

The Korean War: Just or Unjust?

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Abstract

This paper examines the seven rules of the just war theory and applies them to the Korean War (1950-53). The seven rules of the just war theory are just cause, right intention, legitimate authority, public declaration, last resort, probability of success, and proportionality. This analysis demonstrates that the Korean War was a just war in relation to the principles of the just war theory. A brief history of the evolution of the just war theory from Cicero and leading up to the Conclusion of World War II (1945) will be given. Each rule will be have a detailed description in regards to how the United States adhered to it. The following research serves as a basis to prove the validity that the Korean War was a just war.

Introduction

Leon Trotsky once said, “You may not be interested in war, but war is interested in you.”¹

The Korean War is often referred to as the “forgotten war”. It’s my aim to use Mr. Trotsky’s statement as a tool in enlightening the reader on the Korean War. As a veteran, I strongly believe the sacrifices made by the men and women of this unpopular conflict should never be forgotten. This paper will examine the various strategies used in the just war Theory. Specifically, this paper will explore the rationale for going to war with Korea and take into account the aspects of the just war theory. An in depth analysis of the just war theory from Cicero to the Nuremberg Trials will be provided. This analysis will attempt to prove that the Korean War was a just war. My argument throughout this paper is that the historical background of the just war theory is just as important and relevant as the war traditions that occurred at the onset of the Korean War. The comparison of several just war theorists’ tactics and methodologies will be used in determining whether the United States was justified in using military force during the Korean conflict. This study uses philosophy, religion, political science, and military history to determine what constitutes a just war. This paper will be discussing how the just war theory has evolved from the time of Hugo Grotius (often considered the father of international law) in the seventeenth century to the Korean War. Furthermore, the rationale for going to war in Korea will take into account the aspects of the evolution of the just war theory from Cicero to the Nuremberg trials (1945-46).

Koch’s *The Rise of Modern Warfare* looks at the Thirty Years War, the American and French Revolutions, Napoleon’s attempt to conquer Russia, the wars of Spanish and Austrian Succession, and the Seven Years War to show how modern warfare arose. Koch is a lecturer at

¹ <https://bakerinstitute.wordpress.com/2013/10/21/you-may-not-be-interested-in-war-but-war-is-interested-in-you/>

the university of York and Visiting Professor at the Hochschule fur Politik, Munich. Koch explains in his manuscript what factors Hugo Grotius emphasized were the cases for confrontations during Grotius' time period. "The first half of the seventeenth century it was generally religion or the interests of some religious body that molded both warfare and political thought of the period."² Grotius formulated the right of self-defense and pre-emptive action if a country felt threatened by a neighbor's hostile action. Once a war was under way, Grotius deemed it acceptable that the enemy be chased until it was defeated, their possessions retrieved, and the subdued inhabitants integrated into the victor's population. Grotius also promoted mercy towards a conquered nation. Most empires during Grotius' era deemed just war as a right of conquest, religious prophecy, or the betterment of the state. "Only with the decay of the feudal order in the sixteenth century, and the rise of the sovereign state as a concept in international law, according to the analysis of Hugo Grotius (1583-1645), did war become a legal conflict decided by force."³ Conquest theory is what plunged Europe into the Thirty Year War (1618-1648). The enduring memory of Grotius is that of one who sought to preserve peace.

The dilemma in any war is to determine what makes a war just? Political scientists agree since WWII, the Korean War is the only conflict that can be categorized as a just war. Strategies in a just war have to be deemed morally acceptable before they are carried out. The argument can be made that war is hell. While this may be true in some aspects, the practice of war has to still maintain integrity and accountability. A battlefield, no matter how chaotic, has to maintain its

² Koch, H. W. *The Rise of Modern Warfare, 1618-1815*. Englewood Cliffs, NJ: Prentice-Hall, 1981. (Page 17).

³ Koch, H. W. *The Rise of Modern Warfare, 1618-1815*. Englewood Cliffs, NJ: Prentice-Hall, 1981. (Page 8).

cohesiveness. This is easier said than done. There are seven rules in the just war theory, and every guideline has to be met in order for a war to be considered just in nature. The seven rules are just cause, right intention, legitimate authority, public declaration, last resort, probability of success, and proportionality (determine if the universal good outweighs the universal evil/lives lost and devastation). In war, there is the chance that in order to do good you might have to engage in evil. This was evident in the Korean War, as unorthodox warfare (Guerilla warfare) prompted the U.S. forces to step up their strategic bombing of Communist forces.

The reasons that the U.S. had for invading Korea are long and many. The North Korean army was superior to the weaker forces of the Republic of Korea. The U.S. allowed the Republic of Korea to stay weak by choosing to not supply any military support. The U.S. did this in hopes to diffuse rumors that the U.S. was attempting to build a military base in which it could attack Russia. The Republic of Korea was caught with its hands behind its back. The U.S. did not intend to defend the Republic of Korea in order to prevent another major world conflict. This area in East Asia was seen as a powder keg that would cause a domino effect. Another concern of the CIA was whether or not the USSR would use its own troops to defend the north. The North Korean crossing of the 38th parallel on June 25, 1950 drew the U.S. out of hibernation and into war. This region would now become part of their sphere of influence.

Evolution of Just-War Theory

War has been a prevalent part of society for thousands of years. The just war theory is as old as warfare itself. Empires are formed and destroyed by the sword/or other technological advances. While some historians give credit to Aristotle and Plato as being the founders of just war theory, most make the consensus that Cicero (106 BC – 43 BC) is the father of just war

theory. The times of Cicero can be compared to that of the Korean War (American Exceptionalism).

The Roman philosopher, Cicero, is believed to be the first person to implement the just war theory. Brian Orend is Director of International Studies and a professor of philosophy at the University of Waterloo. His book, *The Morality of War*, is an introduction to the ethics of war and how it affects certain dilemmas and international relations. He also references Cicero and the Greek philosopher's views on the conduct and waging of warfare. "No just war can be waged except for the purpose of punishment of repelling enemies."⁴ He believed that in order for the conditions of war to be justified, the war had to be fought in self-defense.

Alex Bellamy is Lecturer in Peace and Conflict Studies at the University of Queensland. In his book, *Just Wars: From Cicero to Iraq*, Bellamy discusses how the concept of the just war theory evolved through history. He explains further how past military operations have been rationalized and justified. The author defines what constitutes what scenarios quantify the legitimate use of force, when and how force should be applied, and their correlation to how disputes are ultimately resolved. Mr. Bellamy describes the Roman methodology for orchestrating war through the eyes of Cicero.

Like the Greek philosophers before him, Cicero believed that the proper role of the state was to maintain a balance between nature and law in order to facilitate the pursuit of justice and hence happiness (See Wheeler, M. 1952: 49-56). He argued that war may only be fought to protect the safety or honour of the state (Cicero 1928: 211-3). Echoing Plato, Cicero (1961: 38) insisted that 'the only excuse . . . for going to war is that we may live in peace unharmed'. Even wars fought for glory must be motivated by the desire to live in peace, and Cicero insisted that such wars be prosecuted with less brutality than wars for survival. Expansionist wars were justified 'to enlarge the boundaries of peace, order, and justice' (Wilkin 1947:65). By bringing more lands into the empire, he reasoned,

⁴ Orend, Brian. *The Morality of War*. Peterborough, Ont: Broadview Press, 2006. (Page 31).

greater peace and happiness could be brought to humanity. Thus, for Cicero, there was no contradiction between fighting for the glory of Rome and fighting to preserve the peace.⁵

Cicero believed by waging war on other countries surrounding Rome, those countries would then also experience peace. The Korean War was viewed as a war in which the U.S. could bring the values that Cicero explained above (peace, order, and justice) to the Korean peninsula. The U.S. was compared to Rome in the fact that imperial expansion was judged as an economic necessity. Rome, like the U.S., was a military power, which gave it an opportunity to impose its ideals on neighboring nations. Exceptionalism and imperial ambitions also link the two heavyweight powers together.

Andrew Fiala is associate professor of philosophy at California State University, Fresno. In his publication, *The Just War Myth: The Moral Illusions of War*, he challenges the apparently predominant American sentiment that war can be easily justified. In the book he points out that while the just war theory is a good theory, actual wars do not live up to its billing. The attempts to justify war have severe repercussions not only on the opponents of the U.S., but the Americans who are involved in police actions and defensive operations. Mr. Fiala explains how the American military juggernaut was perceived during the early years of the Cold War era.

This invocation of Truman and Reagan in conjunction with the idea of a “military without peer” shows us the way that American Exceptionalism is understood. American heroes—especially those who stood firm against communism—are celebrated for their idealism and the way they built and employed military force to accomplish their ideals.⁶

The Nuremberg Trials (1945-1946) were the closest relative piece of just war theory that America had to go off of. Martin L. Cook is the professor of Leadership and Ethics for the

⁵ Bellamy, Alex J. *Just Wars: From Cicero to Iraq*. Cambridge: Polity Press, 2006. (Pages 19-20).

⁶ Fiala, Andrew G. *The Just War Myth: The Moral Illusions of War*. Lanham, Md: Rowman & Littlefield, 2008. (Page 69).

College of Operational and Strategic Leadership at the U.S. Naval War College in Newport, Rhode Island. He has written many pieces of literature pertaining to ethics of military leaders and international affairs. His book entitled *The Moral Warrior: Ethics and Service in the U.S. Military*, discusses the capabilities of the U.S. military during the course of its extensive military history and the unique position of power the United States holds in the world. Mr. Hood explains how the Nuremberg Trials looked upon bombing and how it's unclear stance on it affected future disputes.

At the close of the war, the Nuremberg Tribunals were chartered to consider “wanton destruction of cities, towns, and villages, or devastation not justified by military necessity. Nuremberg declined to prosecute cases involving air war on the part of Axis powers, at least partially in recognition that Allied practice would be subject to precisely the same strictures.”⁷

Strategic bombing was accepted by the U.S. military, because they held a very large advantage in technological skill over their enemy, who held a quite significant numerical advantage over them. The Korean War was perceived as a war of aggression (North Korea being the aggressor) and was a crime punishable under customary international law.

Overview of the Korean War

June 25, 1950 saw the first events of the Cold War unfold as forces of the Soviet-supported Democratic People's Republic of Korea swept across the 38th parallel. The events leading up to and during the Korean War were best described as a grand game of chess between the two powers of Russia and the United States. Communism to America was comparable to cancer in the sense that it needed to be eliminated from the world stage. It was a threat to everything that the United States stood for. The Republic of Korea in the South was backed by

⁷ Cook, Martin L. *The Moral Warrior: Ethics and Service in the U.S. Military*. Albany, NY: State University of New York Press, 2004. (Page 136).

the pro-Western views of the United States. The U.S. military classified the aiding of South Korea as a “police action” in response to the North Korean invasion, which was considered an act of aggression. North Korea’s crossing into South Korea resembled imperialistic ambitions.

The security and independence of Korea was threatened by Communist aggression (military maneuvers) along the 38th parallel. The unprovoked attack that came across this border was perceived as a threat to international peace. With the security of South Korea compromised, the U.S. resorted to armed aggression in a means to deter the advance of Communist forces further southwards into the country. Justice and peace sometimes go hand in hand. Securing justice was an elusive topic of discussion during the conflict, as was the proper amount of force used to achieve order.

The military action in Korea was often referred to as the term known as “containment.” After the dust settled from the “war to end all wars,” the United States and the Soviet Union emerged as the two superpowers that rose from the ashes of this bloody affair. After the conclusion of World War II, Communism was seen as the greatest threat to freedom around the world, as Fascism was during Hitler’s reign. Communism was viewed as oppressive and spread its idealistic views into Eastern Europe, China, and parts of Southeast Asia. Communism was believed to be the next form of tyranny that would corrupt worldwide freedom. In 1950, the United States was five years removed from fighting a global conflict and wanted to resolve the situation in Korea as quickly as possible so it didn’t embroil the region into becoming a trigger for another world confrontation. In an effort to prevent confusion, the two colossal powers arranged spheres of influence as a way to let each heavyweight country know which areas they held interests in. Korea would be the disputed area, where the two nations would have varying views on where their respective domains of control lay. Both sides enjoyed some earlier

successes against the other, but as the war dragged on, the 38th parallel became a point of conflict that was hotly contested. The fight over bragging rights on which rival controlled more of the other's territory became lost in the conversation of the mounting loss of life.

The U.S. relationship with neighboring China was also taken into effect during the Korean War. During World War II, the U.S. helped the Chinese fight the Japanese. In doing so, a two front war was created that mightily strained the war making capabilities of Japan. These relations would become strained as the United States supported the Nationalist Government over the Chinese Communist Party. *American Policy Toward China: Statement Before a Joint Senate Committee June 4, 1951*, a publication by the Secretary of State Dean Acheson (during the Korean War), gives an accurate account of Chinese-American affairs leading up to and during the conflict.

The second choice was that the United States Government might have put into China unlimited resources and all the necessary military power to try and defeat the Communists, remove the Japanese, and remove the Russians from Manchuria. This was a task so great and so repugnant to the American people that the Government could not undertake it, and it was one which was not in accord with American interests.⁸

Fortunately, America never resorted to these measures as it gave the Chinese Nationalists supplies and arms instead of U.S. troops. The use of direct American military force at the time was considered a spark to a potential firestorm. With Russian forces in Manchuria, and elements of residual Japanese occupation along the coastal areas of China, the region was considered a potential powder keg. The Communist forces eventually took over China in 1949 causing the United States to worry about a "domino effect" (The Soviet Union's ability to influence nearby nations to convert to Communism). Communist aggression in China and neighboring countries was a grave concern in Washington D.C. before 1950. While U.S. intervention towards China in

⁸ Acheson, Dean. *American Policy Toward China: Statement Before a Joint Senate Committee June 4, 1951*. [Washington]: [U.S. Govt. Print. Off.], 1951.

the late 1940s was averted, a series of combustible events would ultimately draw the U.S. to its frontier, Korea. A potential showdown with the Communist powers of Russia and China had been delayed momentarily. Only time would tell how long this uneasy peace would last.

The question remains at what point would China and Russia become more actively involved militarily in the Korean crisis? A protracted war was something that the United States wanted to avoid at all costs. The U.S. infrastructure was pivotal in swinging the tide in favor of the Allies during World War II, but grappling with China and the Soviet Union simultaneously was almost inconceivable. If events were to reveal themselves, America never had experienced fighting two numerically superior countries at the same time. The U.S. economy coming out of World War II was prosperous and strong. A potential awakening of these two giants would definitely throw a monkey wrench into America's thriving financial market. How probable would this wider war have formulated? If General MacArthur crossed the Yalu River into China, this would have forced the Communist Power's hand. There are two things to take into consideration in this highly problematic dilemma. China was just a newly formed nation and would not want to entangle its country in a casualty depleting campaign, and in the process possibly lose its newly gained freedom. Russia, on the other hand, lost millions in terms of manpower at the expense of battling the German onslaught of World War II, and was still trying to replenish its reserves. In essence, neither of the two Communist nations were ready nor wanted any party of this resource-draining affair. This was a serious scenario that all participating parties wanted to desperately avoid. World War III was something that scared U.S. military officials to their core.

The first year of the war was "the year of movement" while the last two years were mainly a stalemate. The landscape of the confrontation from 1951-53 resembled the defensive

quagmire of World War I. Blocking maneuvers were widely used by U.S. forces as tank offensives in the North were greatly affected by the terrain. Each side jockeyed for position while reparations were discussed at the negotiating tables. Treatment of POWs on the Communist side (Koje-do prison) were a constant source of upheaval in the armistice seeking process. Terms and conditions of the armistice were the factors that prolonged the war from being settled at an earlier date. As the American forces moved ever so closely towards China, the Chinese reinforced their border in preventing an invasion of their nation. In July 1953, after the dust had settled, approximately 5 million troops and civilians died during the Cold War clash. As a result of the armistice that was signed, U.S. troops still man the U.S. sector of the DMZ and are technically at a constant state of war. When all is said and done, both sides' attempts to re-unify the peninsula under their political banners were in vain. The peninsula is still separated to this day.

Last Resort

However aggressive a warring faction may be towards another nation, war is the absolute last measure when trying to solve a dispute diplomatically. Military action must be avoided at all costs. In the case of the Korean War, Communist forces crossed the 38th Parallel giving President Truman no other option than to resort to the deployment of military force to Korea. In a document from *United States Policy in the Korean Crisis*, the American Ambassador in the Soviet Union implores to the Soviet Minister of Foreign Affairs to call back the attacking North Korean armies. This message comes from Moscow on June 27, 1950 two days after the hostilities have commenced.

My Government has instructed me to call your attention to the fact that North Korean forces have crossed the 38th parallel and invaded the territory of the Republic of Korea in force at several points. The refusal of the Soviet Union Representative to attend the United Nations Security Council meeting on June 25, despite the clear threat to peace and

the obligations of a Security Council member under the Charter, requires the Government of the United States to bring this matter directly to the attention of the Government of the Union of Soviet Republics. In view of the universally known fact of the close relations between the union of Soviet Socialist Republics and the North Korean regime, the United States Government asks assurance that the Union of the Soviet Socialist Republics disavows responsibility for this unprovoked and unwarranted attack, and that it will use its influence with the North Korean authorities to withdraw their invading forces immediately.⁹

This statement directly correlates to the violation of the just war theory rule of “last resort,” because the Soviet Union failed to work with the United States in finding a peaceful option to the crisis. The United States was abiding to the just war principle, resorting to nonviolent measures before the application of military force. The Soviet Union was giving ample time to respond to the request made by the American Ambassador in the Soviet Union, but ignored their message. The Soviets gave the North Koreans freedom to freelance in their military operations. The Soviet Union falsely claimed that it was the South Koreans, and not the North Koreans who provoked the attack along the 38th parallel. Thus Russia exhausted the United States’ political gestures, forcing the U.S. to address the situation militarily. North Korea did not negotiate with South Korea or its allies before it crossed the border, thus justifying the United States defense of South Korea. North Korea did not put a peaceful offer on the table to resolve the matter in a more political fashion. By not offering nonviolent concessions, North Korea violated the rules of “last resort.”

“A just war can only be waged after all peaceful options are considered. The use of force can only be used as a last resort.”¹⁰ The web site on moral ethics of warfare explains the various steps of the just war theory and the origins of it. War, in this instance, is viewed as the last possible action after all diplomatic measures have been exhausted. Economic considerations also

⁹ United States. *United States Policy in the Korean Crisis*. [Washington]: [U.S. Govt. Print. Off.], 1950. (Pages 63-64).

¹⁰ <https://www.mtholyoke.edu/~jasingle/justwar.html>

have to be put into play. Once war is the last reasonable option, the validity for going to war will be less criticized since all other choices have been terminated. Sanctions are often used as a means to motivate a side to re-think its war making motives. Pre-emptive strikes are sometimes used if an adversary shows aggressive actions such as positioning an aircraft carrier or army near a neighbor's border. This is done to make the rival think twice before launching an invasion into a sovereign nation.

Legitimate Authority

A national government or an international governing body must authorize the war in order for it to be labeled "just". Military action that doesn't meet these guidelines endangers the security of the country it's attacking. North Korea didn't meet the requirements of "legitimate authority" as it was not a member of the United Nations charter or receive its approval to wage war on South Korea. Military operations that are being conducted by a foreign entity, in a country unknown by its host nation, are considered a violation of this principle of just war policy. A just war needs to be waged by a country that recognizes justice. North Korea stifled the practice of justice in its deliberate and unsanctioned assault.

"A just war is waged by a legitimate authority. A war cannot be waged by individuals or groups that do not constitute the legitimate government."¹¹ President Truman wanted to gain support for the conflict from the international community. Sanctions for the war would provide the president the legitimacy for the war that he was looking for. The Soviets made the fatal mistake of boycotting the U.N. Security Council over other trivial matters, which gave Truman his legitimate basis. A war cannot be conducted without the permission of some international ruling body. In this case, the United Nations reserves the right to approve or disapprove military

¹¹ <https://www.mtholyoke.edu/~jasingle/justwar.html>

actions on a worldwide scale. The conglomeration of a host of nations is supposed to be a deterrent to those countries intent on starting war. The U.S. constitution gives Congress the sole power to declare war, but President Truman exercised executive orders and engaged in what was called an “armed conflict.” The Korean conflict was a war, in all but name.

Public Declaration

For a war to be considered just, the attacking army must have issued a formal declaration of war to the country it has marched into. A military force cannot simply overrun a country unannounced. North Korea dishonored this principle of the just war theory. Wars must be publicly declared, not pursued in secret. The war needs to be made public both to its own citizens and to the enemy state(s). The un-sanctioned invasion is described in further detail in the Department of States’ pamphlet, *United States Policy in the Korean Crisis*.

The surprise attack launched against the Republic of Korea in the early morning of June 25 by the Communist regime in North Korea was a brutal blow to the peace in the world. It was directed against a peaceful people ruled by an independent government of their own choosing, brought into being with the participation of the United Nations, and recognized by the free nations of the world.¹²

This statement strongly supports the just war theory principle of “public declaration” to its core. Nowhere in the wording does it imply that North Korea made any means in settling the dispute peacefully. No advanced warning was given so that South Korea may have had a chance at protecting itself militarily.

“The Declaration must be made public to its citizens and to the nation (North Korea) against whom the war is waged. Failing this, the nation lacks the legitimacy to go to war.”¹³ This site includes principles of the just war theory and the conduct of nations during wartime. The

¹² United States. *United States Policy in the Korean Crisis*. [Washington]: [U.S. Govt. Print. Off.], 1950. (Page III).

¹³ http://www-tc.pbs.org/thewar/downloads/just_war.pdf

country needs the support of its people to be ready to undertake such an intense operation. Without the commitment of a nation's people, favor for the war effort will turn sour quite quickly. Wars are extremely expensive in terms of human life and defense spending. The problem with the U.S. Congress, is that it can be a lengthy process when formulating a public declaration of war. Time was of the essence when North Korean made their descent across the 38th parallel and started rampaging through the South Korean countryside. Truman understood if immediate action wasn't taken in 1950 a tremendous amount of harm would be inflicted upon the inhabitants of the Republic of Korea. Time was a luxury that the U.S. president simply did not have.

War must be declared publicly by a proper authority. Why a public declaration? To inform the target, or enemy, country that they now face war and its substantial hazards. This also gives the enemy one last chance, prior to hostilities commencing, to cease aggression and begin a process of atonement. Such entitlement to public notification is codified in the Hague Convention III, which mandates that signatory countries must not commence conflict without "... previous and explicit warning, in the form either of a reasoned declaration of war or of an ultimatum with conditional declaration of war. Public declaration also alerts one's own citizens to the government's intentions and plans.¹⁴

Congress has the right to declare war in the U.S. under polices set in the Constitution. The president can mobilize the military for a short amount of time without approval from Congress if a volatile situation arises that deems military action. The Korean War was seen as an undeclared act by the North Korean forces. The U.S. was justified in its military action. An armed response was necessary to deter further aggression from Communist forces upon the South Korean people.

The threat of nuclear Armageddon after World War II shook the "public declaration" rule of just war theory to its foundation. In a short amount of time, a tremendous amount of

¹⁴ Orend, Brian. *The Morality of War*. Peterborough, Ont: Broadview Press, 2006. (Page 50).

destruction could be unleashed, thus making this rule in the just war doctrine virtually obsolete. The split second of launching a nuclear weapon reduced the negotiating time between two warring factions dramatically. Once a potential nuclear war convened, covertness would be pretty much eliminated and a decision by Congress to declare a formal declaration of war would be next to impossible. Truman made the argument that the face of war had changed, so the need for congressional approval needed to be adjusted so measures such as counteroffensives to attacks could be approved more quickly and prevent further loss of life. The mere threat of a possible nuclear holocaust altered the way in which the U.S. viewed its war making aims. Nuclear war was now seen as the highest level of warfare based solely in terms of carnage from its impending onslaught. Knowing this, Truman and the United Nations hastily constructed a mandate to halt the swift North Korean advance.

In summation, the North Korean forces violated this rule of just war theory. Their actions dictated how the U.S. would ultimately respond. President Truman ordered troops into the highly contested region under his own power, not by Congress. Congress at no time authorized the use of military might. The war was supported politically at first, but never with a vote from Congress. If the president waited for a congressional vote the whole Korean peninsula could have been engulfed by Communist forces, making the chances of the U.S. military establishing a beachhead in the war torn area only that much more difficult. Truman acted in the only way he could have. He made a decisive judgment that prevented the total occupation of Korea by a totalitarian regime, hell-bent on unifying the peninsula under its Communist doctrine.

Just Cause: Events leading up to the Korean War

Just cause is the fundamental prerequisite in the just war theory. The right of self-defense is paramount in a country protecting itself from an aggressive nation. The U.S. Department of

State verifies the grounds the United Nations used in coming to the aid of South Korea, in the publication titled *United States Policy in the Korean Crisis*.

The United States lost no time in branding the North Korean Communist attack as a breach of peace, and in recommending to United Nations members that they furnish to the Republic of Korea the assistance necessary to repel the armed attack and restore international peace and security in the area.¹⁵

The wrongful action committed here was the disruption of international peace. Security worldwide was compromised when Communist forces crossed the 38th parallel. North Korea was in clear violation of the “just cause” rule since it overran a sovereign nation without a legitimate reason. This rule of just war doctrine is also pertinent to other nations who are a part of the United Nations, who are obligated to protect other countries that are a part of the UN coalition by treaty. A preemptive strike is allowed if an attack is pending. A preventive war to slow down the attack of an aggressive neighbor is not necessarily right in nature. But a situation may arise (i.e. the Korean War) where a blocking or defensive maneuver is required to thwart invader’s hostile actions.

“A just war needs to be in response to a wrong suffered. Self-defense against an attack always constitutes a just war; however, the war needs to be fought with the objective to correct the inflicted wound.”¹⁶

Most historians agree that North Korea initiated the war against South Korea. In Geoffrey Blainey’s book, *The Causes of War*, Mr. Blainey seeks why wars break out and why peace is such an elusive principle to corral. The author is one of Australia’s most renowned authors. Since 1968 he has been the Professor of Economic History at the University of Melbourne. In 1982-83 he was Professor of Australian Studies at Harvard University. He takes note of the

¹⁵ United States. *United States Policy in the Korean Crisis*. [Washington]: [U.S. Govt. Print. Off.], 1950. (Page III).

¹⁶ <https://www.mtholyoke.edu/~jasingle/justwar.html>

supreme self-assurance the North Korean armies were feeling before their crossing of the 38th parallel, “When in June 1950 North Korea invaded South Korea she is said to have expected victory by 15 August, the anniversary of V-J Day.”¹⁷ This sort of arrogance would prove fatal for North Korea. James F. Dunnigan has written more than 100 books and articles about warfare and diplomacy. He is a military analyst for MSNBC and has been a consultant to the State Department, the CIA, and the Army War College. Albert A. Nofi is a prolific author and has served as a defense and military affairs consultant to CNBC and CNN. They describe the inflated confidence the North Koreans were feeling prior to their showdown with the United States, “The North Korean Communists firmly believed that the United States was a “paper tiger,” and lacked any sense of the enormous military resources that the Americans were capable of bringing to bear, given some time to prepare.”¹⁸ This sort of false security gave the North Koreans the pretext they were looking for. Their book, *Shooting Blanks: War Making That Doesn't Work*, covers in detail what happens when soldiers are called out and the results are not what were expected. Seyom Brown, a Professor of Politics at Harvard University re-affirms the notion that North Korea was intent on making war with South Korea. “The North Korean invasion of South Korea in 1950 appears to have been based on the mistaken assumption that the United States would not intervene in a Korean war.”¹⁹ In his book, *The Causes and Prevention of War*, Mr. Brown studies international violence and the Cold War.

Korea was tormented by oppressive rule of Japan for nearly four decades. After World War II, the country was split between the communist policies of the Soviet Union and the

¹⁷ Blainey, Geoffrey. *The Causes of War*. New York: Free Press, 1988. (Page 50).

¹⁸ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 47).

¹⁹ Brown, Seyom. *The Causes and Prevention of War*. New York: St. Martin's Press, 1987. (Page 104).

principles of democracy practiced by the United States. After the collapse of imperial Japan in 1945 the Soviet Union rushed to occupy all Korean territory north of the 38th parallel. This swift land grab was perceived as act of aggression to the United States. This period of time is considered the high water mark of the “Cold War.”

The U.S. was afraid that the situation in Korea was a feint by the Russians who were building up their military capabilities in Eastern Europe. The top U.S. military brass looked at the potential crisis in Korea with less importance than the impending doom in the Eastern bloc countries. “When the United States pulled its own troops out in 1949, America optimistically declared that the ROK Army (Republic of South Korea) was “the best damned army in Asia.”²⁰ This assessment was poor in judgment and would reveal its shortcomings in 1950. The Americans were simply caught off guard from this undeclared onslaught. North Korea violated the Just War rule of “Public Declaration”.

China’s mobilization of a quarter million soldiers only added gasoline to an already burning fire in the region. Seeing that the successful South Korean counter-offensive was looming ever so close to its border, China ordered the Red Army to cross the 38th parallel on October 25th, 1950. President Truman called for a counter-offensive to the invasion. “President Harry S. Truman wrote in his *Memoirs* that he regarded his decision to send American troops into Korea in June 1950 as his most important as president.”²¹ This act is considered “Just Cause” because the U.S. had the intention of defending a defenseless nation.

²⁰ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 47).

²¹ Harry S. Truman, *Memoirs by Harry S. Truman: Years of Trial and Hope, 1946-1952* (New York, 1956) (Page 390).

Probability of Success

Military arms may not be used in a crisis where the situation appears to be unobtainable. A case that requires the need of a tremendous amount of resources to handle unfavorable circumstances does not merit within the structure of “probability of success”. The U.S. approached the Korean Conflict with a “limited war” approach. The U.S. did not use nearly the amount of manpower and capital as it did in World War II. The U.S. was afraid of a “domino effect” where if Korea fell into Communist hands, Japan would soon follow. This was deemed unthinkable since the U.S. had invested so much of its income into Japan after 1945 and Japan was vital in its trade network in the Pacific theatre. Five years removed after decisively defeating two Axis powers, the U.S. was confident it would be victorious over a much smaller nation. Top military brass believed that the Communist forces couldn’t compete with U.S. industrial and economic might. Thus, the balance of favor tipped to the American side in regards to “probability of success”.

“In order for war to be just, there must be a rational possibility of success. A nation cannot enter into a war with a hopeless cause.”²² Will military force alone be enough to make a difference? That question among others is what top U.S. military brass and politicians deliberated about from 1950-53. Martin L. Hood explains that the military situation during the first stages of the Korean War as sort of a baptism by fire.

The key phrase in the minds of many officers, the foundation of their professional self-understanding, is that the army exists to “fight and win America’s wars.” Indeed, the army chief of staff Eric Shinseki frequently referred to “fighting and winning America’s wars” as “the Army’s non-negotiable contract with the American people.” Further, the disastrous decision to employ ill-trained and ill-equipped US forces during the early stages of the Korean conflict generated another mantra: “No more Task Force Smiths.” This slogan, in practice, means that forces must always be trained and equipped to win

²² <https://www.mtholyoke.edu/~jasingle/justwar.html>

the first battles of any future conflict (not the pattern of most of American history, in which we lost the first battles and then eventually won when mobilization and industrial might were brought to bear).²³

Although the U.S. military far exceeded the capabilities of its rival (North Korea), it didn't fully implement its military might and superiority right away in the first stages of the tenuous conflict. In the first year of the war (year of movement) the U.S. aim of bringing democracy to Korea appeared to be within reason. But as the campaigns (51-53) dragged on to a static affair (no movement/defensive warfare similar to the tactics practiced during WW I) the goals started to become blurred like the quagmire developing in the trenches along the 38th parallel.

“Another modern war, the Korean War, could by some definitions be called a general war; it involved eighteen states, but most fought under a common organization.”²⁴ Although supplying a great majority of the collective manpower, the U.S was supported by a large contingent of allies. This sort of overwhelming system of alliances was forecasted to put the U.S. over the top in terms of logistical support. The prestige of WW II legend General Douglas MacArthur was a tremendous morale boost to the American fighting men. During the fall of 1950 he confidently told Truman that the war would be over by Christmas Eve. This was before a 200,000 strong Chinese army came storming down across the Yalu River.

In an effort to end the war quickly and to prevent it from becoming a protracted conflict, MacArthur order his American war machine further northwards to the Yalu river (North Korean border with China). He did this despite receiving warnings from the Chinese to only advance South Korean divisions near the Chinese border. This provocation forced the Chinese hand as they sent their armies across the Yalu River, sending the American and U.N. forces in a headlong

²³ Cook, Martin L. *The Moral Warrior: Ethics and Service in the U.S. Military*. Albany, NY: State University of New York Press, 2004. (Page 83).

²⁴ Blainey, Geoffrey. *The Causes of War*. New York: Free Press, 1988. (Page 226).

retreat south. Seeing that the tables had turned, the ever-resilient MacArthur demanded Truman to authorize him permission to bombard key points across the Yalu River into China as a way to offset the irresistible Chinese advance. Truman and his advisors foresaw the war quickly becoming a spark that could bring the Soviet Union into the conversation, and the chance of the conflict imploding into WW III. Taking the war to Communist China would have been an expensive and exhausting ordeal that would have crippled the U.S. and tarnished its image in the region. The use of atomic or nuclear weapons would only add fuel to an already raging fire. Truman ordered McArthur into a gradual and organized retreat to a more favorable defensive position. This set in motion a crash course in a series of heated exchanges between the old warhorse and his commander in chief. The hero of WW II (MacArthur) was a strong believer in taking the fight to the enemy. He believed that military brawn would carry the day and swing the tide of the war. Truman, however, was more diplomatic and cautious in the precarious situation. Both disagreed on how the war should have been won militarily speaking. Both sides of the war had varying aspects to their combat arsenal and would try to seek an advantage on the battlefield.

The North Koreans were supplied with armaments from its Russian and Chinese counterparts. The Russian MiG was an imposing fighter jet, but the U.N. commanded air superiority from the start of the war and would never relinquish it. Each Korea had no noteworthy navy to speak of, so sea battles were virtually non-existent. Conventional bombing (similar in Europe during World War II) by the USAF reduced a vast majority of North Korean structures to rubble and smoking cinders. There were reports from various Communist forces (People's Republic of China, Soviet Union, and North Korea) that the U.S. used biological weapons during the war. U.S. secretary of state Dean Acheson deemed this as propaganda used

by the Communist forces. Disease ran rampant through the Chinese and Korean ranks and they needed a reason, thus the U.S. became a scapegoat.

In retrospect the U.S. met the requirements of “Probability of Success”. In terms of firepower alone the U.S. military was in a class by itself. In William W. Hartzog’s book, *American Military Heritage*, the author gives a detailed account of what the American fighting force looked like in Korea. In terms of experienced soldiers the edge also went to the American side. “In the regular units of 1950, a large number of World War II veterans still formed training cadres for those men recruited after the war.”²⁵ In terms of knowledge of battlefield strategy and tactics the U.S. forces were heavily favored in this regard. “The noncommissioned officer of the 1950s was a bright, studious, serious-minded soldier.”²⁶

The North Korean Army demonstrated what to the occidental soldier seemed foolhardy concepts of tactics, particularly during the latter stages of the conflict. The North Korean Army did not possess the weapons or the ammunition to conduct a toe-to-toe slugging match with the better equipped and supplied United Nations forces, but it did have one commodity that the UN troops did not have—manpower. In many cases, the Communists seemed simply to substitute bodies for weapons and to casually expend a soldier as one might fire ammunition.²⁷

Right Intention: Limited War vs. Total War, Voluntary Repatriation vs. Involuntary Repatriation, and POW Treatment/ Koje-Do Prison Camp

A state must intend to fight the war only for the sake of its just cause. Having the right reason for launching a war is not sufficient enough: the actual motive behind resorting to war must also be morally appropriate. Reasons such as imperial land acquisitions, terrorism, revenge, ethnic cleansing, or simply just to enforce the will of another country upon another by the means

²⁵ Hartzog, William W. *American Military Heritage*. Fort Monroe, Va: Military History Office, United States Army Training and Doctrine Command, 2001. (Page 177).

²⁶ Hartzog, William W. *American Military Heritage*. Fort Monroe, Va: Military History Office, United States Army Training and Doctrine Command, 2001. (Page 177).

²⁷ Hartzog, William W. *American Military Heritage*. Fort Monroe, Va: Military History Office, United States Army Training and Doctrine Command, 2001. (Page 173).

of force are factored out of this equation. The U.S. intention for South Korea was to defend it against the threat of a total takeover from Communist forces. The U.S. had no oil interests, territorial aspirations, or racial ideologies it wanted to impose on the South Koreans. Their logic constitutes the epitome of the “right intention” standard of the just war theory. The Department of State gives a report of its intentions in the publication titled, *United States Policy in the Korean Crisis*.

It has been the aim of the United States to provide the people of the Republic of Korea with sufficient assistance and support to enable them to progress through their own efforts toward freedom and independence. The transfer of functions from the United States Military Government to Korean agencies was carried out progressively from the establishment of the Republic. The United States Continued to give assistance and support to the Republic both within the framework of the United Nations and directly. The United States has extended economic aid and technical advice and, in general, has assisted the people of Korea in establishing a democratic political and economic structure responsive to their needs.²⁸

This depiction of events reinforces the United States conduct and following the guidelines necessary in re-establishing peace. “The primary objective of a just war is to re-establish peace. In particular, the peace after the war should exceed the peace that would have succeeded without the use of force. The aim of the use of force must be justice.”²⁹ Both the U.S. and the U.N. both agreed in the reunification of Korea under a democratic government.

Total war was first introduced during the Napoleonic era. The invention of nuclear weapons raised the bar of annihilation to an even greater level. “Finally with the advent of thermonuclear weapons total war threatens total destruction on a scale incompatible with any criterion either of political calculation or of military necessity.”³⁰

²⁸ United States. *United States Policy in the Korean Crisis*. [Washington]: [U.S. Govt. Print. Off.], 1950. (Page XI).

²⁹ <https://www.mtholyoke.edu/~jasingle/justwar.html>

³⁰ Howard, Michael. *Restraints on War: Studies in the Limitation of Armed Conflict*. Oxford: Oxford University Press, 1979. (Page 8).

The Korean War, a “limited war” for the US and UN forces, was for Koreans a total war. The human and material resources of North and South Korea were used to their utmost. The physical destruction and loss of life on both sides was almost beyond comprehension, but the North suffered the greater damage, due to American saturation bombing and the scorched-earth policy of the retreating UN forces.³¹

This article is part of an ongoing series at *The Asia-Pacific Journal* commemorating the sixtieth anniversary of the start of the US-Korean War. The editorial, by Charles Armstrong, describes the destruction and reconstruction of North Korea, 1950 – 1960. Nuclear weapons limited the need for large armies and colossal pitched battles. In the matter of seconds a terrible amount of carnage could be delivered over a vast area.

When U.S. politicians decided on what avenue they should pursue the war, President Truman clearly stated that he wanted the conflict to not exceed a certain extent. He meant that he didn't want the conflict to spread outside of the borders of Korea. He wanted this war contained to the confines of the Korean peninsula. This meaning, the progression to an all-out war with Korea and possibly China and the Soviet Union. He wanted the campaign to remain inside the Korean theater of operations and not to stray outside of that sector. The U.S. accepted almost sole military responsibility for the war effort with some collaboration from British, South Korean and Turkish units.

One important aspect that the U.S. considered when going to war in Korea was the Just War rule of “probability of success”. “In Korea, the key factor in lopsided casualty figures was the greater quantities of artillery ammunition available to U.S. troops.”³² The overwhelming use of firepower displayed by U.S. ground troops had devastating effects against the numerically superior Communist forces, thus giving them an edge on the battlefield. The Korean War is not a

³¹ http://www.japanfocus.org/-charles_k_armstrong/3460

³² Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 67).

total war compared to previous conflicts in the sense that the U.S. relied more on technology than sheer numbers (boots on the ground). “It’s not technology that counts, but appropriate technology.” “What is appropriate is rarely revealed until the shooting starts.”³³ The U.S. army in the Korean War was progressively more advanced and innovative in its technology prowess than in World War II.

The Chinese army was a polar opposite to its U.S. counterpart. What they lacked in weaponry they made up in mobility. “The Chinese had plenty of manpower, but not much in the way of weapons and equipment.”³⁴ The U.S. had a logistical issue, whereas the Chinese could send thousands of soldiers to the Korean front in a relative short amount of time. “The troops traveled light and could outmarch just about any other army in the world.”³⁵ Time and time again the Chinese used the element of surprise with devastating effect. Not since the American Revolutionary War had the world seen such an upset of epic proportions.

Past American tactics involving total war-doing everything possible within its means (use of its resources) to accomplish a decisive victory-were slightly outdated, for the threat of Nuclear arsenals could possibly bring the world into nuclear doomsday. This type of warfare was a foreign concept to the Americans, as they had to ride a fine line between strategic goals against the looming danger of a catastrophic World War III.

One piece of literature that has received a tremendous amount of recognition is Clay Blair’s book entitled *The Forgotten War*. Mr. Blair gives a detailed account of battlefield planning and decisions made by the chain of command to give a conclusive narration of the

³³ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 67).

³⁴ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 117).

³⁵ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 117).

Korean War. What makes the author such a credible source to the Korean War is that he served from 1950-60 as a Washington journalist for Time-Life and the Saturday Evening Post. Chapter twenty nine is entitled “The Talking War” and refers to the discussion of both sides in regards to the discussion of the truce line, exchange of POWs, and a means towards an eventual armistice. One statement in particular refers to the chaos that took place at the Koje-do prison camp and the corruption that ensued, in part to Communist propaganda.

After the Communists had broken off the talks on April 28, 1952, the POW “riots” intensified. On May 12, during on spectacular riot at Koje, Communists seized the American POW camp commander, Brigadier General Francis T. Dodd, who, in an attempt to negotiate with the rioters, got too close. The POWs “tried” Dodd and sentenced him to death. In an effort to save his own life, Dodd signed a document, agreeing to cease immediately the “barbarous behavior, insults, torture . . . [and} mass murdering” of POWs by UN guns, germs, poison gas, and atomic weapons and to halt the screening of POWs for the purpose of complying with the UN’s “illegal and unreasonable” voluntary repatriation program.³⁶

Brigadier General was not tried by an internationally recognized committee which in of itself is a violation of the principle of the just war theory, legitimate authority. He was seeking to find a peaceful means of the chaotic situation, but instead he found himself a prisoner inside the POW camp he was in charge of. Using violence as a means of diplomacy is not the correct way in handling peace talks. The U.S. did their best to resolve the situation as tactful as possible.

The talks first convened in July of 1951, a full year into the conflict. At first they were diplomatic but after a while they became stagnated. One of the Communists biggest demands was for the full withdrawal of UN troops from Korea. To top U.S. military brass, retreating was next to inconceivable. While both sides deliberated back and forth incessantly on this controversial topic, another firestorm was brewing on the horizon. The issue of media coverage was an area of concern for the West, since the talks were being held in Kaesong, North Korea.

³⁶ Blair, Clay. *The Forgotten War: America in Korea, 1950-1953*. New York: Times Books, 1987. (Page 967).

The area was a hotbed of turmoil and unrest as the talks deteriorated over time. Western press was not allowed to partake in the negotiations, while the Communist press had free reign to promote their propaganda. This was seen unfair to the west as they were seeking information on the conclusion of the ongoing struggle in the Far East.

Rule number seven in the just war theory, proportionality, (determine if the universal good outweighs the universal evil/lives lost and devastation) was a topic discussed by U.S. politicians and military officials leading up to and during the Korean War. “During the 1950-53 Korean War, South Koreans got a taste of Communist brutality and no desire to sample it again.”³⁷ The U.S. had no intentions of a letting a country in their sphere of influence become ravaged by a totalitarian dictatorship like the iron fisted Communist party.

Proportionality: The Korean War in terms of loss of life, Use of Chemical Weapons, and Threat of Nuclear Weapons

Weapons of mass destruction are perceived as an unnecessary means of fighting and ending a conflict. They are viewed as an unproportional way of solving military matters. The U.S. did not use nuclear or atomic weapons in the Korean War as it did in World War II. America withheld its full military capabilities in an effort to reduce the conflict from escalating into a global conflict. The world was just five years removed from a second world war and was uneasy about the possibility of another developing in such a short time frame. The U.S. use of force was proportional to the end they sought. In terms of casualties alone, this war had one of the fewest casualties rates in the last 100 years (before 1950). The destructiveness of the war was contained to just the Korean countryside and not the other Asian countries that neighbored it.

³⁷ Dunnigan, James F., and Albert A. Nofi. *Shooting Blanks: War Making That Doesn't Work*. New York: W. Morrow, 1991. (Page 73).

“The violence in a just war must be proportional to the casualties suffered. The nations involved in a war must avoid disproportionate military action and only use the amount of force absolutely necessary.”³⁸

War and Its Consequences: Lessons from the Persian Gulf Conflict by John O'Loughlin, Tom V. Mayer, and Edward S. Greenberg, is compiled by three professors from the University of Colorado. The authors of the essays in this book represent a stellar lineup of international expertise, and their contrasting and competing perspectives offer intriguing insight into the multifaceted arena of conflict and peace analysis. The book includes Third World views that differ from those of the United States. The authors describe despite the advances in war making, noncombatants still make a vast majority of the casualties during war. “In World War II and the Korean and Vietnam wars, 90 percent of all the dead were civilians.”³⁹ This is an appalling figure when one considers how far technology had advanced up to 1950. “Lasting for three years and killing nearly 600,000 fighting men, it was certainly serious and, by some measurements long.”⁴⁰ The bombardment of North Korea was on a scale never seen before in military history.

The U.S. Air Force estimated that North Korea's destruction was proportionately greater than that of Japan in the Second World War, where the U.S. had turned 64 major cities to rubble and used the atomic bomb to destroy two others. American planes dropped 635,000 tons of bombs on Korea -- that is, essentially on North Korea --including 32,557 tons of napalm, compared to 503,000 tons of bombs dropped in the entire Pacific theatre of World War II.² The number of Korean dead, injured or missing by war's end approached three million, ten percent of the overall population. The majority of those killed were in the North, which had half of the population of the South; although the DPRK does not have official figures, possibly twelve to fifteen percent of the population

³⁸ <https://www.mtholyoke.edu/~jasingle/justwar.html>

³⁹ O'Loughlin, John V., Tom Mayer, and Edward S. Greenberg. *War and Its Consequences: Lessons from the Persian Gulf Conflict*. New York: HarperCollins College Publishers, 1994. (Page 58).

⁴⁰ Blainey, Geoffrey. *The Causes of War*. New York: Free Press, 1988. (Page 226).

was killed in the war, a figure close to or surpassing the proportion of Soviet citizens killed in World War II.⁴¹

The event, which North Koreans still dispute to this day, was the aerial bombardment of highly populated metropolitan districts (considered a war crime).

The United States extensively used napalm in an extensive bombing campaign that destroyed most of North Korea's cities and killed hundreds of thousands of civilians. According to one source, "During the Korean War, the United States dropped approximately 250,000 pounds of napalm per day."⁴²

When hostilities ended in 1953, the whole Korean peninsula lay in utter ruin. North Korea as an industrial society ceased to exist from the pounding it took from the USAF. Its industry was in shambles and the economy in total disarray.

A topic of much controversy was the use of chemical weapons during the conflict. Most of these reports came in the form of allegations and no real concrete evidence was ever found. America denies using biological weapons in the Korean War. "The United States did not use gas warfare in Korea although authority to do so was requested by some of our commanders in the field," wrote George Bunn in a 1969 article for the Wisconsin Law Review.⁴³ Some critics may argue that the America had the intent of using gas warfare, and while they may formulate the argument, the case still stands that the US did not resort to these tactics. We won't know if the US military would have employed a policy of this magnitude until government archives are opened up in their entirety.

On February 2, 1952, Soviet Ambassador to the UN Jacob Malik accused the United States of employing bullets filled with "toxic gases" in Korea. Later that month, picking up and expanding this theme, Peking and Pyongyang and Communist organs worldwide charged that United States airmen and artillerymen had dropped and fired bacteria-

⁴¹ http://www.japanfocus.org/-charles_k_-armstrong/3460

⁴² <http://dissenter.firedoglake.com/2013/12/10/cia-document-suggests-u-s-lied-about-biological-chemical-weapon-use-in-the-korean-war/>

⁴³ <http://dissenter.firedoglake.com/2013/12/10/cia-document-suggests-u-s-lied-about-biological-chemical-weapon-use-in-the-korean-war/>

infected insects and shellfish (beetles, lice, ticks, rats, fleas, clams, etc.) into North Korea. To substantiate these claims, the Communists created faked “exhibits,” inaugurated a massive inoculation program, and finally, by torture and threats, forced two young Air Force POWS (and later, a senior Marine Corps pilot and thirty-five other Air Force pilots) to “confess” on film, on tape, and in press interviews that they had indeed been part of a huge United States germ warfare conspiracy. This wholly fabricated propaganda attack, supported by Communist-manipulated “demonstrations” all over the world, was astonishingly successful; Washington’s slow-footed and righteous denials were not.⁴⁴

As early as 1951 made unclear charges that the US and her allies (UN forces) implemented biological warfare in Korea. While these were strong accusations, the Communists really had no merit to their claims and didn’t pursue their actions further. Disease was known to be running rampant through the Chinese and North Korean ranks which only refuted their charges further.

After WWII the threat of nuclear holocaust between Russia and the United States came to its boiling point with the advent of the Korean War. Unlike past conflicts, the Korean War was the first of its kind where both adversaries knew that each had nuclear capabilities. Although nuclear weaponry wasn’t used, the menace it posed not only in the Korean conflict but also the world was very real. Some critics may say the Cuban missile in October 1962 may have been the most critical point in the Cold War, but the Korean War was the first showdown between these two superpowers in terms of their massive buildup of nuclear armaments.

At what point would the U.S. military have to use nuclear warfare as an option? If the Chinese along with assistance from the Soviets overwhelmed U.S. forces in the South constitute enough just cause? Would a protracted war be a reasonable enough reason? John David Lewis is visiting associate professor of philosophy, politics, and economics at Duke University, and senior research scholar in history and classics at the Social Philosophy and Policy Center at Bowling Green State University. His book, *Nothing Less Than Victory: Decisive Wars and the*

⁴⁴ Blair, Clay. *The Forgotten War: America in Korea, 1950-1953*. New York: Times Books, 1987. (Page 966).

Lessons of History, Lewis shows that a war's endurance rests in each side's reasoning, moral purpose, and commitment to fight, and why an effectively aimed, well-planned, and quickly executed offense can end a conflict and create the conditions needed for long-term peace. He recognizes the human motivations behind military conflicts, and makes a powerful case for offensive actions in pursuit of peace. Mr. Lewis gives insight into the nuclear dilemma facing the U.S. during the Korean conflict. "The essential objective of United States military forces will be to terminate the conflict rapidly and decisively in a manner best calculated to prevent its spread to general (nuclear) war."⁴⁵

Colin McInnes has researched extensively on British nuclear decision-making and in particular the decision to replace Polaris. He has been a lecturer at the Department of War Studies, Royal Military Academy Sandhurst and is currently Defense Lecturer at the University of Wales, Aberystwyth. G.D. Sheffield has researched and published on the social history of the British army in the First World War and is senior Lecturer in the Department of War Studies, Royal Military Academy Sandhurst. The book they've done collaboratively, *Warfare in the Twentieth Century: Theory and Practice*, highlights key themes of warfare throughout the world and emphasizes the gulf between the theory of war and its practice. "This question of what nuclear weapons can and cannot deter remains central to many controversies today."⁴⁶

Conclusion

The study of the just war theory doesn't end with Grotius, the Nuremberg Trials, or the Korean War. This work adds to the existing literature by providing a comparative analysis of past authors who have written about Hobbes, Kant, Grotius, Treaty of Westphalia, Hague

⁴⁵ Lewis, John. *Nothing Less Than Victory: Decisive Wars and the Lessons of History*. Princeton: Princeton University Press, 2010. (Page 295).

⁴⁶ McInnes, Colin, and Gary Sheffield. *Warfare in the Twentieth Century: Theory and Practice*. London: Unwin Hyman, 1988. (Page 166).

Convention, and the Nuremberg Trials. As shown above, it is evident that Cicero can be considered the architect of the Just War theory. Grotius added to the groundwork that Cicero set, and Hartley Shawcross refined it in trying to make war of aggression an international crime (*“On Aggressive War and the Evolution of the Law of Nations”* December 4, 1945). The Korean War ushered in a new style of war (guerilla warfare) and would test the Just War theory to its core.

There is no universal concept of the just war theory. There are various rules defining wars and other disputes that are implied in other contexts for different reasons. The just war theory is more than just moral guidelines to follow, a multitude of varying principles have to be weighed as well. The just war doctrine applies not only to government officials but to the individual soldier as well.

War is an inevitable part of human nature. Each war has its specific reason and consequence. Just war theory is an evolving field and requires critical, ethical thinking. Several different areas of study are meshed into this theory, which adds to its complexity. There is a multitude of just war theories and just as many just war theorists. This capstone project will contribute to the ever expanding field by showing how past publications of philosophers on reason and ethics helped forge military thinking through the ages.

In my humble opinion, I believe the Korean War was a just war. If we look at both Koreas today we can see that they're polar opposites of each other. When analyzing the two rivaling nations from space, you can clearly see a night and day difference. North Korea is nearly pitch black while South Korea is a vibrant light. This has to do with South Korea's acceptance of western capitalism and North Korea's stubbornness to let democracy into its reclusive country. If the U.S. didn't come to the defense of South Korea there was very little stopping North Korea from turning it into a Stalinist dictatorship. There's a reason North Korea is called the "Hermit

kingdom” and it has to do with the fact that it’s one of the very few countries that has a Communist government. Defection comes with the risk of death and persecution of the escapees’ family. The North Korean regime is killing untold numbers of its own people in concentration camps at an alarming rate. Countless others perish for starvation or oppression. Without U.S. intervention into this highly contested region, I believe democracy would fail to exist on the peninsula today. North Korea has the worst human rights track record in the world. The DMZ is a boundary that marks the separation between personal freedom and absolute repression of mankind.

Other views have to be taken into consideration, as I’m not a resident expert on this topic. Not all South Koreans think that the war was just in nature. One article I found of particular interest was *"Just War or Not: A Reassessment of the Korean War"* written by Hoeun Choi. Hoeun Choi was born in South Korea and is a student in Hankuk Academy of Foreign Studies, a premier college preparatory in South Korea. Mr. Choi focuses on the power struggle between the U.S.S.R. and the United States and the interests that America held outside its proclamation of the self-defense of South Korea. But one point of view he concurs to is that the Korean War is perceived as just among the South Korean population. “What has been regarded as the definite answer is that the war and its actions, from the perspective of South Korea, were just.”⁴⁷

The just war theory is not a settled principle. With that being said, some people disagree or reject the whole idea of “just war.” Some religious sects believe killing is always wrong, while politicians believe war is used as a tool to pursue national interests. Whatever the case might be, the study of the just war theory is necessary in not only determining whether or not the Korean War was a just war, but for future confrontations as well.

⁴⁷ Hoeun Choi. *"Just War or Not: A Reassessment of the Korean War."* *International Journal of Social Science and Humanity*, Vol 4, Iss 3, Pp 229-232 (2014), 2014. (Page 232).

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