

Evolving Of Moral And Legal Thinking Of War Through The Middle Ages

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Michael Walzer sets forth skeptical arguments to justify wars and the soldiers involved in the battlefield ethically. Through his thoughts, a guide to war and warfare has evolved, which has been applied in the body of conventions. In his contemporary texts- just and unjust wars and war on justice, Michael Walzer seeks to respond to the American involvement in the [Vietnam War](#). In his assertions, war is unfair, and the just war tradition should be fundamentally altered. He examines the moral issues surrounding war crimes, military theory, and the spoils of war. He analyses several writings on the rampant conflicts in the course of history. Additionally, he gives specific interest to moral concerns and argues that justice and war are still an ethical, legal, and political necessity. In relevance to Walzer's opinion, the law and war should be congruent with morality.

The moral and legal thinking about war evolves from Walzer's (2015) arguments that moral concepts can be applied to war as they have been applied throughout history. In his ideas, he uses illustrations of just decisions from China's World Wars I to IV, ancient Rome, and Greece. In relevance to his assertions, he assures people that just war is an inherited code of conduct in conformity with morality and of which all men should be aware. He views consistent and comprehensive moral judgments practiced in all wars. Walzer also seeks to illustrate that man's understanding of moral issues is common and that moral and legal judgments on war are possible.

In Walzer's book on just and unjust war, just war is limited and has moral means and ends. Through this, people, in turn, view and react to war cases of slavery, torture, and murder and regard them as immoral and unjust. By legal thinking, he argues that intervention and conventions should operate more like non-conventions in ensuring preventative war balance. Moral reasoning evolves from Walzer's idea of conforming to Catholic theology. Together, they view war as a source of death, damage, and evil. According to Walzer, war is not about religion, love for humanity, and the commandments. He views war as legal because history has justified it. Additionally, it is termed as a social creation, and hence, it can be judged through social and moral settings. He plays a role in reviving the practical, focused ethics and development of a critical approach to moral and political life.

The understanding of the morality of war has been shaped throughout the mid-century, the moral and legal thinking emerges from the synthesis and natural law and the doctrine of Christianity concepts on morality. This understanding seeks to give explanations on war morality and adapt to problems arising from conflicts. Through moral thinking, war is viewed in the conception of right and wrong. In separate cases, warfare is termed as a punishment for doing wrong and acts as a form of enforcing [morality and ethics](#). Walzer advocated four principles, which gave insight into pragmatic concerns.

These principles have been linked to the moral theory modeling the convention laws.

Reichberg et al. (2006) have made the understanding of basic morality clear. This is about the interpretations of contemporary views of ancient wars. The moral and legal concept of war in the Middle Ages was based on the fact that, on all sides of a fight, all participants were legally and morally immune to illegitimate targets of attack. Additionally, those who were involved in just wars did not act illegally or wrongly.

.In the writings of thinkers and the Athenians, the theory of just wars is never emphasized. In the *jus in Bello* principle, moral discrimination is allowed between non-combatants and combatants. The moral equity principle permits combatants and prohibits non-combatants. The thinkers are grounded in claims of possessing individual moral rights. Those who pose a threat to others are liable to open attacks and, therefore, defend the legal principles (Elshtain and Jean Bethke, 2003). According to the Athenians, every person is morally liable to attacks if they are morally responsible for posing a threat. Moral judgment on prisoners also evolved from the thinker's texts. They were allowed to retain their rights of innocence and were not to be harmed. Infringing other people's rights was termed as morally and legally wrong. Justice was inherent in all Athenian wars, and ethics were strictly observed.

Ultimately, in the moral reality of war, when combatants fought freely, treating each other as enemies on the battlefields, their wars were not incriminated in any way and were, therefore, justified. When they were involved in a fight with a lack of freedom, their war was not their crime. In the two cases, the military grounds were under the rules of moral consent. Walzer's (2015) arguments sought to link battles to moral and legal virtues. Through his assertions, great ideas and thoughts on the morality and legality of wars have emerged through the Middle Ages, with several studies emerging in support of his concepts.

Work Cited

Elshtain, Jean Bethke, ed. *Just war theory*. NYU Press, 1992.

Elshtain, Jean Bethke. *Just War Against Terror: The Burden of American Power in a Violent World*. NY :Basic, 2003.

Reichberg, Gregory M., Henrik Syse, Endre Begby, eds. *The Ethics of War: Classic and Contemporary Readings*. Malden, MA: Blackwell, 2006.

Walzer, Michael. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. 5th ed. NY:Basic, 2015.