

# JUST WAR THEORY AND THE INVASION OF AFGHANISTAN

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In his 2006 textbook, *The Morality of War*, Brian Orend defends a “Core Principle on Aggression” (CPA) that allows a minimally just state to go to war, in defence of its rights, in response to an act of international aggression. Orend also uses this just war principle to represent the 2001 invasion of Afghanistan as a morally justified response to the terrorist attacks of 9/11. This paper argues that the CPA is an indefensible moral principle that cannot justify the invasion of Afghanistan.

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Brian Orend is certainly one of Canada’s leading just war theorists, as well as an enthusiastic supporter of Canada’s current military mission in Afghanistan. His recent popular textbook, *The Morality of War*, for example, offers a detailed and original just war justification of the 2001 invasion of Afghanistan.<sup>1</sup> In this paper I will suggest that Orend’s arguments in support of that invasion are deeply problematic.<sup>2</sup> In sections I to IX, I will concentrate on Orend’s account of *jus ad bellum*—the conditions under which a state is morally justified in going to war against another state—and in the concluding sections X to XII, I will examine how Orend applies this general account to the specific case of Afghanistan.

## I

Orend’s version of just war theory is grounded in a substantial theory of human rights. From a logical point of view, individual human beings are the primary bearers of rights and, according to Orend, we all have rights to whatever we “need to live minimally decent and tolerable lives in the modern world” (33). “Human rights are core entitlements we all have to those things we *both* vitally need as human beings *and* which we can reasonably demand from other people and social institutions” (33).<sup>3</sup> States, then,