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**Խմբագրական խորհուրդ՝**

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## IMPLEMENTATION OF JUST WAR THEORY FRAMEWORKS ON THE GLOBAL WAR ON TERRORISM

**Keywords:** *just-war theory, non-combatants, political violence, terrorism, counterterrorism, islam*

This article studies the impact of terrorism on non-combatants and civilians, which makes it pertinent to analyze and investigate how wars against terrorism can be seen from the perspective of the Just War Theory (JWT) frameworks. Moreover, it would be worthwhile to investigate how wars on terrorism can be seen as just or unjust.

At the outset, it needs to be mentioned, that the Frankenstein of terrorism has come to dominate as an evil force on the global social, political and economic agenda as never before. Therefore, in some ways, it can be argued that terrorism does deserve a proper stick treatment to curb the evil tentacles of this growing menace which have the potential to threaten not only the contours of regional peace, security and stability but also dimensions associated with international peace, harmony and law and order.

While no one in reflecting his perceptions can argue that terrorism, which is a heinous act can be condoned in any way. Nevertheless, it would be pertinent to examine the broader ramifications involved in declaring war against terrorism. Especially if the intent of the war is not to curtail or curb terrorism, rather is seen as a means of increasing the political, social and economic advantage of western superpowers such as the United States and the UK for facilitating their imperialistic designs.

Given the centrality of importance accorded to terrorism, such investigation of terrorism in the context of just war theory and other similar axioms seems to be highly relevant for deriving any meaningful or holistic understanding of the multidimensional paradigm called terrorism.

As noted, terrorism emerges as a highly subjective and pejorative terminology, wherein straight jacket classification of who the terrorist is and what are his intentions cannot be made with any degree of accuracy or certainty. Therefore, all concoctions relating to unleashing of so-called

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attack on Global terror seems to encapsulate a hidden agenda of the western superpowers that begs pragmatic investigation and analysis.

For analyzing the contextual role of terrorism in the modern-day context, this research would use Michael Walzer's famous JWT frameworks<sup>2</sup>, which is considered the foremost standard in philosophy for judging conventional war.

The obvious objection to using JWT to evaluate terrorism is that terrorism is not a conventional war strategy. However, opinion seems to be divided on whether the paradigm of terrorism can in the first place be investigated according to a framework such as JWT, which inherently stands for conventional war strategies. Nevertheless, the argument can be posited that given the evolving face of terrorism and increase in the lethality of terrorism as well as coverage of terrorism, it can be orchestrated as a tactical conventional war strategy on select organized targets as done in the context of conventional war frameworks. Therefore, terrorism can be included in the general mould for analysis under the generic rubric of JWT theory.

It has been argued by Gatliff, that Just War Theory Frameworks can be considered as highly viable and tenable for understanding the justness of aggression and justness of conduct in the context of global wars on terror as in the case of the invasion of Afghanistan and the invasion of Iraq by the United States of America<sup>3</sup>. While from the perspective of Razack such a framework may prove useful in providing an outline for investigation, the multi-million dollar question that needs to be found in the degree of justice that is provided in making such senseless invasion. After all, if one has to fight terrorism and terrorists then engaging terrorists is justified but subjugating nations on the pretext of terrorism seem unwarranted<sup>4</sup>.

However, continuing invasions to set up permanent base establishments for fulfilling military, economic and political agendas seems to reflect the strong-arm tactics of western powers and their nefarious intent in dealing with terrorism. Rather terrorism for global superpowers per se seems to be a convenient platform for the utilization of ham-handed

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<sup>2</sup> Walzer Michael, *Just And Unjust Wars: A Moral Argument With Historical Illustrations*, 4 ed., New-York, 2006

<sup>3</sup> Gatliff, Jason. *Terrorism and Just War Tradition: Issues of Compatibility*. 2006. Bowling Green State University, Doctoral dissertation. OhioLINK Electronic Theses and Dissertations Center, [http://rave.ohiolink.edu/etdc/view?acc\\_num=bgsum1150154815](http://rave.ohiolink.edu/etdc/view?acc_num=bgsum1150154815), pp. 56

<sup>4</sup> Razack, Sherene. "Geopolitics, Culture Clash, and Gender After September 11." *Social Justice*, vol. 32, no. 4 (102), *Social Justice/Global Options*, 2005, pp. 11–31, <http://www.jstor.org/stable/29768334>.

techniques for subjugation nations through warfare in modern times.

It is argued that the Just War Tradition can be divided into two main components—*Jus ad Bellum* (justice for war) and *Jus in Bello* (justice for war). It is argued that while *Jus ad Bellum* is concerned with the justness of the decision to go to war whereas *Jus in Bello* is concerned with the justness of actions within a war<sup>5</sup>.

Essentially, from the perspective of Walzer, the argument seems to be posited that essentially a Just War's cause is to preserve legitimate nation-states and the means used do not intend unnecessary harm. The concept of preservation is linked to preservation and safeguarding of territorial integrity, while the concept of justness in war refers to the fact that means must be as honourable as the end<sup>6</sup>.

Accordingly, it can be argued, that it is possible from the perspective of JWT that war is started which might have a just cause but because it uses unjust means, it cannot be considered as a legal war or just war. In a similar vein, it can be argued that the war may have been started for an unjust cause but it has used just means, still, it cannot be considered in the realm of being a just war.

Therefore, both these criteria need to be fulfilled in letter and spirit for the categorization of war as just or legal from an international perspective.

According to Gatliff, it is argued that from the perspective of Walzer, "*Jus ad Bellum*" requires us to make judgments about aggression and self-defence; while "*Jus in Bello*" is concerned about the observance or violation of the customary and positive rules of engagement<sup>7</sup>.

A just act of war must meet both conditions and each of these conditions are considered non-compensatory, i.e the one cannot compensate for the other. Only if these two criteria are met in full and complied with adequately can a war be termed as not threatening the territorial or political sovereignty of a nation. Given these two broad parameters and the inherent rule that both need to be fulfilled, it would be interesting to examine how far the actions of the United States and other western powers such as the United Kingdom were justified in this context when they had invaded Afghanistan or the latest blatant invasion and

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<sup>5</sup> Taylor, Isaac. "Just War Theory and the Military Response to Terrorism." *Social Theory and Practice*, vol. 43, no. 4, Florida State University Department of Philosophy, 2017, pp. 717–40, <http://www.jstor.org/stable/26405304>.

<sup>6</sup> Walzer Michael, *Just And Unjust Wars: A Moral Argument With Historical Illustrations*, chapter one.

<sup>7</sup> Gatliff, Jason. *Terrorism and Just War Tradition*, pp. 123-129.

subjugation of sovereignty and integrity of Iraq.

Given the centrality of the two aforementioned axioms in providing justness, or legality to the adoption of the course of the war, it would be pertinent at the stage, to carefully examine what are the crucial parameters associated with each of these axioms.

According to Walzer, generically *Jus ad Bellum* criteria consists of six necessary conditions for ratification of the decision to go to war (to engage in martial activities) and for the war to be just— these criteria though with some degree of confusion and debate are Right Authority, Just Cause, Right Intention, Right Goal, Proportionality *ad Bellum* and Last Resort<sup>8</sup>.

In a similar vein, the argument has been posited that *Jus in Bello* criteria essentially encompasses two main criteria for any action within the war to be just - Discrimination and Proportionality *in Bello*.

Let us investigate each of these criteria in sufficient detail so that relevant inference regarding the ongoing global war on terror can be derived and the legality and justification associated with the same be spelt out in a forthright manner.

Before beginning our analysis, we must point that as a matter of principle, no one with a sane mind can condone terrorism, however, what needs to be fully investigated behind the so-called charade of terrorism is the justness associated with unleashing of rhetorical wars called global war on terror. These so-called global wars of terrorism seem to masquerade wrong intentions on part of western superpowers.

After all that needs to be noted is that the scope of the "Just War Theory" is based on the utilization and justness of force that is understood as the use of force or violence between one or more sovereign parties, where sovereign parties are parties that have no common higher authority to resolve their conflict.

The inherent driving principle therefore behind "Just War Theory" is that under certain circumstances the use of force and/or violence is necessary to maintain or restore justice.

### **Right Authority**

The first criterion or parameter under the rubric of *Jus ad Bellum* is the criterion of Right Authority, which is a necessary but not a sufficient condition for the decision of going to war to be classified as just. Ironically,

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<sup>8</sup> See: Walzer Michael, *Just And Unjust Wars: A Moral Argument With Historical Illustrations*

what needs to be noted, is that from a traditional perspective this criterion of right authority seems to have been vested with individual sovereign states and not with individuals. This implies that while it is possible for the state or nation to claim to have the right authority for declaring war, no individual has the right of declaring war against any other sovereign state. The reason for this as articulated by Aquinas is twofold<sup>9</sup>.

The first is, those wars are fought in defence of the common good, and therefore, the decision to go to war should rest with those who are responsible for that good, implying the inherent responsibility of the state. Secondly, it is also argued that governments have the right to go to war because they do not have any political superiors, which implies that in the absence of any higher authority, they and their enemies have no common set of laws and procedures through which to seek justice. However, from the perspective of individuals, they do not have such rights because it is articulated that it is not the business of a private individual to declare war. After all, he can seek redress of his rights from the tribunal of his superior.

Having analyzed this first criterion let us see, how it fits aptly in the context of the US invasion of Afghanistan and that in Iraq. While in the context of the invasion of Afghanistan, it might be argued that the US had suffered a violent act on its soil because of terrorist organizations, and it has a right to self-defence and in this context, it had the right authority for declaring war.

In the context of the US invasion of Iraq, it may be noted that Iraq was not involved in any terrorist activities against the US for which any proof was given to the world community. Despite this fact, the US and other allies such as the UK managed to concoct tales about weapons of mass destruction (WMD) and harbouring of terrorists that were proved false before the world community at a later date. In addition, it needs to be noted that the UN had not sanctioned any attacks on Iraq on the flimsy grounds of WMD and terrorist connection, yet the United States along with its bunch of cronies single-handed, defying all moral righteousness decided to attack and invade Iraq on basis of personal and political agendas. This demonstrates that the action on Iraq was unwarranted and unjustified and the United States had no moral right of authority to unleash such attacks.

### **Just Cause**

The second criterion of Just Cause states that it is a necessary but not

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<sup>9</sup> Richard J. Regan and William P. Baumgarth, *Aquinas: On Law, Morality, and Politics*, Indianapolis: Hackett Pub, 2003, pp. 50-80.

sufficient condition that there exists a just cause for going to war. From the historical or traditional perspective, such a criterion of Just Cause has always been predicated on the belief that Just Cause is always about retaliation of an attack and not being the aggressor in the first place. According to Walzer, it is argued that Just Cause has generally been thought to be restricted primarily to responses to unwarranted aggression, which would permit defence against attack, defence of another against attack, and any humanitarian intervention (defence of subjects in the face of the aggression of own government)<sup>10</sup>. It is strongly argued that Just cause is always seen under the broad light of self-defence and not as an attack. Moreover, Just Cause cannot be defended on grounds of pre-emptive self-defence because in such a case actions of war are very unjustifiable, to begin with, because pre-emptive self-defence is a theory, which is highly convoluted and fallacious and does not stand ground against empirical research or investigation<sup>11</sup>.

In the context of the US invasion of Afghanistan, if it were to be believed that Al Qā'eda as reported by the US was behind the attacks, then it can be argued that there was some degree of justness. However, in the context of Iraq, there was no aggression by Iraq against the US or any of its citizens. Moreover, the truncated charges of WMD terrorist connections were not credibly proved before any global international body. Therefore, the United States was clearly and rather flagrantly dismissing global protocols and acting maliciously to threaten the integrity and sovereignty of Iraq and other Arab nations.

### **Right Intention**

The third criterion under the general axiom of *Jus ad Bellum* is the criterion of Right Intention, which is also a necessary but not a sufficient condition in endorsing legality and justness to the action of going to war.

According to the criterion of Right Intention, it is stated that for the decision to go to war to be justified, the intentions of those who are making such decision should be free from bias or prejudice and the act of going to war should be based on the bonfire intent of achieving what is being espoused.

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<sup>10</sup> See: Walzer Michael, *Just And Unjust Wars: A Moral Argument With Historical Illustrations*

<sup>11</sup> Taylor, Isaac. "Just War Theory and the Military Response to Terrorism." *Social Theory and Practice*, vol. 43, no. 4, Florida State University Department of Philosophy, 2017, pp. 717–40, <http://www.jstor.org/stable/26405304>.

From the traditional or historical perspective, it has been argued that right intention can be understood in contrast to perverse intentions, and right intentions suggest that if the initial intent of going to war is transparent and intended to uphold the public good and sovereignty of a nation-state then the intentions can be deemed to be onerous and valid.

From the perspective of modern times, the connotation of Right Intention generically signifies that one's intentions must be by the cause for going to war.

It can be argued, that Right Intention is probably one the cornerstones of any decision of going to war given the inherent destruction and suffering that such actions would bring upon innocent civilians and non-combatants. If a war is lodged on the flimsy grounds of nefarious intentions then the war becomes automatically unjustifiable and illegal in the context of modern civilization.

Applying the parameter of Right Intention for the invasion of Afghanistan and Iraq it can be seen that the US was not forthright about its actual intentions.

It masqueraded its intentions of going to war under the pretext of the global war on terror whose aim was to get rid of terrorists and perpetrators who wreak havoc on international peace and security. While the Invasion of Afghanistan did not curb terrorism in any way, nevertheless there were some grounds at least for imperialist forces of the United States to wage war against Afghanistan. However, there was no justification for the continued occupation of Afghanistan. In a similar vein, it can be argued that the malicious intent of the US against Iraq was more to do with control of oil wealth and gas reserves in Afghanistan than with the prospect of the annihilation of Saddam regime or the finding of alleged WMD.

Clearly from the investigation, so far it can be seen that the US and other western powers in collusion with the US in attacking Afghanistan and Iraq did not display their true intentions as they had claimed to do so. For their intentions were as noble as initially proclaimed then why in both the countries the occupations of United States is continuing if it is not for the propitiation of economic, strategic, military and commercial interests for the United States.

### **The Right Goal**

Another major criterion, which is arguably a necessary but not sufficient condition for waging war, is to display and achieve the Right Goal. While these parameters seem to have some correlation with the previous matter of right intention, nevertheless it is considered important

enough for standing alone in its merit.

From the perspective of Walzer, it is argued that the right goal for waging war or any such act is to strive for the achievement of lasting peace and stability. Lasting peace and stability as a right goal is a criterion that is free from debate or any degree of contentious arguments because it is naturally assumed that the main holistic intent for waging war would be to develop peace and secure stability in the local, regional, national or international context<sup>12</sup>. It is argued that even from the perspective of ancient philosophers such as Aristotle and Plato the main parameter that was utilized for justification of the act of war was that War is probably a means for achieving the end of lasting peace, stability and security. Interestingly if this parameter, which is considered so vital for any justification of an act of War is applied to the context of the US invasion in Iraq and Afghanistan, it can be inferred that the US war was unjustifiable and illegal.

Far from achieving lasting peace and stability, what the so-called global war on terror has achieved is compromising of political and social sovereignty of Afghanistan and Iraq and making these regions more unstable and insecure for their common civilians and inhabitants. Ironically therefore this act of plunder and invasion by the United States has resulted in creating catastrophic levels of instability in both the regions and the establishment of puppet regimes whose zone of influence is very much curtailed and confined even with their limits of geographic boundaries.

### **Proportionality and Last Resort**

Two criteria that fall under the general rubric of *Jus ad Bellum*, are the proportionality criterion and last resort option, which are both in their own right necessary but not sufficient conditions for justifying the action of going to war.

According to Gatliff, it can be argued that Proportionality *ad Bellum* states that the decision to go to war can only be justified in doing so the goods generated can outweigh the harm that one foresees resulting from the use of that force. In other words, if the positive benefits of going to a war far outweigh the negatives associated with going to war, then it can be posited that the act of war can be justified and can be considered a legal act<sup>13</sup>.

However, it needs to be noted that this is a very important but

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<sup>12</sup> Gatliff, Jason. Terrorism and Just War Tradition, p 41

<sup>13</sup> Ibid, p 42-44

contentious argument. The moot idea that seems to be resonated is the fact that if the positives outweigh the benefits, then the act of war is justifiable.

In a similar vein, the criterion of Last Resort states that the decision to go to war should always be visualized as the last option available, with the inherent implication that all other channels of dialogue and discussion have been already exhausted<sup>14</sup>.

However, it can be argued that this criterion does have some sort of linkage to philosophical or biblical statements as it is articulated in religious books that when all avenues of persuasion are exhausted, it is righteous to draw out the sword for self-defence. Historically, "Last Resort" has been understood to mean that all possible peaceful solutions to a conflict must be pursued before the use of force was justified. However, it is argued that "last resort" basically, means that when all other standard methods of negotiation available as judged from the angle of reasonableness get exhausted, then only war should be considered as a viable and justified option.

Applying both these criteria for judging the so-called US attack on the global war on terror both in the context of Afghanistan and Iraq, it can be noted that the US flouted both the aforementioned criteria.

According to the criterion of Proportionality, to arrest terrorists and break down terror networks, the United States in the context of Afghanistan used highly disproportionate weapons.

In the context of Iraq, to begin with, the US used a nonsensical platform of pre-emptive self-defence and continued its invasion of another sovereign nation. The casualties of the Iraq war according to rough estimates were very high. This is was a blatant disproportionate response from a global superpower that cannot be justified even under the garb of terrorism.

About the context of "last resort", while it can be argued that to some extent the US had made initial political appeals and discussions with the global community before invading Afghanistan, no such consultations were made with the global community in the context of Iraq and the statements of the world body to refrain from acts of terror and violence against Iraq was completely ignored by the United States.

After having to analyse the relation of the six important parameters associated with JWT, it can be noted that the US waged unjustified battles against both Afghanistan and Iraq. The US seemed to have no moral or

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<sup>14</sup> Walzer Michael, *Just And Unjust Wars: A Moral Argument With Historical Illustrations*, Part One.

legal justification for invading and occupying these countries under the pretext of curbing terrorism. In addition, it would be pertinent for us to examine at this stage the parameters for *Jus in Bello* to develop a holistic understanding regarding the viability and legality of US invasions and the rhetorical wars mounted on Global terror. It may be useful at this stage to recall that the aforementioned criteria are necessary but still not sufficient for justifying action to go to war. For the war to be just, the actions of those involved in fighting the war must be just as well.

For the actions in war to be just two other main criteria have to be also considered for the propriety and justness of war. These criteria which fall under the general rubric of *Jus in Bello* are: *Discrimination between Combatants and Non-combatants* and *Level or degree of Proportionality* resorted to in the context of war. It may be recalled that if and only if any nation can fully justify all the necessary conditions for waging war, and also plays a crucial part in monitoring that, the actions strategies and methods utilized in war are fair and according to rules of combat, and then accordingly, the legality of the war can be fully endorsed as a legal and just war.

Before analysis of the parameters associated with *Jus in Bello*, it needs to be reiterated that these two dimensions as proposed by Walzer are considered to be logically distinct and independent. Walzer believes that they are logically distinct as *Jus ad Bellum* requires us to make judgments about aggression and self-defence; while *Jus in Bello* seems to be chiefly concerned about the observance or violation of the customary and positive rules of engagement.

### **Discrimination between Combatants and Non-combatants**

A major criterion under the rubric of *Jus in Bello* is the criterion of Discrimination between Combatants and Non-combatants, which is again a necessary, but not a sufficient condition for justifying actions in a war. According to these parameters, it is argued that for one's actions in war to be just, it must be pointed out that one is not intentionally targeting innocent persons. This brings forth the point of dealing with the development of the sense of discrimination between the right and the wrong and the articulation of legitimate and illegitimate targets of war.

Moreover, from the perspective of Contemporary Just War Thinkers, it can be stated that while non-combatants include civilians who do not directly support the war effort, medical personnel, chaplains, and the wounded who no longer resist, prisoners of war and those soldiers in the process of surrendering should also be considered as non-combatants. On

the other hand, combatants who can be depicted as legitimate threats of war and legitimate targets do include members of the military and those members of the civilian population who directly support the war effort, such as munitions workers etc.

Even from the perspective of Anderson et.al, it can be argued that for war to be considered a just and fair war the means and conduct of war resorted to is as important if not more important than the initial cause or justification for going to war<sup>15</sup>.

Applying the fulfilment of this criterion in the context of US invasions in Afghanistan and Iraq, for ratification of the justness of war against terror, an appalling picture is revealed. It is found through analysis of various sources, that in the invasion of Afghanistan while only 1,140 US soldiers were killed and 8,857 Afghan troops were killed, the number of civilians or non-combatants killed were higher in numbers. It is worth noting that these figures are relatively conservative estimates for the civilian population as the havoc that was wreaked by the United States of America. In search of its lone fugitive, Osama bin Laden and Mullah ‘Umar had cost far more than innocent lives and left a region in greater jeopardy than it was previously in. This complete lack of sense of discernment is also reflected in the context of the US invasion of Iraq for finding out the elusive weapons of mass destruction, which were never to be found because of the highly controvertible evidence that was put forth by the United States of America before the global community and the UN.

In the context of Iraq, this lack of sense of discernment between combatants and non-combatants is all the more glaring as revealed from the attached tabular analysis. It can be seen that while the US troops killed in these unjust wars is almost 4,414, nearly 30,000 – 40,000 Iraqi troops have been killed. However, the number of Iraqi Civilians killed ranges from almost 900,000 to 1.5 million people. This kind of senseless killing on the most flimsy of pretexts of evidence on terrorism paints in poor light the ulterior motives of the United States and its western cronies. If the evidence which is so tenuous can form the basis of such invasions and senseless killing then one can only imagine that US attacks on Vietnam and North Korea were also acts of terror. While attacks on Vietnam and North Korea were based on the belief that communists were terrorists, the attacks on Iraq and Afghanistan seem to be based on the belief that Muslims and Arabs are terrorists.

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<sup>15</sup> Anderson, Sean and Stephen Sloan. *Historical Dictionary of Terrorism*. Metuchen, NJ and London: The Scarecrow Press, 1995, pp. 23-30.

However, as in the context of Afghanistan and Iraq, it may be noted that the collateral damage seems to outweigh the damage to combatants by a huge margin, as troops killed in both these wars number only 30,000 to 40,000 whereas civilian casualties<sup>16</sup> are in the figures of millions even by official estimates. This is untenable against any criteria of justness for the War on Terror.

### **Proportionality in Bello**

Another major criterion for legality or justness in actions of war which is a necessary but not a sufficient condition in itself is the criterion or parameter of "Proportionality in Bello". It is noticeable that the garb of collateral damage resulted in both the context of Iraq and Afghanistan invasion in terms of civilian damage, have exposed the lack of sense of discernment and distinction on part of the United States about bifurcating attacks between the combatants and non-combatants who are the illegal targets of any war.

According to Walzer, it is argued that the criterion of "Proportionality *in Bello*" states that for one's actions in war to be just, one has to prove without an aorta of doubt that the good achieved through the war certainly outweighs the harm that the war has caused to be justified by the yardstick of proportionality. Proportionality criteria warrants that no weapons should be used such as cluster bombs, chemical weapons or nerve gas agents that can kill mercilessly people whether they are soldiers or non-combatants. However, the application of this criterion for the justness of actions of War both in the context of the Iraq and Afghanistan invasion brings to the forefront the barbaric senseless brutality resorted to by the United States of America and its other western cronies in the so-called campaign of war on terror. Both the U.S. and British military has admitted the use of cluster bombs. Both the U.S. and the British used several types of cluster munitions, including those that have caused severe humanitarian problems in the former Yugoslavia and Afghanistan.

According to Norman in the financial time's report, it has been claimed that in the context of Afghanistan, the U.S. Department of Defence has acknowledged using nearly 1,500 airdropped cluster bombs, but has not revealed any information about ground-launched cluster munitions, which may have been much more numerous. Similarly in the context of Iraq, while official confirmations are not forthcoming, it has been revealed from the investigation that the United States, as well as the UK, have used over

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4,000 cluster bombs that are strictly considered by the International human rights commission and other bodies to be a blatant violation of all war protocols<sup>17</sup>.

The lack of proportionality adhered to by the US and other western powers in this battle of terror have made it an illegal and unjust war, which has been waged just for the propitiation of self-interests, and personal and political agendas of politicians. Rather than attacking the root problems of global terrorism and wanting a permanent solution to the same, these unjustified invasions have led to the creation of a fertile breeding ground for future terror operatives who can now be armed with ideological frameworks of vendetta against the western world.

In summation, the argument can be posited that the so-called War on Global Terror was a charade, to begin with, a façade that was orchestrated to allow America to infiltrate into the oil-rich and gas-rich regions of the world.

Thus, in conclusion, has delved into important theoretical and conceptual facets associated with terrorism and the rise of terrorism as the new global menace that can threaten the very fabric of international peace, stability and security. It can briefly project the following points:

- It has also outlined the conceptual difficulties in developing precise quantifiable measurement of the term terrorism because of the conceptual maze that surrounds the content, nature, scope and type of terrorism.

- It has also outlined the modern trends associated with terrorism especially in the perspective of the post-world war II eras and has created a much needed conceptual backdrop for undertaking the present investigation.

- It has also been noted that terrorism is inherently against the very fabric of civil society and creates a lasting impact on social psychology and popular public perception because of the symbolic targeting of civilians and non-combatants used by terrorist networks and terror operatives.

- It has also investigated the reasons why terrorism frameworks can often be considered at loggerheads with the role of the state as generically the monopoly of violence and provision of stability and security is considered to be the hallowed fiefdom of state authority.

- It can also be gauged that terror organizations by creating violence and inflicting harm on civilians and non-combatants directly challenge the authority of the state and necessitate a swift and decisive action against

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<sup>17</sup> Norman, P, UN and Counter Terrorism After September 11th : A critical assessment, Centre for European Studies, Portsmouth Publication,2003. pp.123

terrorism.

• Finally, it has also been noted, that discussed the Just War theory framework and its utility in justifying the actions of the so-called global war on terror as unleashed by the US through the senseless invasion of Iraq and Afghanistan. It has been found from this research that in both contexts, the United States justification of going to war was untenable and it has cost the global community a loss of almost more than 1 million civilian population.

**«ԱՐԴԱՐԱԳՎԱԾ ՊԱՏԵՐԱԶՄԻ ՏԵՍՈՒԹՅԱՆ»  
ԿԻՐԱՌԵԼԻՈՒԹՅՈՒՆԸ «ԱՀԱՐԵԿԳՈՒԹՅԱՆ ԴԵՄ  
ՀԱՄԱՇԽԱՐՀԱՅԻՆ ՊԱՅՔԱՐԻ» ՀԱՄԱՏԵՔՍՏՈՒՄ**

***Մոհամմեդ Հաջ Իբրահիմ*  
(Ամփոփագիր)**

Մույն հետազոտության մեջ՝ օգտագործելով «Արդարացված պատերազմի տեսության» սկզբունքները ու չափիչները՝ փորձ է արվում ուսումնասիրել և գնահատել «Ահաբեկչության դեմ համաշխարհային պայքարը»:

Հոդվածում «Ահաբեկչության դեմ համաշխարհային պայքարը» ուսումնասիրվում է Մայքլ Վոլցերի կողմից մշակված *Jus ad Bellum* հայեցակարգի բաղադրիչների՝ «ճշմարիտ կառավարում», «արդարացված պատճառ», «ճշմարիտ մտադրություն», «ճշմարիտ նպատակ», «համամամսնություն *ad Bellum*-ում» և «փրկության հույս», դիտանկյունից:

Ձևավակերպված խնդրի տեսանկյունից կատարված հետազոտությունը ցույց է տալիս, որ «Արդարացված պատերազմի» հայեցակարգի տեսանկյունից «Ահաբեկչության դեմ համաշխարհային պատերազմը» արդարացված չէ, և կրում է խտրական բնույթ: