chooses to do; his motive is the disposition and desires that explain his choice” (Nardin 2006, 10). In the case of Iraq, it is irrelevant if the motive for driving Iraq from Kuwait is related to oil prices, military bases, or any other national interest as long as the intent is to have Iraq out of Kuwait.

Under this definition, it is clear that the coalition met the just cause requirement. As approved by the United Nations, the accepted purpose was to liberate Kuwait – this qualifies as defense of the powerless. Hindsight offers some support to the limited scope of the mission as opportunities to press the advantage were forgone in the interest of staying within the mandate (Liberman 2007, 24). This is made evident in the President George H.W. Bush’s open remarks in a speech following the end of the war, “Kuwait is liberated. Iraq’s army is defeated. Our military objectives are met. Kuwait is once more in the hands of Kuwaitis in control of their
own destiny” (Bush 1991, 449). Note that Saddam Hussein was still in power and there were rumblings of revolt that, if supported might have led to a change in leadership.

If one accepts this as evidence that the coalition itself was in full compliance with the just cause requirement, problems arise in proportionality and targeting. It appears clear that the coalition defined its mission and success in terms of the UN mandate that did not include regime change. This leads to a host of questions regarding the justness of the war in regards to the decision to press any advantage into Iraq. This is discussed below. However, within this narrow view of just cause, it is clear the coalition was in compliance in the strong form.

**Differentiation of Targets**

The coalition clearly and overtly targeted dual use infrastructure including communications, transportation, and power generation facilities (Simons 1998, 24-26, 109-113). These actions disqualify the coalition from being in compliance with the targeting requirement in the strong form. Notably, however, the extensive use of guided munitions and extensive planning on the targeting list did contribute a campaign focused on resources that might be used to support military operations (O’Neill and Kass 1993, 35-38). Furthermore, in light of the very real fear that Iraq might deploy biological or chemical weapons, dual-use facilities that might be associated with the manufacture or maintenance of the weapons and infrastructure associated with communications might all be viewed as dual use in as far as they may have held real military significance, particularly if the war grew into a protracted conflict. For this reason the coalition scores as being in compliance with the weak form, but not the strong form of target differentiation.
Proportionality

While the weapons used by coalition forces in Iraq were not prosecuted under the existing laws, there are significant questions regarding the legality of some of the weapons used. Most notably, there is a literature that questions the legality of fuel-air explosives and depleted uranium munitions (Simons 1998, 20-27). Because the weapons have not been prosecuted as illegal and because it is not clear that such an effort would be successful, the conflict is scored as if there were no illegal weapons used. 68

Strategically, a concerted effort was made while driving Iraq out of Kuwait to avoid unnecessary damage; however, there were clear examples where non-stated objectives contributed to extensive damage that would not have been necessary within the mandate of the United Nations. A widely covered example of these ulterior motives bringing about disproportionate military action can be seen in the treatment of retreating soldiers. Soldiers fleeing north to Basra were slaughtered on the road as they fled (Stoessinger 2008, 312). Other examples of killings in Iraqi territory during retreat suggest that this was a strategic decision (Simons 1998, 7-11). Such action is defensible if the intent was regime change and the enemy represented a force that would need to be confronted during an invasion; however, in the context of repulsing the invasion of Kuwait, it represents disproportionate military force, at least in the strong sense. The perspective is reinforced by just war scholar Michael Walzer who found the killing of retreating soldiers in the case of Iraq problematic in light of just war requirements (Walzer, Arguing About War 2004, 95-97).

These tactics did not attempt to “minimize harm” but did fall under the broader stated objectives of members of the coalition, though not of the United Nations itself. Clearly, some

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68 Note that the international law which is cited as banning these weapons, UN General Assembly Resolution 33/84(b) of December 13, 1928, is a nonbinding resolution (Simons 1998, 5).
effort to minimize Hussein’s military capacity was consistent with the goal of protecting Kuwait. Furthermore, Hussein’s brutal crackdown on Kurds and Shiites following the conflict suggests that efforts to minimize the regime’s capacity may have been, at least in part, consistent with a larger objective of protecting the powerless.

Even so, the coalition’s willingness to wreak destruction is evident in the nearly 30:1 ratio of Iraqi to coalition casualties. As recorded by the Correlates of War database, Iraq suffered 40,000 battle-related deaths with the coalition, including Kuwait, suffering a total of 1,466 (Sarkees and Wayman 2010, 176). Because of both the strategic decisions of the coalition and the outcomes that led to dramatic asymmetries in battle deaths, it is evident the coalition was not in strict adherence with the strong form of proportionality. The decision to refrain from pushing on to Baghdad, the real value associated with efforts to protect minority populations through a weakening of the regime’s military capacities, and the efforts to minimize damage to the civilian population during the air campaign suggest that the coalition was in compliance with the weak form of the proportionality requirement because it clearly avoided some decisions that would have been disproportionate.

The resulting scoring of the indicators for the independent variable can be seen below in Figure 4.23.

<table>
<thead>
<tr>
<th></th>
<th>Conflict A: Iraq → Kuwait</th>
<th>Conflict B: Coalition→ Iraq</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 1 Weak Form 0</td>
</tr>
<tr>
<td>Just Cause</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 1 Weak Form 0</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 0 Weak Form 1</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Strong Form 0 Weak Form 0</td>
<td>Strong Form 0 Weak Form 1</td>
</tr>
</tbody>
</table>

Figure 4.23
**Exceptionalities of the War**

This war was exceptional among the cases primarily because of its adherence to the proper authority requirements. The broad support of the United Nations yielded a cascade of consequences that dramatically alters the nature of the indicators under consideration. Broad international support for war emphasizes the impact of victory and defeat. Where the bipolar world of the Cold War all but guaranteed a patron to mute the worst effects through competing support, the endorsement of the UN emphasizes the experience of victory and defeat. As the war concluded, the world collectively rallied around Kuwait even as it installed stifling sanctions on Iraq. This dynamic appears to be as much responsible for the measured outcomes as the nature of the war making itself, particularly in over a period of years.

**Justness of Outcomes**

Kuwait showed a remarkable recovery in pcGDP following the war. This is likely a product of a decreasing population and robust economic aid from the international community. On the population side, Kuwait did not match its population peak of 1990 until 1999, taking nearly a decade to grow to its prewar size. Though Kuwait’s pcGDP suffered in the first year of war, it showed staggering growth immediately following the conflict going from $7,968 before the war in 1989, to $6,121 in 1990, and then soaring by nearly $2,000 to $8,108 in 1991. The growth is more remarkable given the broader context. Regional growth in pcGDP during the same period was roughly $400 while the global average increased by a miniscule $7.

Kuwait’s life expectancy figures showed growth roughly on par with global average increasing by a modest .45 years between 1989-1991. Notably, however, these gains were on
top of an already relatively high life expectancy at birth. The global average life expectancy increased .54 years during the same period. Regionally, growth was more robust, roughly double Kuwait’s. The region grew by .90 years over the two-year period in question; however, Kuwait’s life expectancy remained well above the average for the region.

Societal indicators were widely mixed for Kuwait. The destruction of oil wells constituted extensive damage to an infrastructure focused on oil production. While there was political upheaval, it was the mass exodus of immigrant labor that had the most dramatic impact on Kuwaiti society. Even so, the total effect of the war on sociopolitical indicators was moderate given the brevity of the conflict and the substantial support following it. Finally, the casualty rate was moderate with just less than 5 deaths per 10,000 people, the result of 1,000 battle-related deaths in a population of 2.09 million people in 1992 (Sarkees and Wayman 2010, 176).

In sum, the total societal damage caused by the war was moderate – with international intervention and support contributing significantly to the limiting what might otherwise have been a disastrous experience for Kuwait. Mitigating recovery efforts included significant assistance in repairing damaged oil production facilities and relatively rapid reestablishment of the political order.

Iraq’s experience of war was dramatically more negative. In prewar 1989, Iraq’s pcGDP was $2,571. The war that started late in 1990 brought an initial decline to $2,458, a loss of $113, followed by a precipitous drop of over $1,500 to $947. This represents a per capita decrease in GDP of $1,624 during a period when the rest of the world increased its pcGDP by a modest $7.

Life expectancy demonstrated a less dramatic response. Iraq showed moderate, consistent growth with an increase of 1.11 years between 1989 and 1991. Although Iraq did not achieve the regional average life expectancy of roughly 70 years, it did outperform the growth in
regional average by 0.21 years. It soundly outperformed the global average that improved by only 0.54 years during this period.

As alluded to earlier, Iraq’s experience of war did not include the substantial assistance granted to the Kuwaiti’s. Infrastructure in the north and south was effectively stripped from Baghdad with the implementation of no-fly zones. Airstrikes on power generation facilities, communications infrastructure and government buildings brought about hardship for the population and the government. Ultimately, the ongoing sanctions, which began prior to the war and continued for more than a decade, caused much of the infrastructure to degrade due to neglect and rendered oil infrastructure largely useless as exports were tightly controlled. In sum, the infrastructural damage was very extensive.
Sociopolitical impacts were extensive, but Saddam Hussein and the associated Ba’ath Party remained in power. Large sections of the country in the north and the south began to function as autonomous zones and, though intact, the central government was relegated to managing a dwindling domestic economy with minimal impact on the global stage.
The very extensive battle-related deaths also contributed to the broad sociopolitical turmoil. Iraq suffered 40,000 deaths in the war (Sarkees and Wayman 2010, 176). With a population of 18.6 million in 1991, this represents 21.5 deaths per 10,000 people.

Overall, then, the total effect of the war was catastrophic. Very extensive total societal damage altered daily life and the functioning of the state apparatus. Acts of war and sanctions enacted in peace conspired to degrade state capacity and ultimately the well-being of the population.

Conclusions

In war, the Coalition was somewhat more just in its actions, but Iraq, as the target state, experiences highly unjust results. This directly challenges the first hypothesis, “Just wars have just outcomes.” It provides evidence, in conjunction with cases that show unjust wars yielding just outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively. Conversely, Kuwait experienced an unjust war at the hands of Iraq and emerged with relatively positive outcomes. This directly challenges the second hypothesis, “Unjust wars have unjust outcomes.” It provides evidence, in conjunction with cases that show just wars yielding unjust outcomes, that challenges the third and fourth hypotheses, “Just war making contributes to just outcomes and unjust war making

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69 Only one other case has the same profile that directly challenges the first hypothesis and indirectly challenges the third and fourth hypotheses: the Uganda Tanzanian War where Tanzania was the opposing state and Uganda was the target state
contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively.\textsuperscript{70}

This case suggests that proper authority may well serve as the single most important attribute of just war theory. Notably, if this is the case, it appears to be more directly connected to a constructed reality than some objective truth springing from the wisdom of the United Nations. That is to say, proper authority does not appear to follow a certain logic that underlies the relative success of the just conflict, but rather, the declaration of support by the United Nations provides tremendous support on the one hand and a heavy burden on the other that ultimately defines the winners and losers in the conflict.

See footnote for complete bibliographic information for sources cited in this case.\textsuperscript{71}

\textsuperscript{70} Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: 70 Four other cases have the same profile, supporting the second hypothesis directly and providing evidence for the third and fourth hypotheses: Uganda Tanzanian War where Uganda was the opposing state and Tanzania was the target state; the Sino Vietnam War where China was the opposing state and Vietnam was the target state; and the Second Sino Vietnam War where China was the opposing state and Vietnam was the target state.

\textsuperscript{71} Bibliography: The First Gulf War

The Eritrean-Ethiopian war began in 1998 when Eritrea launched an offensive against the Ethiopian administrated regions of Badme, Tsonora-Zalambessa, and Bure. The vast preponderance of the fighting took place in these regions making Ethiopia the target state and Eritrea the opposing state. Well before this war, Eritrea had waged a two-decade long campaign for independence from Ethiopia. It officially became independent in 1993, but the border between the two countries remained undefined. (Abbink 1998, 551-552).\(^72\) The deep animosity over these earlier conflicts in conjunction with a common political history and an unsettled boundary dispute fueled a long and bloody fight that grew to incorporate the Oromo Liberation Front’s rebellion within Ethiopia (Abbink 1998, 552).\(^73\) As demonstrated in the literature, the war itself is difficult to classify because it has both territorial and ideological components and incorporates both interstate and intrastate war (Lata 2003, 369). Regardless of classification, the end result was 120,000 deaths on the two sides with Ethiopia suffering the brunt of the casualties (Sarkees and Wayman 2010, 181).

Target State (Source of DV): Ethiopia

Opposing State (Source of IV): Eritrea

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\(^72\) Note that the war between 1975 and 1991 was not fought between two states. The region that became Eritrea was fighting for its independence from Ethiopia. For this reason, the conflict itself was recorded as an intra-state war in the Correlates of War database – wars #798 and #826.

\(^73\) More information on this conflict can be found in Sarkees and Wayman (471-472) as Correlates of War intra-state conflict #913.
Proper Authority:

The United Nations did not endorse the actions of either side. In fact, the United Nation’s Boundary Commission in the Hague found that Eritrea’s actions were in violation of international law (Lauterpacht et al., 2002). The Organisation of African Unity (OAU) did press for a resolution to the conflict and was instrumental in bringing about a tentative ceasefire to end the conflict (Abbink 1998, 553-554). Without the endorsement of the OAU, however, Eritrea does not meet the requirements of proper authority in either the strong or the weak form.

Just Cause

Eritrea was explicitly fighting over territory that clearly precludes self-defense or protection of the innocent as the sole cause of the conflict (Abbink 1998, 554-555). The question then revolves around Eritrea’s other intentions. Because Eritrea was attempting to revise the status quo and initiated the conflict by moving into territory that was administered by Ethiopia, self-defense is not a plausible explanation. This leaves protection of the powerless as the last possible cause for war. The case for this defense is substantially weakened by to basic realities. First, it is not clear which country is more closely connected to the population in question – Eritrea may just as easily be portrayed as endangering the powerless as Ethiopia (Lata 2003, 370-371, Abbink 1998, 555-561). Second, the findings of the aforementioned Boundary Commission provide little room for Eritrea to claim benevolent action. The Commission found Eritrea wholly responsible for the initiation of the war and noted no mitigating circumstances (Lauterpacht et al., 2002). For these reasons, Eritrea is also not in compliance with the weak form of the just cause requirement.
Differentiation of Targets

The nature of the fighting allowed the two sides to focus their attacks on isolated military targets. A majority of the war was fought in World War I style trenches with airstrikes focusing on military assets near the front lines (Sarkees and Wayman 2010, 181, Kornprobst 2002, 382). While this produced a brutal death toll within the military ranks, it spared the civilians the worst consequences of direct targeting by creating a relatively stable frontline and providing a clearly focus for military action. Even so, the initial Eritrean assault involved the conquest of population centers, from Badme in the North to Bure in the southeast (Kornprobst 2002, 382). This represents some targeting of dual use infrastructure that is a violation of the strong from of targeting.

There were targeted attacks on civilians in Ethiopia before, during, and after the war that were associated with Eritrea’s broad objectives; however most appear to have been predominately related to the civil strife and tangential paramilitary movements. The exception appears to be the Eritrean aerial bombing of a school in Meqele, Ethiopia where 48 people were killed including children and families (Abbink 1998, 563). Other complaints about civilian targeting are somewhat less severe including claims by Ethiopia that Eritrea took part in unwarranted expulsion and abuse, though definitive proof is difficult to obtain (Abbink 1998, 553). Although such behavior is problematic, it was limited in scope and severity. Clearly, there was a pattern of targeting of civilian infrastructure; however, Eritrea appears, on the whole, to have avoided systematic targeting of Ethiopian civilians. This represents compliance with the weak, but not the strong form of the targeting requirement.
Proportionality

There is no evidence of the use of illegal arms thought the aforementioned bombing of the school in Meqele did use cluster bombs in a manner that was legally questionable under international law. The key issue surrounding proportionality requirements comes in the analysis of the tactical and strategic decision-making surrounding the extensive use of trench warfare. Clearly, this approach yields high death tolls with a tendency to promote the status quo; however, a preference to strategically maintain entrenched stalemate may well be the rational decision of a person who is attempting to avoid the acute loss of life associated with massive assaults over a stabilized front. In short, the decision to initiate a war in an effort to secure land in conjunction with the appalling casualty rates (100,000 dead in a two-year period) makes it difficult to see Eritrea as being in compliance with the strong form of proportionality where, “strategic and tactical decisions represent a clear effort to minimize total harm.” On the other hand, there is reason to believe that Eritrea avoided egregious violations. With the exception of the Meqele incident, Eritrea kept its air force focused on military targets along the front and avoided truly horrific approaches that might have increased its chance of success with an extremely high civilian toll. For these reasons, Eritrea is scored as being in compliance with the weak form, but not the strong form of the proportionality requirement.

The resulting scoring of the indicators for the independent variable can be seen below in Figure 4.25.

<table>
<thead>
<tr>
<th>Eritrean-Ethiopian War: 1998-2000</th>
<th>Eritrea → Ethiopia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proper Authority</td>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Just Cause</td>
<td>Weak Form 0</td>
</tr>
<tr>
<td>Targeting</td>
<td>Strong Form 0</td>
</tr>
<tr>
<td>Proportionality</td>
<td>Weak Form 1</td>
</tr>
</tbody>
</table>

Figure 4.25
Exceptionalities of the War

The war was embedded in a combination of domestic and international challenges to Ethiopian sovereignty. The decade began with extensive turmoil that in turn created a backdrop for ongoing challenges to the state (de Waal 1992). This included the secession of Eritrea from Ethiopia, but also included ongoing tensions between ethnic groups and with Somalia (Prendergast and Thomas-Jensen 2007, 64-65). These tensions undoubtedly contributed to instability that likely influenced the nature and rate of growth in the indicators used to evaluate outcomes prior to the start of the conflict. While the impact of these tensions may have remained consistent throughout the course of the war and following, it is important to acknowledge because it is also certainly possible that the Eritrean-Ethiopian War itself altered the dynamics of the other tensions.

Of minor note, the previously discussed Ogaden War was dominated by Cold War dynamics. Because this war occurred wholly outside the Cold War era, the distorting influence of competing superpowers is not present. This does, however, make it difficult to compare the impact of the Eritrean-Ethiopian War with the Ogaden War.

Justness of Outcomes

Ethiopia’s pre-war pcGDP was at $605 in 1997. It dipped slightly before a modest rebound to $611 in 2000. This shows $6 growth in GDP over the three-year period. During the same time, average global pcGDP rose dramatically, by $348, from $5,690 in 1997 to $6,038 in 2000. While Ethiopia’s growth represents underperformance relative to the world by $342, regional pcGDP declined from $392 to $379 during the same period. Compared to its geographical peers, Ethiopia’s pcGDP grew by $19.
In all, between 1997 and 2000, Ethiopia saw gains of 1.33 years in life expectancy growing from 50.05 in 1997 to 51.38 in 2000. This compares to an average regional gain of only 0.32 years and an average global gain of 0.70 years. In this area, Ethiopia clearly outperformed both global and regional growth, though it remained well below the average total life expectancy of its regional peers and the larger world.

The use of trench warfare which limited the geographical scope of the violence in conjunction with the relatively large geographical size of Ethiopia served to mitigate the worst societal impacts of the war. Infrastructure in the contested area was destroyed and decisions to cease all trade between the two countries during the two years of war dramatically damaged business and transportation sectors (Abbink 1998, 558-559, Weeramantry 2007). Even so, relative stability in central Ethiopia allowed for the maintenance of essential national infrastructure. In sum, the infrastructure suffered moderate damage.

Sociopolitical losses were milder. On the political front, the war served to strengthen the government in Addis Ababa. The relatively young civil society continued tentative development in its post-constitutional era despite the ongoing conflict in the north (Hyden and Hailemariam 2003). While it is difficult to know what might have occurred in the absence of conflict with Eritrea, it appears that the war itself had only a mild effect on the sociopolitical realm.
Casualty numbers were particularly high. In just over two years, Ethiopia suffered 70,000 battle related deaths (Sarkees and Wayman 2010, 181). With a population of 65.5 million in 2000, this represents 10.7 deaths per 10,000 people. This is very extensive loss of life, particularly given the brief duration of the conflict.

All told, the total societal damage was moderate. The terrible battlefield losses were mitigated to a large degree by the geographically contained nature of the war. Military success contributed to political stability that, in turn, allowed Ethiopia to avoid the more painful experiences of failed government.
Conclusions

Mixed results in the quantitative indicators along with moderate total societal damage yield outcomes that are difficult to interpret. The analysis is further obfuscated by Eritrea’s uneven adherence to just war principles. The war is semi-just with weak form adherence to proportionality and targeting and yields semi-just outcomes. Such a profile offers minimal insight into the potential impact of the justness of war making. While it is certainly plausible that less just war making would have yielded worse outcomes as it caused more upheaval among the civilian population, it is also possible that more permissive targeting and less concern for proportionality might have shortened the war and ended the bloody trench warfare that defined the conflict. In short, the case provides little value to a qualitative analysis.

See footnote for complete bibliographic information for sources cited in this case.74

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**FIT WITH HYPOTHESES**

The extent to which the cases fit with the hypotheses are shown in the table below:

<table>
<thead>
<tr>
<th>Conflict</th>
<th>Opposing/Target</th>
<th>War making</th>
<th>Outcomes</th>
<th>Analysis I</th>
<th>Analysis II</th>
<th>Analysis III</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Indo-Pakistani War of 1965</td>
<td>India/ Pakistan</td>
<td>Just</td>
<td>Just</td>
<td>Supports</td>
<td>N/A</td>
<td>Supports</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Supports</td>
</tr>
<tr>
<td>2) Six-Day War</td>
<td>Israel/ Egypt &amp; Syria</td>
<td>Unjust</td>
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<td>N/A</td>
<td>Supports</td>
<td>Supports</td>
</tr>
<tr>
<td></td>
<td>Israel/ Jordan</td>
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<td>Unjust</td>
<td>N/A</td>
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<td>Supports</td>
</tr>
<tr>
<td>3) War of Attrition</td>
<td>Israel/ Egypt</td>
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<td>Inconclusive</td>
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<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Egypt/ Israel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>4) Yom-Kippur War</td>
<td>Egypt &amp; Syria/ Israel</td>
<td>Just</td>
<td>Just</td>
<td>Supports</td>
<td>N/A</td>
<td>Supports</td>
</tr>
<tr>
<td></td>
<td>Israel/ Egypt &amp; Syria</td>
<td>Just</td>
<td>Just</td>
<td>Supports</td>
<td>N/A</td>
<td>Supports</td>
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<tr>
<td>5) Bangladesh War</td>
<td>Pakistan/ Bangladesh</td>
<td>Unjust</td>
<td>Unjust</td>
<td>N/A</td>
<td>Supports</td>
<td>Supports</td>
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<tr>
<td>6) Vietnamese Cambodian War</td>
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<td></td>
<td>N/A</td>
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<tr>
<td>7) Ogaden War</td>
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<td>Unjust</td>
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<td>Supports</td>
<td>Supports</td>
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<tr>
<td>8) Ugandan Tanzanian War</td>
<td>Uganda/ Tanzania</td>
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<td>Just</td>
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<td>Challenges</td>
<td>Challenges</td>
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<tr>
<td></td>
<td>Tanzania/ Uganda</td>
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<td>Unjust</td>
<td>Challenges</td>
<td>N/A</td>
<td>Challenges</td>
</tr>
<tr>
<td>9) Sino-Vietnam War</td>
<td>China/ Vietnam</td>
<td>Unjust</td>
<td>Just</td>
<td>N/A</td>
<td>Challenges</td>
<td>Challenges</td>
</tr>
<tr>
<td>10) War in Lebanon</td>
<td>Israel/ Lebanon</td>
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<td>Unjust</td>
<td>N/A</td>
<td>Supports</td>
<td>Supports</td>
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<tr>
<td>11) Second Sino-Vietnam War</td>
<td>China/ Vietnam</td>
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<td>Just</td>
<td>N/A</td>
<td>Challenges</td>
<td>Challenges</td>
</tr>
<tr>
<td>12) The First Gulf War</td>
<td>Iraq/ Kuwait</td>
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<td>Just</td>
<td>N/A</td>
<td>Challenges</td>
<td>Challenges</td>
</tr>
<tr>
<td></td>
<td>Coalition/ Iraq</td>
<td>Just</td>
<td>Unjust</td>
<td>Challenges</td>
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<td>Challenges</td>
</tr>
<tr>
<td>13) Eritrean–Ethiopian War</td>
<td>Eritrea/ Ethiopia</td>
<td>Unjust</td>
<td>Inconclusive</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*H₁*: Just wars have just outcomes.

**H₂**: Unjust wars have unjust outcomes.

***H₃**: Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes.

****H₄**: Just war making has more just outcomes than unjust war making.

*Figure 4.27*
Revisiting the original hypotheses, the first suggested that the just wars yield just outcomes. Ultimately, this is supported by four of the six cases (or 67% of the cases) in which the opposing state adhered to just war principles. The second hypothesis suggested that unjust wars yield unjust outcomes. This is supported by five of nine cases (or 55% of the cases) in which the opposing state did not adhere to just war principles and in which there were conclusive results.

As illustrated in figure 4.27 above, the 13 wars presented here provide 18 distinct cases with one opposing state and one target state. When considered together, these 18 cases provide some basic insight into the third and fourth hypotheses: “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes” and “Just war making has more just outcomes than unjust war making”, respectively. The third hypothesis is simply a consolidation of the first two and is broadly supported by the data; a total of nine out of 15 cases (or 60% of the cases) support the hypothesis.

The data also supports the fourth hypothesis, with just wars yielding just outcomes in more cases than unjust wars. As noted above, just war making yields just results in four of six cases (67%) while unjust war making yields just results in four of nine unjust cases (45%). Thus, just war making has a 22% greater incidence of producing just results compared to unjust war making, though, given the very small number of country-war-years (N=40), these percentage indicators should be treated with caution.

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1 The four cases in support of the first hypothesis are: the Indo-Pakistani War of 1965, the War of Attrition (in which Egypt was the opposing state), and both cases associated with the Yom Kippur War. The cases in which just wars yielded unjust outcomes, challenging the first hypothesis are: the Ugandan Tanzanian war (in which Tanzania was the opposing state) and the First Gulf War (in which the Coalition was the opposing force).

2 The five cases that support the second hypothesis are: both cases from the Six-Day War, the Bangladesh War, the Ogaden War, and the War in Lebanon. The hypothesis was challenged by cases where unjust war led to just outcomes. There are four examples of this: the Ugandan Tanzanian war (in which Uganda was the opposing state), the Sino Vietnam War, the Second Sino-Vietnam War, and the First Gulf war (in which Iraq was the opposing state). Notably, there are three cases in which unjust war making led to inconclusive results: the War of Attrition (in which Israel was the opposing state), the Vietnamese Cambodian War, and the Eritrean Ethiopian War.
Overall, these hypotheses directly relate to several lines of analysis on the central question. Before discussing these analyses, it is important to note a chronological pattern in the data and the differences between wars of territoriality and those of intervention.

In terms of chronology, every war that started before 1977 supported the second hypothesis or was inconclusive while all cases that support the second hypothesis started after 1977. There is not an obvious significance to this threshold date, the Cold War’s bipolar order continued until 1991, and it does not coincide with an obvious economic shift or a change in the geographic location of the conflicts that comprise the cases. This may merit further study, particularly if an expansion of cases shows the same threshold date or if a wider historic context illuminates other such thresholds separating history into distinct eras with unique relationships between just war adherence and the justness of related outcomes.

Another potentially significant factor that is more clearly connected to just war concepts can be found in the differing profiles based on the nature of the war. Wars fought over territory tend to support the research hypothesis – that is the more just wars yield more just outcomes and the less just wars produce less just outcomes. Of the seven wars that are clearly fought over territory (Indo-Pakistani War of 1965, Six-Day War, War of Attrition, Yom-Kippur War, Bangladesh War, Ogaden War, and the Eritrean-Ethiopian War) five are consistent with the second hypothesis (Indo-Pakistani War of 1965, Six-Day War, Yom-Kippur War, Bangladesh War, and the Ogaden War) and two are inconclusive (The War of Attrition and the Eritrean-Ethiopian War).

Interventions, on the other hand, are particularly likely to challenge the research hypotheses. They tend to adhere more closely to just war principles but yield unjust results. Two of the three cases (Ugandan Tanzanian War, and the Gulf War) and four of the five
observations of intervention support the first hypothesis and the other produced inconclusive results.³

This distinct intervention profile is discussed in greater detail in the conclusion found in chapter six. Briefly, it appears that this tendency for negative outcomes is the result of two distinct mechanisms. First and most obviously, any situation that precipitates an intervention is likely to have a negative impact on all the justness indicators under consideration. This is certainly true in the cases under consideration here. Whether the Khmer Rouge in Cambodia, Idi Amin’s regime in Uganda, or Saddam Hussein’s actions in Iraq; each of the interventions included in the study were in response to situations that eroded the development indicators used to measure the impact of the intervention prior to the initiation of war. The second mechanism by which interventions produce apparently unjust outcomes is the turmoil associated with successful intervention. The structures and individuals responsible for the crises that initiate the intervention are either replaced or dramatically altered as a result of the intervention. This leads to political and economic turmoil that produces downward pressure on the various development indicators in the short term even if the change yields positive results over the long term.⁴

Ultimately, these mechanisms make human development indicators decline before, during, and after interventions. The inverse relationship between justness and outcomes appears to be particularly obvious because interventions also tend to produce a higher justness score as the indicator of the independent variable. Generally, interventions comply, to some degree, with just cause because they are undertaken in defense of the powerless. Because the ostensible

³ The three cases in question are: Vietnamese Cambodian War, Ugandan Tanzanian War, and the Gulf War with only the Vietnamese Cambodian War producing inconclusive results.
⁴ Of note, in all three cases, the intervention was preceded by an ill-advised war of aggression which was clearly unjust, but the negative impact of the unjust war of aggression was mitigated in all cases by the counter-offensives/interventions. In the cases of the Ugandan Tanzanian War and the Gulf War, this meant the interventions produced two observations validating the first hypothesis.
motive is the well-being of people, targeting and proportionality requirements are often more carefully followed.

Although unwieldy, the chart and graphs below offer a glimpse of a number of patterns that are peripheral to the research. First, the preponderance of the cases occurred during the Cold War, note that only two were ongoing in 1991 or later. Structural theories of international relations would suggest that the balance of power in the world would likely influence the behavior of countries. Second, the graph shows that a vast preponderance of target countries are well below the global average pcGDP throughout the time frame and a simple majority have below-average life expectancy at the time their case is under consideration. This clearly limits the ways in which the results can be generalized and likely reflects Cold War policies that advanced ideological and economic interests through proxy wars fought within borders of smaller states rather than direct confrontation with a superpower.

A variety of other idiosyncratic patterns appear in the graphs which offer some insight into the data here and in the interpretation of the statistical model that follows. First, the pcGDP chart shows the degree to which Kuwait and Israel are outliers relative to the other target countries. Kuwait’s extremely high pcGDP numbers can be attributed to high oil output coupled with low population. Israel’s economic growth represents both a different trajectory and a different initial starting point than the other countries suggesting that it is more aptly described as a conventional more developed country.5

Life expectancy shows less dramatically divergent experiences. As one might expect given their higher pcGDP, Israel and Kuwait both remain above the global average for the entire period under consideration. Lebanon also remains above the global average throughout the

5 Note these extremely different baseline experiences: Kuwait’s steep negative slope associated with population growth and Israel’s steeper positive slope dramatically alter the mathematical model. Combined with the relatively small sample of country war years, this difference contributes to the relatively high p-values.
period of the study, but there is a clear decrease in slope corresponding with the civil unrest and eventual Israeli invasion from the mid-1970s to the mid-1980s. Perhaps most significantly, the graph shows the irregular impact declines in life expectancy. Cambodia’s precipitous decline in life expectancy under the Khmer Rouge appears to recover and compensate for the dramatic losses in life expectancy rather cleanly. Uganda, on the other hand, appears to begin a durable, less positive trajectory beginning with the rule of Idi Amin. These different recoveries dramatically alter the interpretation of the minor shifts seen the various cases.

In sum, the evidence suggests that more just war yields more just outcomes with the caveat that interventions, regardless of their justness, are likely to produce short-term losses that appear as unjust outcomes. To analyze the effectiveness of just war making in interventions, more cases would be required. Further research is necessary to determine if there is any significance to the shift in outcomes seen in the mid-1970s. Of course, an expansion of the cases under consideration would be helpful to provide broader generalizability.

Analysis I: A qualitative analysis of the outcomes associated with just war making.

As noted above, just war making appears to contribute to just outcomes as postulated by H1. This relationship appears to be inverted in the late 1970s, perhaps as a result of the increasing prevalence of wars of intervention; however, because of the limited number of cases after this point, the earlier pattern dominates the results. Consequently, the data suggests that adherence to just war principles yields just outcomes with four of six cases supporting the

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6 As a starting point, this might include a constructivist analysis studying changes in global attitudes about humanitarian interventions or neoliberal institutionalist analysis considering how structures within the international community, perhaps the United Nations, contributed to the increase in interventions.
hypothesis and two of six challenging it.\textsuperscript{7} For a complete accounting of adherence to individual just war requirements by case, consult figure 3.4 above. For a chart demonstrating cases which support the relevant hypothesis, consult 4.27 in the “Fit with H\textsubscript{1}” column.

**Analysis II: A qualitative analysis of the outcomes associated with unjust war**

As noted in the section discussing fit with hypothesis, unjust war making appears to contribute to unjust outcomes as postulated by H\textsubscript{2}. As with Analysis I, the relationship inverts in the late 1970s, in this case, perhaps as a result of the relatively brief and impotent unjust war making that precipitates the interventions. Whether Amin’s efforts in Uganda or the punitive Chinese actions in Vietnam the unjust wars were of limited scope and consequently had less negative impact on the target countries than more robust military engagements, even when those wars are more justly prosecuted. Regardless, the data suggests that a lack of adherence to just war principles yields less just outcomes with five of nine cases supporting the hypothesis and four of nine challenging it.\textsuperscript{8} For a complete accounting of adherence to individual just war requirements, consult figure 3.4 above. For a chart demonstrating cases that support the relevant hypothesis, consult 4.27 in the “Fit with H\textsubscript{2}” column.

\textsuperscript{7} The four cases in support of the first hypothesis are: the Indo-Pakistani War of 1965, the War of Attrition (in which Egypt was the opposing state), and both cases associated with the Yom Kippur War. The cases in which just wars yielded unjust outcomes, challenging the first hypothesis are: the Ugandan Tanzanian war (in which Tanzania was the opposing state) and the First Gulf War (in which the Coalition was the opposing force).

\textsuperscript{8} The five cases that support the second hypothesis are: both cases from the Six-Day War, the Bangladesh War, the Ogaden War, and the War in Lebanon. The hypothesis was challenged by cases where unjust war led to just outcomes. There are four examples of this: the Ugandan Tanzanian war (in which Uganda was the opposing state), the Sino Vietnam War, the Second Sino-Vietnam War, and the First Gulf war (in which Iraq was the opposing state). Notably, there are three cases in which unjust war making led to inconclusive results: the War of Attrition (in which Israel was the opposing state), the Vietnamese Cambodian War, and the Eritrean Ethiopian War.
Analysis III: A qualitative analysis of the relative benefits of just war making.

The third analysis requires more extensive discussion. Two hypotheses contribute to the findings of the analysis and each deserves careful consideration. H3 serves to bring the preponderance of cases under consideration. It states, “Just war making contributes to just outcomes and unjust war making contributes to unjust outcomes.” The data ultimately show nine cases offering partial support and six cases partially challenging the hypothesis. No single case can fully support the hypothesis because it is either justly or unjustly waged and consequently can only offer evidence of one piece of the larger question.

H4, “Just war making has more just outcomes than unjust war making”, is addressed by the same set cases in the same manner. A brief glimpse of parametric statistics relating to the cases under consideration illuminates the challenges associated with the relatively small number of country-war-years (N=40) and widely varying experiences of war. Consequently, a nonparametric approach is used yielding results identical to the third research hypothesis. In sum, a majority of the cases, nine of fifteen, show just wars yielding more just outcomes (which is 60%) while only six of fifteen suggest that just wars yield less just outcomes than unjust wars.

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9 The nine cases that support the third hypothesis are: both cases from the Six-Day War, the Bangladesh War, the Ogaden War, the War in Lebanon, the Indo-Pakistani War of 1965, the War of Attrition (in which Egypt was the opposing state), and both cases associated with the Yom Kippur War.

10 The third hypothesis was challenged by cases where unjust war led to just outcomes and in cases where just war led to unjust outcomes. There are four examples of the former: the Ugandan Tanzanian war (in which Uganda was the opposing state), the Sino Vietnam War, the Second Sino-Vietnam War, and the First Gulf war (in which Iraq was the opposing state). There are two cases that fit the latter: the Ugandan Tanzanian war (in which Tanzania was the opposing state) and the First Gulf War (in which the Coalition was the opposing force). There are three cases in which unjust war making led to inconclusive results: the War of Attrition (in which Israel was the opposing state), the Vietnamese Cambodian War, and the Eritrean Ethiopian War.

11 As an example, consider the outcomes derived from the data shown in 4.28 above, countries that experience just war see an average per capita gross domestic product (pcGDP) increase by $547 over the period of the conflict while unjust conflicts see an average pcGDP increase of just $218. However, if one defines the changes in pcGDP as a percentage of the country’s average pcGDP, just wars see an average of a 3.8% decrease in pcGDP while unjust wars correspond with a .25% increase. Life expectancy is similarly challenging to interpret with absolute changes showing an average increase of 1.21 years of life expectancy in just wars while unjust wars show a substantially larger increase of 2.32 years. The percentage change affirms this pattern yielding 2.1% and 4.5% changes in life expectancy in just and unjust wars respectively.
and three produce inconclusive results. For a chart illustrating which cases support the hypothesis, see figure 4.27 above.

Throughout the analyses, the significant shift in the data that occurs in the late 1970s which also correlates with an increase in the prevalence of humanitarian interventions is evident. The pattern is discussed in chapter six; however, it is important to note that the evidence of this shift is made particularly clear when considering Analysis III because it appears in cases of both just and unjust war. Hypotheses three and four are supported by eight of ten cases prior to Ogaden War with two cases offering inconclusive results and no cases directly challenging the hypotheses. Among the conflicts that began after the Ogaden War, six of eight challenge the third and fourth hypotheses with one case that is inconclusive and one case that challenges the hypotheses. This represents massive shifts and requires further study.
Figure 4.28

Life Expectancy at Birth in Years: Global Average and Countries at War 1960-2000

Figure 4.29
CHAPTER 5: STATISTICAL MODELS

INTRODUCTION

This chapter tests the hypotheses regarding the effectiveness of just war theory in creating just outcomes by evaluating correlations between each of three indicators of the independent variable and two indicators of the dependent variable. The independent variable measures the opposing states’ levels of adherence to just cause, differentiation of targets, and proportionality requirements.\(^1\) The two indicators for the dependent variable: per capita gross domestic product measured in 1990 Geary-Khamis dollars and life expectancy at birth measured in years, are used to assess the impact of the war on the target country.

Statistical modeling in the area of just war theory is new. This initial application consequently has important limitations. Everything from likely relationships to the covariance structure requires careful consideration and experimentation, and only through further study will this new application of these methods be refined. Additionally, the limited scope of this study inevitably yields results with limited generalizability. However, even with such limitations there is great value in introducing rigorous empirical quantitative methodologies to just war theory.

The value of this chapter, then, is twofold. First, it provides the lens through which to interpret and order the case studies in chapter four. Second, and perhaps of more lasting value to the field, it offers an initial guide, albeit limited, for future empirical quantitative research by documenting both the shortcomings and strengths of the methodology at hand.

This section will focus on the equations and their meanings with Appendix B providing the full code for running the analyses in the open source statistical package “R” and Appendix C providing information about accessing the datasets used in the research.

\(^1\) Note that the proper authority requirement is not included because of a lack of variability in adherence to the proper authority requirements among the cases.
MODELING AND EQUATIONS

Because the data is longitudinal, a mixed effects model is used to explore the relationship between adherence to just war principles and the justness of outcomes. “Mixed effects” refers to the presence of both random and fixed effects within the model. In this case, the relationship between the adherence to just war principles and the dependent variable is clouded by random effects.

The inclusion of random effects comes as a direct result of the nature of observations in longitudinal study. In short, observations across time of an individual (or in this case country) are not independent of one another. That is, because the observations of an individual that are close together in time will naturally tend to be closer together in value, a pattern may emerge that is not the direct result of the variable in question, but rather the result of time serving as an ordering force. Explained concretely, because a measurement of GDP in the United States in 1989 is likely to be relatively close to the US GDP in 1988 and 1990, they cannot be used in a standard regression model because the observations do not meet the requirement of being independent of each other. Generalized Estimating Equations (GEE), using an auto regressive structure of covariance, incorporates this longitudinal correlation of data that occurs because of the longitudinal nature of the study.

Time is also incorporated in the model as a fixed effect. It is included as a higher order term allowing the impact of time to be fitted to an irregularly shaped curve. This provides

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2 This is because a longitudinal study demands repeated observations and these observations are not independent of one another.
3 This represents both the core independent variables and the fixed effects.
4 It is this correlation that is referred to as “covariance” in the covariance structure.
5 It appears as a third degree polynomial throughout the models
flexibility in the model to account for global trends such as technological shifts and fluctuations in the broader economic climate.

A brief overview of GEE in this analysis is helpful to make sense of the mixed methodologies found in chapter four. Generalized estimating equations use the data from a large data set to determine the relationship between the fixed effects, that is the four indicators of justness, and the dependent variable. The GEE derives these relationships without specifying the random effects.

Longitudinal models require some specification of the nature of expected relationships. This is done through the specification of a variance/covariance matrix. Because of the exploratory nature of this research, there is minimal documentation about expected relationships and, consequently, GEE was selected because it minimizes the potential impact of misspecification of the covariance structure. This does come at a cost, unlike generalized linear mixed models that utilize maximum likelihood calculations for fit, generalized linear mixed models using GEE for fit do not attempt to estimate the random effects.

**Overview of Equations**

The purpose of the model is to identify the significance and strengths of various relationships between adherence to just war theory and the justness of outcomes. Aside from the covariance structure that accounts for the covariation expected at points in close chronological proximity, each equation also considered the possible influence of country size as measured by

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6 For a brief and accessible description of the functioning and development of generalized estimating equations in the context of various software packages, see Horton and Lipsitz (Review of Software to Fit Generalized Estimating Equation 1999).

7 Notably, a variance structure can be selected so that the GEE is focused on a particular form of covariation. Because of the exploratory nature of this research and because it is common practice, the model’s variance structure will be defined by the software as the variance structure of best fit.

8 Note that in this research “individual” refers to a country.
population, and broad patterns across time. Population was considered by adding a population variable that introduced the country’s population directly into the equation. To account for broad trends across time a basic time variable was added using the date. To allow for non-linear trends, higher order effects for time were also examined. In the case of pcGDP, time is incorporated as a third-degree polynomial to allow for the shifting average slopes associated with the boom and bust cycle in the economy. In the case of life expectancy, there was a clear linear relationship that required only a monomial.

To measure the effects of justness, the equation incorporates the binary scores associated with each level of compliance established in chapter four. Because level of adherence is parsed out into three dummy variables for each of the just war requirements, the resulting outputs represent the expected change due to each form of adherence or non-adherence relative to countries that did not experience war over the same period of time. This is the core quantitative component of the research presented here.

**Base Models**

\[
E_{ij} = \beta_0 + \beta_1 T + \beta_2 T^2 + \beta_3 T^3 + \tau_i + \pi_j + \epsilon_{ij}
\]

\[
H_{ij} = \beta_0 + \beta_1 T + \tau_i + \pi_j + \epsilon_{ij}
\]

Here \(E_{ij}\) represents the indicator for economic effects, per capita GDP in 1990 Geary-Khamis dollars in country “j” at time “i” and \(H_{ij}\) represents the indicator for health effects, life expectancy at birth in years, again, in country “j” at time “i.”

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9 Population was ultimately removed from the equations because it was not statistically significant as a predictor of outcomes.
“$T$” is a number between 1-40 that represents a point in time derived from the year.\textsuperscript{10} In the case of per capita gross domestic product (pcGDP) “$\beta_1$” represents the multiplier associated with the first degree time term, “$\beta_2$” the second, and “$\beta_3$” the third degree polynomial. The inclusion of time squared and time cubed allows the model to account for changing (non-linear) impacts due to time such as global recessions or technological advances in the pcGDP model.\textsuperscript{11} In the case of life expectancy, the effect was clearly linear so a monomial was sufficient.

In this model “$\tau_i$” is the error associated with time at time “$i$”, “$\pi_j$” is the error associated with the country "j", and “$\epsilon$” is the general error at time “$i$” for country “j”.

\textsuperscript{10} This is derived from the equation $\text{Year} - 1,959 = T$. In practice, this means the first year under consideration, 1960, has a value of $T=1$, 1961 $T=2$, etc.

\textsuperscript{11} Time as a fourth degree variable was not significant at the $\alpha = .1$ level and was consequently not included in the model.
Single Concept Model

\[ E_{ij} = \beta_0 + \beta_1 J_S + \beta_2 J_W + \beta_3 J_N + \beta_4 T + \beta_5 T^2 + \beta_6 T^3 + \tau_i + \pi_j + \epsilon_{ij} \]

\[ H_{ij} = \beta_0 + \beta_1 J_S + \beta_2 J_W + \beta_3 J_N + \beta_4 T + \tau_i + \pi_j + \epsilon_{ij} \]

Here, as above, \( E_{ij} \) represents the indicator per capita GDP in 1990 Geary-Khamis dollars in country “\( j \)” at time “\( i \)” and \( H_{ij} \) represents the indicator life expectancy at birth in years, again, in country “\( j \)” at time “\( i \)”.

\( \beta_0 \) is the intercept that represents the average value of the indicator of the dependent variable in 1959. \( \beta_1 \) is the coefficient affiliated with “\( J_S \)”, that is compliance/noncompliance with the strong form of the justness concept under consideration. \( \beta_2 \) is the coefficient affiliated with “\( J_W \)”, that is compliance/noncompliance with the weak form of the justness concept under consideration. \( \beta_3 \) is the coefficient affiliated with “\( J_N \)”, that is noncompliance with either the strong or weak form of the justness concept under consideration.

In both models, \( \beta_4 \) is the coefficient associated with the \( T \), that is the time variable. In the case of the equation for pcGDP, two additional coefficients and terms are present: \( \beta_5 \) is the coefficient for \( T^2 \) and \( \beta_6 \) is the coefficient for \( T^3 \).

The remaining terms are error terms. In both models “\( \tau_i \)” is the error associated with time at time “\( i \)”, “\( \pi \)” is the error associated with the specific country “\( j \)”, and “\( \epsilon \)” is the general error at time “\( i \)” for country “\( j \)”.

**USE OF MODELS AND INTERPRETATION OF VARIABLES**

In the context of the models themselves, interpretation of the variables is relatively simple and identical to other forms of regression modeling. The strength of the effect is measured by the size of the \( \beta \) while the significance of the correlation is measured by the p-
value. When interpreting the numbers, it is critical to note that the $\beta$s are describing the change relative to the absence of conflict. This is discussed in some detail below, but it is particularly important to be aware of the nature of the comparisons occurring here. Countries experiencing extensive conflict, internal or external were removed from the model so it is not particularly surprising that any country at war would be experiencing negative effects in its per capita gross domestic product (pcGDP) and in its life expectancy.

Before continuing, it is important to note a critical limiting weakness within the model; the different types of conflict in conjunction with a relatively small number of observations of countries at war (N=40) and widely divergent experiences of countries in war yields particularly high p-values. Beyond the differences in countries themselves and how these countries experience war, a variety of other factors obfuscate the interpretation of the results. Regarding per capita GDP, note that the number is derived from an equation that places the population in the numerator. In essence, if a war destroyed 50% of a nation’s population without altering its output, the pcGDP would demonstrate 100% growth. While this seems unlikely in such extreme terms, one must acknowledge that the very same actions that decrease life expectancy or force emigration can yield increases in pcGDP, particularly if the deaths are experienced among the very young or very old within a population because such losses would have minimal short-term impact on economic output. An outstanding example of the sensitivity of per capita gross domestic product to population fluctuations can be seen in the experience of Kuwait. Per capita gross domestic product drops precipitously between 1960 and 1990, a drop that can be attributed

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12 Consider, for example, the experience of Israel with the United States serving as a client state or Kuwait with the support of the United Nations relative to Vietnam or Ethiopia which received much more limited support in both scope and duration. These differences tend to yield dramatically different responses to war in the dependent variables.
in large part to population growth. Similarly, it rises during wartime as the sizeable migrant population, that contributed to the earlier deflation of the pcGDP, left Kuwait.

Per capita GDP in 1990 Geary-Khamis dollars also has the potential problem of emphasizing global trends. Because it deals with purchasing power, the tensions associated with war might very well alter the evaluation of local currency, which would cause fluctuations in the Geary-Khamis dollars. Because such fluctuation could predate the onset of conflict by a period of months or years, it is possible that the model is missing some portion of the impact of conflict.

Interpretation of life expectancy at birth also offers challenges. First, it is derived from mortality information so that a snapshot can be formed of the expected length of life within a given country. Particularly in relatively small rural countries, in earlier periods of the study, and in developing nations where many of the conflicts occurred, it is dangerous to assume significance in small variations in life expectancy.

Even when reported with great accuracy, interpretation requires careful thought. Life expectancy is inherently sensitive to infant mortality rate. A child dying in its first days of life removes the full amount of the average lifespan from the equation while the death of a 30-year-old will impact the figure by the difference between his age and the average. Indeed, this is part of the benefit of the measure. It gives a sense of the impact of war in a broader context, but the nature and interpretation of movement in the life expectancy requires careful consideration of context.

Regardless of the limitations of the model, the results serve to provide a foundation for future models by identifying areas of potential correlation, identifying weaknesses in the data, and ultimately hinting at both the potential and problems of applying such quantitative methods to just war theory.
Two other areas must be considered when evaluating the models. First, the use of time. Time is included in the analysis because there are broad global trends in both pcGDP and life expectancy. Generally, both increase year-over year. As the base models demonstrate, in the case of life expectancy, the relationship is linear while in the case of pcGDP, the line has the broad “S” shape of a third degree polynomial. In both cases, the indicator values assigned to the independent justness variable represents deviations from the expected gains, not simply from the previous year.

It is also critically important to consider the significant difference in the meaning of the indicators for the independent variable. While international law and just war tradition bind these concepts together they are functionally very different. The presence of a just cause, for instance, is external to the opposing state’s decision process. It inherently means that there is already something bad happening – the event that justifies war. One would expect the precipitating event would inherently have an impact on the target nation, particularly if the target nation is the one experiencing the injustice that precipitates intervention. On the other hand, careful targeting and proportional action are in the control of the intervening party. They may be undertaken in any sort of war, whether it is being fought over just causes or not. The losses or gains associated with these indicators are therefore qualitatively different in meaning.

This leads to a brief note about the types of models that were not used. Generalized estimating equations do not fit random slopes, but find only the best fit of a shift that parallels the broader results. Put another way, as applied here it does not allow the impacts of war to change overtime, but rather assumes there is a flat, continuing impact of being at war in a certain way. There is evidence within the model that a random slope model may be helpful for further analysis however, such a model would require dramatically deeper and broader data support than
is available for the selected timeframe and cases. In this model; however, it is important to note that each year that a country is in a conflict with a scored justness attribute is treated as equal and is consequently expected to have an identical impact on the outcomes. The $\beta$ represents the amount that the country is expected to have its pcGDP or life expectancy shifted for each year of the conflict and the model assumes a full recovery in the following year. This allows for clean analysis of the findings; however, it adds to the noise in the model and is an area that could be improved upon with more sophisticated modeling.

Finally, it is important to consider the statistical significance of including justness in the model. In order to evaluate the nested models; that is the degree to which the single concept models improve upon the base models, the two are compared using a Wald chi-square statistic. This yields an effective p-value for the relative difference of significance of the two models. The results associated with this test are provided below.

**FINDINGS**

**The Raw Numbers**

The numbers provide clarity to the discussion of just war theory that is valuable. Note that the authority indicator is not included because of a lack of cases endorsed by the United Nations (strong form of proper authority) and regional intergovernmental organizations (weak form of proper authority). The first set of charts, available below in figure 5.1, describe the linear relationship between life expectancy and the independent variable. Each chart includes the intercept (which is expressed as average life expectancy in years in 1959), time (the average number of years that life expectancy increases each year within the model), and one of the justness concept coded by three dummy variables. Standard error describes the dispersion of
observed outcomes relative to the models predicted value. In short, the larger the standard error
the more observations vary from the model. Figure 5.1 describes the relationship between
adherence to specific just war requirements and the strength, direction, and significance of the
relationship between adherence and life expectancy. Perhaps most importantly, it also offers
data evaluating the descriptive value of the just war indicators.

Beginning with an analysis of the models, in each case the impact of time is statistically
significant with a high level of certainty (p < .001). This means that the gradual improvement in
life expectancy seen over time follows a clear linear pattern increasing by roughly .3 years (or
about 105 days) each year between 1960-2000. The addition of just war indicators was not
found to significantly improve the model.
The individual indicators show minimal significance within the models. The only indicator showing statistical significance at $p < .05$ is the strong form of proper authority. This, however, must be viewed with some skepticism because higher levels of significance can be expected to occur as the number of indicators under consideration increases. In short, the risk of type I error, the inaccurate rejection of the null hypothesis, is increased nine fold when studying nine distinct indicators. Even with the limited statistical significance, some interpretation of the numbers is helpful to suggest possible value for future research. First, it should be noted that positive numbers in any area are unexpected because each $\beta$ represents the difference between that form of compliance and the absence of conflict. This means a positive number is interpreted
as a particular war making behavior yielding better life expectancy outcomes than peace.

Regarding the specific hypotheses proposed above, there are no conclusive results evident in the charts. The Wald statistics for each show a relatively high probability that any additional descriptive value added by the inclusion of just war indicators in the model is the result of random chance. Among the specific indicators, weak adherence to proportionality yields the worst outcomes for life expectancy while weak adherence to just cause provided slightly less extreme negative results. In both cases, adherence with the weak form of these requirements causes a decrease in life expectancy by between one third and one quarter of a year.

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<tr>
<td>No adherence</td>
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<td>-0.130</td>
<td>0.011</td>
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<td>0.21</td>
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<tr>
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<td>0.129</td>
<td>0.013</td>
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<tr>
<td>Proportionality</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Strong form</td>
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<td>0.089</td>
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<td>No adherence</td>
<td>0.41</td>
<td>0.41</td>
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</tr>
</tbody>
</table>

*Statistically significant at that α = 0.05 level.

*Wald test comparing the model with the justness variable and time trend to a model with only the time trend.

Figure 5.1
Broadly, it appears that targeting, as quantified here, has the greatest statistical impact on life expectancy and would consequently be a prime candidate for further research as a larger sample may provide sufficient power to detect a small but significant effect.

When measuring the impact of just conflict on pcGDP, time is treated as a polynomial term and appears in figure 5.2 as three distinct variables to account for the nonlinear nature of shifts in the global economy over time. “Time”, “Time squared”, and “Time cubed” are therefore somewhat more difficult to interpret on their own. The most significant aspect of the time terms is the high level of statistical significance. For the data in figure 5.2, the coefficients can be interpreted as changes in per capita gross domestic product in 1990 Geary-Khamis dollars. Note that 1990 Geary Khamis dollars take into account purchasing power allowing the coefficients to be interpreted as change in per capita purchasing power comparable to the shift in purchasing power associated with a change of the same dollar amount in the United States in 1990.

<table>
<thead>
<tr>
<th>Justness of War and per-capita GDP in 1990 Geary-Khamis Dollars</th>
</tr>
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<tr>
<td>Three Results from longitudinal data on 13 conflicts, 1960-2000. Three models fit using generalized estimating equations (GEE)</td>
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<tr>
<th>Model 4</th>
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<th>p-value</th>
</tr>
</thead>
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<tr>
<td>Intercept</td>
<td>3790.77</td>
<td>340.09</td>
<td>&lt;0.001 *</td>
</tr>
<tr>
<td>Time</td>
<td>168.77</td>
<td>27.38</td>
<td>&lt;0.001 *</td>
</tr>
<tr>
<td>Time squared</td>
<td>-6.68</td>
<td>1.45</td>
<td>&lt;0.001 *</td>
</tr>
<tr>
<td>Time cubed</td>
<td>0.09</td>
<td>0.02</td>
<td>&lt;0.001 *</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Just Cause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strong form</td>
</tr>
<tr>
<td>Weak form</td>
</tr>
<tr>
<td>No adherence</td>
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</table>

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
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<td>339.9738</td>
<td>&lt;0.001 *</td>
</tr>
<tr>
<td>Time</td>
<td>168.80</td>
<td>27.3512</td>
<td>&lt;0.001 *</td>
</tr>
<tr>
<td>Time squared</td>
<td>-6.68</td>
<td>1.4438</td>
<td>&lt;0.001 *</td>
</tr>
</tbody>
</table>
Time cubed | 0.09 | 0.0229 | <0.001 * 
--- | --- | --- | --- 
**Targeting** | | | 0.28 a 
Strong form | -109.00 | 60.75 | 0.07 
Weak form | -357.35 | 273.05 | 0.19 
No adherence | -168.26 | 156.37 | 0.28 

**Model 6**

| Intercept | 3790.44 | 340.04 | <0.001 * 
--- | --- | --- | --- 
Time | 168.70 | 27.36 | <0.001 * 
Time squared | -6.67 | 1.44 | <0.001 * 
Time cubed | 0.09 | 0.02 | <0.001 * 

**Proportionality** | 0.35 a

| Strong form | -82.67 | 61.55 | 0.18 
Weak form | -207.69 | 140.97 | 0.14 
No adherence | -202.02 | 206.23 | 0.33 

*Statistically significant at that α = 0.05 level.
aWald test comparing the model with the justness variable and time trend to a model with only the time trend.

**Figure 5.2**

The results for pcGDP are similar to the results for life expectancy in that they show a lack of statistical significance. There is consistent evidence of the negative economic impacts of war throughout.

The high Wald values evident in figure 5.2 suggest that the use of just war indicators in models describing pcGDP do not contribute to the statistical power of the model. Unfortunately, the limitations of the sample and the model make it impossible to test a comprehensive model that includes all aspects of just war adherence simultaneously.  

**Analyses and Secondary Models**

There are a number of ways to consider these results and some critical ideas to draw from them. However, the limitations associated with lack of statistical significance at α = .01 in the models forces the analysis to be speculative. Though speculative, the broad shape of relationships appears to be manifesting itself in these numbers that merit further investigation.

---

13 Such an approach over specifies the model.
Generally, the justness terms in the models are more significant as explanatory indicators of life expectancy than pcGDP. Particularly in the areas of targeting and proportionality, where p-values are around .20, some interesting potential relationships emerge. In both of these cases, the degree of negative outcomes associated with the strong and weak form of justice differs. This suggests that there is value in the distinction between strong and weak form compliance and that outcomes associated with compliance to just war theory may be sensitive to the degree of compliance as much as the nature of compliance – that is just cause, targeting priorities, and proportionality. More specifically, and of critical importance to policymakers, degree of adherence to targeting and proportionality requirements actually influences life expectancy in dramatically different ways. In the case of the former, both strong form compliance and non-compliance with targeting decreases life expectancy while weak form compliance actually increases it. In the case of the latter, strong and weak forms of proportionality have a very slight positive impact on life expectancy (although the relationship is statistically dubious) even as weak form compliance has a strong negative impact. Note that in these cases, a positive number suggests that wars with these attributes actually increase life expectancy relative to countries not at war – clearly a somewhat surprising result.

The results for GDP are less radical. In all forms of compliance and non-compliance, being at war decreases pcGDP relative to countries at war. This seems to be readily explicable between capital flight and the disruption/destruction of productive capacities. Of some interest, both just cause and targeting requirements have a pattern similar to the one described above with life expectancy where substantial differences in strong and weak form compliance are evident. In the case of just cause, compliance with the weak form of just cause appears to have limited impact on a state’s economy (a loss of $93.64 in pcGDP) while noncompliance (a loss of
$317.92) and compliance with the strong form of just cause (loss of $126.51) yield somewhat higher losses. The pattern is reversed and amplified within targeting where compliance with the weak form yields a staggering predicted loss of $357.35 in pcGDP relative to more modest losses of $109.00 and $168.26 for compliance in the strong form and noncompliance respectively.

The discussion of interpretation of these differences is found in the following chapter, but a few broad patterns bear consideration. First, regardless of the dependent variable or the justness concept, the weak form of compliance tends to hold some modest level of significance relative to the other values. This increased significance may be the result of a larger sampling because of the prevalence of weak form compliance within the broader sample or perhaps because of a real consistency in outcomes associated with wars that demonstrate weak form compliance. Whatever the case, the relatively higher p-values in conjunction with the tendency for weak form compliance to have a unique outcome as described above demands further research.
In an effort to get beyond speculative statements, simplified models were created in an effort to increase statistical significance. The first effort involved combining the two forms of compliance to yield models that note three conditions of justness: “at war in some form of compliance with a justness principle”, “at war in no compliance with a justness principle”, and “not at war”. As might be expected in light of the difference associated with strong and weak form compliance, the results from these tests did not improve on statistical significance. Unfortunately, there was still not sufficient diversity in the sample to avoid over specification when creating a comprehensive model that simultaneously considered the interaction of all three justness concepts.

The inclusion of pcGDP in the life expectancy models and life expectancy in the pcGDP models also did little to alter the significance of the indicators though some meaningful covariation was found among the two dependent indicators. In a similar vein, as previously noted, efforts to take into account population also yielded no discernible benefits.

<table>
<thead>
<tr>
<th></th>
<th>Strong form</th>
<th>Weak form</th>
<th>No adherence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-0.008</td>
<td>0.027</td>
<td>0.78</td>
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<tr>
<td>Impact of Just Cause on pcGDP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intercept</td>
<td>3790.77</td>
<td>340.09</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time</td>
<td>168.77</td>
<td>27.38</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time squared</td>
<td>-6.68</td>
<td>1.45</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time cubed</td>
<td>0.09</td>
<td>0.02</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Strong form</td>
<td>-126.51</td>
<td>125.73</td>
<td>0.31</td>
</tr>
<tr>
<td>Weak form</td>
<td>-93.64</td>
<td>60.75</td>
<td>0.12</td>
</tr>
<tr>
<td>No adherence</td>
<td>-317.92</td>
<td>284.26</td>
<td>0.26</td>
</tr>
</tbody>
</table>

\( a \) Wald test comparing the model with the justness variable and time trend to a model with only the time trend.

Figure 5.4

Analysis IV: A quantitative analysis of the relative benefits of higher and lower levels of compliance to just war making.
The central hypotheses for this analysis postulates “The higher the degree of adherence to just war theory (from highest to lowest: strong, weak, or non-adherence), the more just the outcomes.” The statistical models provide the data to develop the analysis, but notably, no single model produces results that directly address the whole of the hypothesis. There are six different models that contribute to the results. As described above, there are six models divided into two sets of three based on the indicators for both the dependent and independent variables. The two sets are defined by the indicators for the dependent variable: pcGDP and life expectancy while the three models within each set come from the three differentiated just war requirements: just cause, targeting, and proportionality. This means that the models produce results which describe the impact of varying levels of adherence to specific independent variable indicators on a specific dependent variable indicator, for instance the impact of compliance in the strong or weak form (or non-compliance) to the just cause requirement on pcGDP or varying levels of compliance to proportionality on life expectancy. In order to answer the broader inquiry posed by the hypothesis, the resulting coefficients for each level of adherence to the independent variable indicators are averaged to provide an insight into the mean change in either pcGDP or life expectancy associated with each level of compliance, that is compliance with the strong form, the weak form, or non-compliance.

The results are intended to illuminate possible patterns but should be interpreted carefully because of the limited number of examples of country-war-years (N=40) and intentional conflation of terms to produce a single concept of just war making – a conflation that must be dealt with carefully as illustrated in the literature review of chapter two. With these limitations in mind, it is worth noting that pcGDP shows a general pattern of increasing justness as more just approaches to war are applied while life expectancy appears to benefit most from compliance.
with the just form, but compliance in the weak form actually leads to worse outcomes than non-compliance. In sum, the evidence suggests that compliance with just war principles, in the strong form, lead to more just outcomes than non-compliance though further study is necessary before this pattern can be confirmed as anything other than an artifact of unique characteristics within the case set under consideration. For a chart illustrating the mean values of the coefficient, see figure 5.3 above.

**Analysis V: A quantitative analysis of the relative benefits of compliance with various aspects of just war making.**

The central hypotheses for this analysis are symmetrical in that each hypothesis applies the same question to a different just war requirement. For an overview of the entire results, see figures 5.1 and 5.2 above. Here, each hypothesis that yielded results will be broken down into a single chart with a brief discussion of the relevant results.

The first hypothesis under consideration here, labeled H6 in chapter three states, “Adherence to the proper authority requirement yields more just outcomes.” Because there was insufficient differentiation of proper authority adherence among the cases, no meaningful results were obtained and therefore no commentary can be offered on the point.

The second hypothesis under consideration here, labeled H7 in chapter three states, “Adherence to the just cause requirement yields more just outcomes.” The Wald test yields values over .4 suggesting that the addition of justness measures to the model does very little to describe the variation seen in the cases beyond the variation already described by the time variable(s). For this reason, it is essential to engage the results with a careful eye on over-generalization. With this in mind, it is worth noting that the strong form of compliance and noncompliance do not have statistically significant, roughly equal, relatively minor negative
impact on life expectancy while compliance with the weak form of just cause yields outcomes that are considerably more negative and that have somewhat greater predictive value within the model. The results associated with pcGDP are somewhat different. Compliance with the weak form produces the least negative results, followed by the strong form and the worst results come from wars which were fought in noncompliance with the just cause requirement.

For a complete summary of results, see accompanying figure 5.4. Note that the coefficients for life expectancy represent the years gained or lost as a result of compliance/noncompliance while the coefficients in pcGDP represent the change in dollar value in 1990 Geary-Khamis dollars. The p-value is interpreted as the probability that the observed results would occur by chance.

The third hypothesis under consideration here, labeled H₈ in chapter three states, “Adherence to the discrimination of targets requirement yields more just outcomes.” Although it, too, lacks the statistical significance to assert that the pattern is more than random chance, the Wald test yields evidence that consideration of targeting contributes more to the model than consideration of just cause. For life expectancy weak form compliance yields the best results with an increase of about .09 years or about a month relative to countries not at war. Strong form compliance yields a slight decrease

<table>
<thead>
<tr>
<th>Impact of Targeting on Life Expectancy</th>
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<th>Standard Error</th>
<th>p-value</th>
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</thead>
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</tr>
<tr>
<td>Time</td>
<td>0.295</td>
<td>0.017</td>
<td>&lt;0.001</td>
</tr>
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<td>-0.083</td>
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<td>0.04</td>
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<table>
<thead>
<tr>
<th>Impact of Targeting on pcGDP</th>
<th>Coefficient</th>
<th>Standard Error</th>
<th>p-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intercept</td>
<td>3790.57</td>
<td>339.9738</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time</td>
<td>168.80</td>
<td>27.3512</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time squared</td>
<td>-6.68</td>
<td>1.4438</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Time cubed</td>
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<td>0.0229</td>
<td>&lt;0.001</td>
</tr>
<tr>
<td>Strong form</td>
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<td>0.07</td>
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*Wald test comparing the model with the justness variable and time trend to a model with only the time trend.

Figure 5.5
of about the same magnitude and noncompliance yields a substantial decrease. The strong form yields the most statistically significant results though more study is clearly necessary.

The impact of targeting on pcGDP is quite different. Where weak form compliance yielded markedly positive results for life expectancy, it yields the most negative results among the possible forms of compliance for pcGDP. Weak form compliance corresponds with slightly more than $357 decrease in pcGDP while strong form adherence yields the best results with a loss of $109 in pcGDP relative to a country not at war.

The fourth and final hypothesis under consideration here is, labeled H₉ in chapter three states, “Adherence to the proportionality requirement yields more just outcomes.” As with the other two examples, the outcomes yield mixed results. Overall, the models show limited significance with the Wald test yielding scores of .21 and .35 for the impact of adherence to the proportionality requirement on life expectancy and pcGDP respectively. With the limited significance of the results in mind, some patterns emerge that may be worth considering. In both cases, strong form adherence yields respectable results. Adherence to the strong form of the proportionality requirement corresponds with a .001 year increase in life expectancy relative to a country not at war (though the results are highly suspect with a p-value of .98) and yields the smallest decrease in pcGDP of the possible forms of compliance with a loss of only $82.67 ( and a much more respectable p-value of .18). For both dependent variable indicators weak form compliance offers the worst possible outcome, costing slightly less than .35 of a year of life expectancy (over four months) and just under $208 decrease in pcGDP. The economic impacts of noncompliance are still strongly negative with a pcGDP decrease of over $202 while the life expectancy change associated with noncompliance is actually more positive than strong form compliance.
For a complete accounting of the impacts of compliance with the proportionality requirement on the justness of outcomes, consult figure 5.6.

In sum, there is not a single clear pattern that emerges. The hypothesis certainly cannot be confirmed given the available data, but because of a lack of statistical significance within the models it can also not be dismissed. Of note, there are widely varying results depending on the level of adherence with strong form compliance and weak form compliance often demonstrating outcomes that can fall on either side of non-compliance. It is ultimately unclear whether compliance with any particular just war requirement leads to more just outcomes on the whole or in relation to any single indicator of just outcomes.

<table>
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<th></th>
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<th>p-value</th>
</tr>
</thead>
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<tr>
<td>Time</td>
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<td>0.017</td>
<td>&lt;0.001</td>
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<tr>
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<td>0.41</td>
</tr>
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</table>

**Impact of Proportionality on pcGDP** 0.3^a

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<th>Standard Error</th>
<th>p-value</th>
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<tr>
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<td>339.9738</td>
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<td>1.4438</td>
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<td>Time cubed</td>
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<tr>
<td>Strong form</td>
<td>-82.67</td>
<td>61.55</td>
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<tr>
<td>No adherence</td>
<td>-202.02</td>
<td>206.23</td>
<td>0.33</td>
</tr>
</tbody>
</table>

^a Wald test comparing the model with the justness variable and time trend to a model with only the time trend.
CHAPTER 6: CONCLUSIONS

INTRODUCTION

The results of the qualitative and quantitative tests of chapters 4 and 5, when taken together, offer no single definitive answers to the central question of this study. This, in itself, is somewhat significant given the deep historic, philosophical, moral, and legal significance of just war theory. While mindful of these limitations, some critical patterns do emerge that merit further research and careful consideration. Taken together, the data ultimately suggest that just war making yields more just outcomes in cases of territorial dispute. Wars that are in response to humanitarian crises consistently show negative economic and health outcomes; however, more cases are required to develop a baseline for expected outcomes and compare more and less just war making methods in cases of humanitarian intervention to determine how just war fighting functions within that specific setting. Stated more directly, because it is possible that all interventions inherently differ from the other conflicts under consideration in their impact on life expectancy and pcGDP, it is impossible to determine from the limited cases whether adherence to just war principles or the different nature of interventions is responsible for the observed differences in outcomes. The results from the qualitative analysis presented in chapter four are generally supported by the results from the statistical model presented in chapter five. The model, however, differentiates by degree of adherence to specific just war principles while the qualitative analysis focused on broader considerations of the justness of the conflict as a whole. The greatest questions arise in assigning meaning to the covariation. What may superficially appear to be a causal relationship may functionally be a correlation with no causal ties whatsoever.

When weighing the meaning of the model, questions of meaning go beyond causation and correlation. The statistical significance of the findings is relatively weak. Furthermore,
because this quantitative empirical approach to analyzing the impacts of just war theory is new, there is very little research to confirm or contest the direction or strength of expected relationship. This lack of context in conjunction with limited statistical significance requires that results presented here be viewed with healthy skepticism. While there are some patterns in the numbers that appear to support the qualitative findings in the study, further research is necessary to determine if these patterns are artifacts or the result of a larger pattern.

This chapter will proceed, therefore in four parts. First, it offers a brief discussion of the raw findings themselves. Second, it considers the patterns and possible explanations as well as the problems of the data that emerge from the collective findings of the qualitative and quantitative aspects of the study in a summary of mechanisms and dilemmas. Third, it discusses the implications of the findings for scholars and policymakers. Finally, it highlights areas that are ripe for future research based on the tentative findings.
CONCLUSIONS

Results: Qualitative and Quantitative

In a simple examination of the data, the case for just war theory becomes obvious. The qualitative study shows a clear correlation between justness of war and justness of outcomes in cases of territorial war. The figure 5.3 above is repeated here as figure 6.1. It illuminates a pattern that is similar to the pattern found in the quantitative study. Broadly, conforming to just war requirements produces more just outcomes than noncompliance. As previously discussed, it shows the geometric mean of the βs for compliance with the three relevant just war requirements: just cause, target discrimination, and proportionality in war making.¹ Note that for both pcGDP and life expectancy, the strong form shows less negative impact than the weak form. There is some ambiguity in the model regarding the benefits of weak form compliance over noncompliance. At its very most basic level, this appears to support the assertion that war can be managed to promote more humane outcomes and the hope that, if managed well, the impacts of war can be mitigated to a greater or lesser degree.

The study ultimately produced three distinct findings with varying degrees of confidence. All hold promise for future research. First as noted above, the research suggests that more careful adherence to just war theory yields better results. Second, the qualitative analysis showed a marked difference in territorial wars and wars of intervention. Third, also as demonstrated above, the quantitative research suggested that the nature and degree of adherence to just war theory has a differing impact on outcomes.

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<tr>
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</tr>
<tr>
<td>Noncompliance</td>
<td>-229.39653</td>
<td>-0.04282</td>
</tr>
</tbody>
</table>

Figure 6.1

¹ Proper authority is not included because, as note above, there was insufficient variation among the cases to yield results.
Regarding the first point, the direct relationship between just war making and outcomes answers the primary question posed in the research hypothesis – just war making does appear to contribute to just outcomes. The confidence level; however, is relatively low. The qualitative research produced mixed results that may become clearer if interventions and territorial conflicts are considered as distinct types of war.

The second point, the differentiation of territorial wars and wars of intervention, is therefore critical to understanding and interpreting the results of the models. Before discussing it in further detail, it is important to note that the distinction grew out of a very small data set and the apparent significance may be a function of an over-defined set of cases. In short, with only thirteen conflicts, it is possible to find characteristics that section off just about any combination of the conflicts thereby making a distinction that appears to be significant. To be sure, there are real and compelling reasons to distinguish between wars of intervention and wars over territory; however, without further support from a broader set of cases, or more detailed case-study treatments of the wars, these observations should be treated with caution.

In a sufficiently large data set, one could compare interventions with each other just as this set of cases facilitates comparisons among territorial disputes. Such research might serve to either strengthen or challenge the generalization of the findings here to a broader set of conflicts. If unjust interventions produce more unjust outcomes than just interventions, the preliminary findings here could perhaps be generalized to wars of intervention. If the relationship appears differently, it could challenge the research here or provide new insights into the real differences between these types of war.

Finally, the broad findings of the quantitative section have a range of interesting implications. If the preponderance of the benefits comes from strict adherence to just war
principles, the debates in both the ethical and policy arenas shift dramatically. For ethicists, it
would seem a compelling piece of evidence if more restrictive measures were shown to
dramatically improve outcomes, particularly if the life expectancy pattern grows under further
study to show that permissive approaches actually yield worse results than non-adherence.
Within the policy arena, such information would require careful reconsideration of
interventionist stances, particularly if the same patterns hold true.

Patterns, Profiles, and Mechanisms

The reading of the data is direct. It is rooted in the evidence and grows out of a direct
interpretation of the models’ outputs. It can, however, be challenged and interpreted in a variety
of ways. The mean of $\beta$s glosses over a troubling reality: there is no clear evidence of a causal
relationship. Is it not possible that just behavior in war is a luxury? Perhaps it co-varies with
certain ethnic or historic profiles that are actually driving the different outcomes. Furthermore,
how does one know what would have happened under different circumstances? Would more or
less just conflict or perhaps no conflict at all have allowed for ongoing evil or a nonviolent
revolution, a peaceable settling of territorial disputes or the start of a dangerous appeasement
policy? Three distinct dilemmas such as these arise in the consideration of the data: the
correlation dilemma, the counterfactual dilemma, and the just cause dilemma.

The most fundamentally problematic dilemma is the correlation dilemma. Stated in its
most basic form, just war making may co-vary with outcomes because of an intervening
variable: the outcomes might not be causal in nature at all. If just war making is simply a more
common practice in specific types of wars or for specific actors, the somewhat better outcomes
associated with just war making may be the results of those types of wars or actors rather than
the just war making itself. The concept of just war, as codified in international law, is rooted in a Western Christian tradition and includes assumptions about individual liberties and democracy that may be more recognizable and acceptable to certain forms of government and certain ethnic traditions. Western liberal democracies contributed heavily to the formation of the international laws cited as the source of contemporary just war theory – it is possible that countries compatible with this worldview also do other things in war making that lead to better outcomes giving the appearance of causal relationship. Similarly, countries in a position of power may be predisposed to adhering to just war principles while those parties fighting from a position of weakness may resort to any means that they deem most likely to succeed. The powerful likely view victory as a certain and see adherence to just war principles as a way to gain legitimacy in the eyes of the international community. In such a circumstance, the study may actually measure the difference between wars in which there was asymmetric capacities and wars in which there was balance. Whether it was American Revolutionaries fighting the British or Iraqi insurgents fighting the American military, history suggests that the standards of war are most readily and completely abandoned by those who are desperate. Such an interpretation appears to be consistent with the results of the qualitative study. Note the relatively robust adherence to just war principles by more powerful actors such as India when fighting Pakistan, Tanzania when fighting Uganda, or the United Nations Coalition forces when fighting Iraq. On the whole, this argument does not contest the validity of the numbers, but illuminates a potential problem: justness may be an intervening variable, a proxy for power differential.

Indeed, the opposite may also be true; great powers may choose to ignore just war requirements with weaker states embracing just war principles. Regardless, the problem of misattributed causality remains if there is a consistent pattern of covariation and the variable that is covarying influences both the dependent and independent variable in a consistent manner.
The counterfactual dilemma is the result of an inability to predict what would have occurred had different decisions been made; in this case the decision to go to war. The model deals with the dilemma by comparing the various indicators among the differing cases and comparing the various indicators of states that engage in war with the same indicators in states that did not go to war. The problem arises in cases of humanitarian intervention.

In cases where humanitarian intervention is initiated specifically in response to actions that dramatically impact the indicators of the dependent variable, identifying reasonable baseline assumptions is extremely difficult. In Cambodia, perhaps a more or less just approach to war making would have yielded better results in removing or altering the actions of the Khmer Rouge. Likewise, it is unclear what would have happened if Idi Amin had remained in Uganda or Saddam Hussein in Iraq and Kuwait with no military intervention occurring at all. Perhaps internal reforms, popular pressure, large-scale genocide, or non-war external options would have yielded better or worse results. Without knowing what would have happened in the absence of conflict or in the presence of a different type of conflict, it is particularly difficult to evaluate the value of those cases that have relatively negative outcomes, but were undertaken in an effort to avoid particularly heinous outcomes.

The most limited and least problematic dilemma revolves around the scoring of just cause. Cases with a just cause that consequently appear to be more just in the model may actually be predisposed to worse outcomes. This is because the very thing that justifies action by definition must be damaging. In short, just cause is the result of the target state’s behavior. If something that creates a “just cause” also creates a negative outcome, then wars that respond to the just causes will appear to have more negative results than wars that are unjust, but responding to less negative events. This effect is somewhat mitigated by the fact that just cause comprises
only one quarter of the total justness measure; however, with proper authority largely eliminated in the study due to underrepresentation within the cases, fully one third of the analysis of justness lies with an indicator that is unrelated to the behaviors of the intervening country. In the statistical model, this is dealt with because the indicators are considered independently of each other, allowing the impact of just cause to be evaluated independently of the jus *in bello* requirements. The distinction remains somewhat less clear in the qualitative study, though in places where the precipitating cause is particularly relevant, it is directly addressed.³

Although these dilemmas draw out specific sets of questions to be addressed in future research, interesting and potentially valuable profiles appear from a direct reading of the results. Along with a direct intuitive connection between just war making and just outcomes, there are a number of other mechanisms at work that offer some explanation for those cases that do not appear to follow the common pattern. Four distinct profile/mechanisms emerged among the cases with three appearing to clearly affect cases within the timeframe under consideration and a fourth appearing to be relevant to some of the post conflict recovery periods and possibly increasingly significant in more contemporary conflicts.

The most basic and direct is the intuitive mechanism. It appears to be the common way in which border conflict is affected by just war theory. Functionally, just war making yields a just outcome while unjust war making yields unjust outcomes. This happens because just wars minimize the direct damage caused to infrastructure and allow for more rapid and complete recovery.

The more just the opposing country’s behavior is, the less damage to infrastructure, society and political institutions the target country experiences yielding more positive outcomes.

³ One clear example of this can be seen in the discussion of Vietnam’s invasion of Cambodia. In each case, the commentary on the nature of the just cause can be found in the “Exceptionalities” section as well as in the discussion of the just cause scoring
Unjust war making, then, would cause damage in these same areas yielding negative outcomes. Nine wars appear to follow the profile expected by this mechanism: the Indo-Pakistani War of 1965, the Six-Day War, the War of Attrition, the Yom-Kippur, the Ogaden War, the Sino-Vietnam War, the War in Lebanon, the Second Sino-Vietnam War, and the Eritrean–Ethiopian War.

Two distinct mechanisms appear to contribute to the considerably more negative outcomes associated with interventions in this study: the intervention mechanism and the reconstruction mechanism. Notably, because they are distinct, there are cases where one is in play but not the other, for instance, when a country is conquered regardless of the precipitating event, it experiences the pressures associated with the reconstruction mechanism.4

The reconstruction mechanism occurs when victory by the opposing country displaces the structures of the status quo ante bellum. This produces turmoil in the target state as structures are reformed and subverts the legitimacy of the new government because it is often seen as complicit in the violation of target state’s sovereignty. This yields more extreme total societal damage in the short-term and makes addressing the resulting problems more difficult. In such cases just conflicts are likely to appear overly negative.

This mechanism is animated by the dynamics of complex systems. When a system is overturned, the status quo is disrupted in many areas of society often including changes to the legal, political, economic, and educational structures. The resulting turmoil damages society, businesses, and relationships with the broader world. Furthermore, because any intervention requires a very visible and large scale violation of sovereignty, post-intervention efforts to assert legitimacy and effectively wield power are likely to be curtailed. It seems likely that such a

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4 This can be seen in the War in Lebanon. Although it was not a case of intervention, the actions of Israel forced it to reconstruct its political system and much many of its societal (and physical) structures.
reaction is magnified all the more in those common situations where the government following the intervention is affiliated with the intervening state and consequently seen, by at least some portion of the population, as traitors. Even in the best case scenario, the trappings of a sovereign state which facilitate international trade, such as a stable currency and predictable regulation, are diminished making foreign capital and utilization of existing capital more difficult to initiate. Note that the turmoil and negative effects would be expected to begin at the conclusion of the conflict with the reconstruction of institutions.

This is significant in interpreting outcomes because the same structures that might be acting unjustly and thereby justifying the actions of the opposing force must be reformed in the aftermath of the war and consequently also contributes to unjust outcomes. In essence, the very structures that make the war just are also making the aftermath more tumultuous. This mechanism suggests that more just wars may have less just outcomes, particularly in the short-term. Four conflicts appear to fit this profile: the Bangladesh War, the Vietnamese-Cambodian War, the Ugandan-Tanzanian War, and the War in Lebanon.

While the reconstruction mechanism is expected to influence outcomes at the end of a conflict, the intervention mechanism begins to alter the outcomes prior to the onset of the war. The core reality that brings about these changes is the just cause requirement of interventions for a precipitating act of injustice. Whatever unjust act justifies the use of war could also be expected to produce negative results in the outcomes used to determine the justness of the war.

The intervention mechanism is animated by the actions of the target state directly rather than the inertia of structures and society as seen in the reconstruction mechanism. An example can be seen in Tanzania’s invasion of Uganda where Uganda had taken part in mass killings.

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5 There is evidence of this effect impacting efforts to rebuild in both Cambodia and Uganda where the post-intervention governments were closely tied to the intervening powers, Vietnam and Tanzania respectively.
The presence of the mass killing legitimates the counteroffensive that pushes into Uganda, even as it directly contributes to measured negative outcomes. This gives the appearance of just war causing more unjust outcomes; however, the real impact of the justness of the conflict would be less clear because a less just conflict might have an even more dramatic negative effect. Four conflicts appear to be influenced by this mechanism the Bangladesh War, the Vietnamese-Cambodian War, the Ugandan-Tanzanian War, and the First Gulf War.

The final mechanism, that is hinted at in the cases under consideration, but has been the source of speculation in journalistic accounts through many wars, is the prolonging mechanism. It is the underlying claim every time there are complaints that rules of engagement are “tying the hands” of soldiers or that war fighting is too “soft” to be effective. The fear is ultimately that just war making limits effectiveness that allows the injustice of war to be prolonged ultimately leading to unjust outcomes.

This mechanism would influence outcomes when efforts to fight a just war limit the capacity of the opposing force to effectively deal with the target force. As a consequence, the engagement itself is prolonged leading to worse outcomes. In such a scenario, democratic societies fighting in the role of the opposing force are likely to amplify the effect as public opinion increasingly turns against long wars leading to a withdrawal from combat before successful completion of the mission. The only two cases within the study where the mechanism appears to have acted in this manner occurred in the extended post-war practices of Vietnam in Cambodia and the United Nations’ Coalition in Iraq.
Steps for Future Research

The results of this study broadly support the assertion that just war making produces lesser societal damage than unjust war making. Among the *jus in bello* principles, particularly as they relate to the economy, the difference between adherence to the strong forms and weak forms is dramatic and requires careful consideration of what it means to fight a just war. When proportionality or targeting is attempted in the weak form, the results are considerably worse for the economy than when no effort is made at all. This is a significant point in practical terms, particularly in cases where an opposing state will be taking on the role of occupying force and incurring the additional costs of a ruined economy. Regarding life expectancy, the impact of targeting is minimal, but proportionality is similarly critical. Both strong form compliance and noncompliance correlate with increases in life expectancy, but compliance in the weak form produces the largest negative $\beta$ in the three life expectancy models.

The implications of this finding are quite clear. If future research affirms this pattern, just war making should not be undertaken lightly. If it is to have a positive impact on the outcomes, it must maintain compliance with the strong form of the justness concepts or risk exacerbating the problem. Like the proverbial bridge, the evidence suggests that the opposing state must go all the way or not at all – partially complete is actually worse than never having started.

The notable exception to this rule is in the area of just cause. By its very nature, just cause is a requirement that can only be correlated to the conscience of the opposing state. Future study, perhaps using matched pairs, could potentially offer some insight into the relative advantages and disadvantages of intervening in cases where there is a just cause to do so.
Broadly, scholars who have focused on normative theory and used it to critique war making behaviors would be well served by a careful consideration of the real costs and benefits of applied just war theory. For those who focus on classical just war theory, empirical study of the specific requirements espoused in their writing is essential. As an example, concepts such as using war as a “last resort” and ensuring that the good pursued is “proportional” to the likely damage can be meaningfully quantified. Exploring what thresholds constitute evidence of last resort could be immensely valuable.\(^6\) Similarly, a real assessment of likely costs and benefits of war, based on experience, would do much to allow for a more meaningful assessment of the *jus ad bellum* form of proportionality.\(^7\)

Despite its limitations, the modeling has provided a valuable marker from which to begin a broader research agenda. Though not conclusive in determining strength and significance, the mixed outcomes associated with just war making offer a challenge to the theory itself.

Although the ethical questions raised by focusing on the conscience of the war maker have led to interesting and potentially valuable efforts to manage the destructive power of war, the evidence here suggests that good intentions do not translate cleanly into good results. Such a reality should cause pause, particularly among those who seek humanitarian interventions on behalf of the oppressed. While this study does not delve into the question of whether intervention or non-intervention is more desirable, it does suggest that fighting a war in compliance with just war principles does not necessarily allow the targeted population to

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\(^6\) For instance, if a study of historic patterns suggests that there have been successful non-military interventions after capture of territory, this would supply evidence that non-war options are still viable. Whether with genocide, a territorial dispute, or securing rights for a minority group within a nation-state concrete guidance regarding when war really is the last plausible option would be helpful in interpreting the theory.

\(^7\) Such work could quantify results based on the likelihood of success, size of target country, regional patterns, even recovery rates of the business and industry within the target state.
experience justice in war, even relative to fighting the same war with varying levels of compliance or in complete non-compliance.

Acknowledging the speculative nature of any conclusions drawn from these models, three themes arise that require further consideration. First, one must consider the value and nature of the instrument used to develop the indicators for the independent variable. Robustness studies, analysis of inter-rater reliability, and an expansion of the tool to include other just war concepts deserve further consideration as this research agenda moves forward. Second, a broad growth of cases under consideration would be exceptionally helpful. With substantial work, it may be possible to extend the horizon back to the early Cold War era of the 1940s or 1950s. A more promising first step would be the inclusion of inter-state and intra-state conflicts from the Correlates of War database during the same period. As data becomes available, it is also possible to stretch the timeline toward twenty-first century cases. US-led military interventions in Iraq and Afghanistan, unrest in the Congo and Sudan, and “The Arab Spring” offer diverse experiences of war with the potential of shedding new light on the impact of compliance with the norms of just war making. Finally, future study must consider alternative means of modeling the relationship to ensure that artifacts of the methodology do not cover critical relationships. As an example, once sufficient cases have been assembled and evaluated, the use of maximum likelihood estimations could provide helpful insight into the variations of state responses to war.

The implications of this research in the policy realm are profound. Decision about when and how to engage in war are increasingly framed in humanitarian terms even when national interests are openly acknowledged. Particularly in cases of humanitarian intervention, appropriate engagement is dependent upon real assessments of likely outcomes and realistic

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8 Note that this would follow significant study of the justness instrument because these conflicts tend to be less well documented with facts in dispute and widely varying accounts. A robust instrument and strong inter-rater reliability would be necessary before attempting such work.
assessments the impacts of one’s strategic and tactical decisions. The literature of just war theory will gain significance and value to the policy community as it is able to move from a focus on ethical rightness to an empirically based theory that describes the real costs and benefits of war making behaviors.


APPENDIX A: COUNTRY/YEARS EXCLUDED FROM THE MODELS


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APPENDIX B: R CODE FOR DATA CLEANING AND MODELING

#############################################################################
## Just War - Adding Conflict Data                                  R Code ##
## Rudi Kauffman                                                06/02/2011 ##
#############################################################################

####
#Merging
####
#Header
###
#Setting working directory
setwd("C:/...")
#
#Loading packages
library(gregmisc) #Package with "rename.vars"
library(car)     #Package with "recode"
#
#Loading files into R
gdp       <- read.csv("gdp.csv", strip.white = TRUE)
health    <- read.csv("health.csv", strip.white = TRUE)
ratedlist <- read.csv("ratedlist.csv", strip.white = TRUE)
#Investigator created file:
#Justness rated by 2 reviewer
#Interstate conflicts 1960-1999, involving >1000 deaths, 50-2500 days
#Five additional exclusions: Sino-Indian Border Conflict
#   Falkland Islands War
#   Nagorno-Karabakh War
#   Indo-Pakistani War/Kargil
#   Second Congo War
droplist  <- read.csv("droplist.csv", strip.white = TRUE)
#Investigator created file:
#Other conflicts 1960-1999 from the Correlates of War database
#Formatted to each row as a country-year observation
#war0 - No lag added; war5 - 5 year lag added to end of conflict period
###
#Data cleaning and restructuring
###
#Creating lists for recoding
var_GDP  <- paste("GDP", 1960:2000, sep = "") #List of "GDP" variable names (e.g., GDP1960)
var_health  <- paste("health", 1960:2000, sep = "") #List of "health" variable names (e.g., health1960)
###
#Combining outcome data into a single file
# Merging outcome data frames
merged1 <- merge(gdp, health, by.x="cid", by.y="cid", all=TRUE)
merged2 <- merge (merged1, by.x="cid", by.y="cid", all=TRUE)

# Reshaping outcome data (wide to long)
gdp.long    <- reshape(gdp, idvar = "cid", varying = list(var_GDP),
v.names = c("GDP"), times = c(1960:2000),
timevar = "year", direction = "long")
health.long <- reshape(health, idvar = "cid", varying = list(var_health),
v.names = c("GDP"), times = c(1960:2000),
timevar = "year", direction = "long")

##
# Adding conflict information
# Adding conflict to GDP
gdp.merged <- merge(gdp.long, ratedlist, by = c("cid","year"), all = TRUE)
gdp.merged$rated   <- recode(gdp.merged$rated,"NA=0")  # Recoding missing to 0 for country-years not in conflict file.
gdp.merged$jauth.s <- recode(gdp.merged$jauth.s,"NA=0")
gdp.merged$jauth.w <- recode(gdp.merged$jauth.w,"NA=0")
gdp.merged$jauth.n <- recode(gdp.merged$jauth.n,"NA=0")
gdp.merged$jcaus.s <- recode(gdp.merged$jcaus.s,"NA=0")
gdp.merged$jcaus.w <- recode(gdp.merged$jcaus.w,"NA=0")
gdp.merged$jcaus.n <- recode(gdp.merged$jcaus.n,"NA=0")
gdp.merged$jtarg.s <- recode(gdp.merged$jtarg.s,"NA=0")
gdp.merged$jtarg.w <- recode(gdp.merged$jtarg.w,"NA=0")
gdp.merged$jtarg.n <- recode(gdp.merged$jtarg.n,"NA=0")
gdp.merged$jprop.s <- recode(gdp.merged$jprop.s,"NA=0")
gdp.merged$jprop.w <- recode(gdp.merged$jprop.w,"NA=0")
gdp.merged$jprop.n <- recode(gdp.merged$jprop.n,"NA=0")

# Adding conflict to health
health.merged <- merge(health.long, ratedlist, by = c("cid","year"), all = TRUE)
health.merged$rated   <- recode(health.merged$rated,"NA=0")  # Recoding missing to 0 for country-years not in conflict file.
health.merged$jauth.s <- recode(health.merged$jauth.s,"NA=0")
health.merged$jauth.w <- recode(health.merged$jauth.w,"NA=0")
health.merged$jauth.n <- recode(health.merged$jauth.n,"NA=0")
health.merged$jcaus.s <- recode(health.merged$jcaus.s,"NA=0")
health.merged$jcaus.w <- recode(health.merged$jcaus.w,"NA=0")
health.merged$jcaus.n <- recode(health.merged$jcaus.n,"NA=0")
health.merged$jtarg.s <- recode(health.merged$jtarg.s,"NA=0")
health.merged$jtarg.w <- recode(health.merged$jtarg.w,"NA=0")
health.merged$jtarg.n <- recode(health.merged$jtarg.n,"NA=0")
health.merged$jprop.s <- recode(health.merged$jprop.s,"NA=0")
health.merged$jprop.w <- recode(health.merged$jprop.w,"NA=0")
health.merged$jprop.n <- recode(health.merged$jprop.n,"NA=0")

# Identifying other conflicts for removal from gdp
gdp.full <- merge(gdp.merged, droplist, by = c("cid","year"), all.x = TRUE)
gdp.full$war0 <- recode(gdp.full$war0, "NA=0")
gdp.full$war1 <- recode(gdp.full$war1, "NA=0")
gdp.full$war2 <- recode(gdp.full$war2, "NA=0")
gdp.full$war3 <- recode(gdp.full$war3, "NA=0")
gdp.full$war4 <- recode(gdp.full$war4, "NA=0")
gdp.full$war5 <- recode(gdp.full$war5, "NA=0")

# Identifying other conflicts for removal from health
health.full <- merge(health.merged, droplist, by = c("cid","year"), all.x = TRUE)
health.full$war0 <- recode(health.full$war0, "NA=0")
health.full$war1 <- recode(health.full$war1, "NA=0")
health.full$war2 <- recode(health.full$war2, "NA=0")
health.full$war3 <- recode(health.full$war3, "NA=0")
health.full$war4 <- recode(health.full$war4, "NA=0")
health.full$war5 <- recode(health.full$war5, "NA=0")

health.final <- health.full
    health.final$health2 <- health.final$health
    health.final[health.final$war0==1,"health"] <- NA

# Writing cleaned files to disk
write.csv(gdp.final, file="final_gdp.csv")
write.csv(health.final, file="final_health.csv")

#########################################################################
## Just War - Data Analysis                                        R Code ##
## Rudi Kauffman                                                06/07/2011 ##
#########################################################################

###
# Header
#
###
# Setting working directory
setwd("C:/...")

###
# Loading packages
library(lattice)  # Package for graphics
library(gee)      # Package with Generalized Estimation Equation solver
library(geepack)  # New package

###
# Reading in data
final.gdp   <- read.csv("final_gdp.csv", strip.white = TRUE)
final.health   <- read.csv("final_health.csv", strip.white = TRUE)
full    <- read.csv("countries.csv", strip.white = TRUE)
revised <- merge(final.gdp, full, by=c("cid","year"), all.y=TRUE)

###
#Creating time terms
final.gdp$time <- final.gdp$year - 1959
final.gdp$time2 <- (final.gdp$time)^2
final.gdp$time3 <- (final.gdp$time)^3
#final.gdp$pop2 <- (final.gdp$pop)^2

final.health$time <- final.health$year - 1959
final.health$time2 <- (final.health$time)^2
final.health$time3 <- (final.health$time)^3
#final.health$pop2 <- (final.health$pop)^2

##
##Graphical analysis
xyplot(GDP ~ year, groups = cid, data = final.gdp, type = "l", xlab = "Years", ylab = "GDP", scales = list(x = list(at=c(1960, 1970, 1980, 1990, 2000))))

xyplot(health ~ year, groups = cid, data = final.health, type = "l", xlab="Years", ylab="Life expectancy", scales =list(x = list(at=c(1960, 1970, 1980, 1990, 2000))))

# Using geeglm from geepack library
GDP.base.ar1 <- geeglm(GDP ~ time + time2 + time3, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.base.ar1)

# Testing for
GDP.base2.ar1 <- geeglm(GDP ~ time + time2 + time3 + pop, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.base2.ar1)

GDP.base3.ar1 <- geeglm(GDP ~ time + time2 + time3 + pop + pop2, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.base3.ar1)

GDP.caus.ar1 <- geeglm(GDP ~ time + time2 + time3 + jcaus.s + jcaus.w + jcaus.n, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.caus.ar1)
test.caus <- anova(GDP.base.ar1, GDP.caus.ar1)
test.caus

GDP.targ.ar1 <- geeglm(GDP ~ time + time2 + time3 + jtarg.s + jtarg.w + jtarg.n, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.targ.ar1)
test.targ <- anova(GDP.base.ar1, GDP.targ.ar1)
test.targ

GDP.prop.ar1 <- geeglm(GDP ~ time + time2 + time3 + jprop.s + jprop.w + jprop.n, id = cid, data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.prop.ar1)
test.prop <- anova(GDP.base.ar1, GDP.prop.ar1)
test.prop

health.base.ar1 <- geeglm(health ~ time, id = cid, data = final.health, family = gaussian, corstr = "ar1")
summary(health.base.ar1)

health.caus.ar1 <- geeglm(health ~ time + jcaus.s + jcaus.w + jcaus.n, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.caus.ar1)
test.caus <- anova(health.base.ar1, health.caus.ar1)
test.caus

health.targ.ar1 <- geeglm(health ~ time + jtarg.s + jtarg.w + jtarg.n, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.targ.ar1)
test.targ <- anova(health.base.ar1, health.targ.ar1)
test.targ

health.prop.ar1 <- geeglm(health ~ time + jprop.s + jprop.w + jprop.n, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.prop.ar1)
test.prop <- anova(health.base.ar1, health.prop.ar1)
test.prop

## Combined .s and .w terms health

health.base.ar1 <- geeglm(health ~ time, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.base.ar1)

health.caus.ar1 <- geeglm(health ~ time + jcaus.a + jcaus.n, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.caus.ar1)
test.caus <- anova(health.base.ar1, health.caus.ar1)
test.caus

health.targ.ar1 <- geeglm(health ~ time + jtarg.a + jtarg.n, id = cid,
    data = final.health, family = gaussian, corstr = "ar1")
summary(health.targ.ar1)
test.targ <- anova(health.base.ar1, health.targ.ar1)
test.targ

## Secondary Models
## Including both ".a" and ".n" in a single model overspecifies tested seperately

# Testing .a
gdp.full.ar1 <- geeglm(GDP ~ time + time2 + time3 + jtarg.a + jcaus.a + jprop.a, id = cid,
    data = final.gdp, family = gaussian, corstr = "ar1")
summary(gdp.full.ar1)
test.full <- anova(GDP.base.ar1, gdp.full.ar1)
test.full

health.full.ar1 <- geeglm(health ~ time + jcaus.a + jprop.a + jtarg.a,
    id = cid, data = final.health, family = gaussian, corstr = "ar1")
summary(health.full.ar1)
test.full <- anova(health.base.ar1, health.full.ar1)
test.full

# Testing .n
gdp.full.n.ar1 <- geeglm(GDP ~ time + time2 + time3 + jtarg.n + jcaus.n + jprop.n, id = cid, 
data = final.gdp, family = gaussian, corstr = "ar1")
summary(gdp.full.n.ar1)
test.full.n <- anova(GDP.base.ar1, gdp.full.n.ar1)
test.full.n

health.full.n.ar1 <- geeglm(health ~ time + jcaus.n + jprop.n + jtarg.n, 
id = cid, data = final.health, family = gaussian, corstr = "ar1")
summary(health.full.n.ar1)
test.full.n <- anova(health.base.ar1, health.full.n.ar1)
test.full.n

### Other models: Playground
GDP.mix.ar1 <- geeglm(GDP ~ time + time2 + time3 + jtarg.s + jcaus.w + jprop.w, id = cid, 
data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.mix.ar1)
test.mix <- anova(GDP.base.ar1, GDP.mix.ar1)
test.mix

GDP.mix.ar1 <- geeglm(GDP ~ time + time2 + time3 + jcaus.a + jprop.a + jtarg.a, id = cid, 
data = final.gdp, family = gaussian, corstr = "ar1")
summary(GDP.mix.ar1)
test.mix <- anova(GDP.base.ar1, GDP.mix.ar1)
test.mix
APPENDIX C: DATA SOURCES AND INFORMATION

Dependent Variable Information:
   File Location: http://databank.worldbank.org/databank/download/WDIandGDF_csv.zip
   Retrieved: May 20, 2011 9:00 PM EDT
   Specific File from the compressed file set: WDI_GDF_Data.csv
Page Title: World Development Indicators
SOURCE OF LIFE EXPECTANCY DATA
Acronym: WDI
Type: Global
Periodicity: Annual
Coverage: Developing and high-income economies
Number of economies: 213
Start date: 1960
End date: 2010
Granularity: National
Update schedule: Three times a year in April, September and December
Last update: April, 2011
Next expected date of update: September, 2011
Source/Citation: World Development Indicators, The World Bank

Data retrieved from Groningen Growth & Development Centre: Angus Maddison website at: http://www.ggdc.net/MADDISON/oriindex.htm
   File Location: http://www.ggdc.net/MADDISON/Historical_Statistics/horizontal-file_02-2010.xls
   Retrieved: June 1, 2011 9:00 PM EDT
   Specific File: horizontal-file_02-2010.xls
SOURCE OF GDP DATA

For a complete copy of the dataset used in this research, contact Rudi Kauffman at kauffmanr@bluffton.edu
Independent Variable Information:
Data Retrieved from Correlates of War Database at:
http://www.correlatesofwar.org/COW2%20Data/WarData_NEW/WarList_NEW.html#Intra-State War Data

Files: 8 files –

Non-State War Data (v4.0)
1) NonStateWarData_v4.0.csv - The Non-State War Database. Please note the distinction between the “-8” and “-9” codes as specified [sic] in the codebook listed below.
2) ListNonStateWars.pdf - The list of Non-State Wars.
3) NonStateWars_Codebook.pdf - The codebook v4.0 for the Non-State War Data set.

Intra-State War Data (v4.0)
4) IntraStateWarData_v4.1.csv - The Intra-State War Database. Please note the distinction between the “-8” and “-9” codes as specified [sic] in the codebook listed below.
5) IntraStateWars_Codebook.pdf - The codebook v4.0 for the Intra-State War Data set.

Inter-State War Data (v4.0)
6) InterStateWarData_v4.0.csv - The Inter-State War Database. Please note the distinction between the “-8” and “-9” codes as specified [sic] in the codebook listed below.
7) ListInterStateWars.pdf - The list of Inter-State Wars.
8) InterStateWars_Codebook.pdf - The codebook v4.0 for the Inter-State War Data set.

Page Title: COW Wars v. 4.0, 1816-2007

Accessed: 5/21/2011 at 11:00 AM EDT

For a complete copy of the dataset used in this research, contact Rudi Kauffman at kauffmanr@bluffton.edu