

ARE THERE JUST WARS?

As a way of introduction I would say that I did not know, when I chose the topic of my paper a few months ago, that it would turn out to be so opportune on the day of its announcement. It is worth considering whether or not there are just wars but the certain thing is that there are different kinds of war, that peoples wage different kinds of war for all sorts of reasons. Following therefore Jonathan Glover in this we must say that there are nuclear wars and conventional wars, world wars and local wars, colonial wars and revolutionary wars, guerilla wars, civil wars, religious wars, tribal wars and others¹. Even in the simple and most comprehensive case of conventional war between two countries, a lot of moral problems seem to arise which are worth considering: has the government of the one country decided to wage aggressive war against the other and the government of the second to wage a defensive war? In taking either of these decisions is the government of each country only responsible or are its soldiers equally responsible for obeying it and waging the war or, even further, are its citizens equally responsible for supporting morally their government in having taken this decision? The problem of responsibility and how far this extends in cases in which a decision has been made to proceed in war either local or world war is rather difficult, is not susceptible to one clear answer and, as one might have expected, bears heavily upon the kind of issue which concerns us today.

R. M. Hare, a philosopher mainly known for his meta-ethical interests and fairly recently for the efforts he has been making to apply his moral theory to issues of practical life, has pointed out the importance of the question and has attempted successfully, in my opinion, to deal with it in a number of articles like, for instance, «Can I be blamed for obeying orders?» and more recently in «Loyalty and Obedience» in the volumes *Applications of Moral Philosophy*

1. Jonathan GLOVER, *Causing Death and Saving Lives*, Penguin Books (1977) 1980, p. 252. A kind of war that has not been given enough attention to is that of holy war. Since the days of the Orthodox East and the Latin West and mainly since the dawn of the modern European states many wars have taken place which, though under the pretext of a religious cause, were waged for the attainment of political purposes. However, this was never the case with the Greek nation. Whenever it engaged in war, it was always for political reasons and religion war was never employed as an excuse for waging even a defensive war. I am grateful to the Professor of the Aristotelian University of Thessaloniki, Dr. Vassiliki Papoulia, for bringing this point out as well as for her other valuable comments and remarks.



and Objective Prescriptions respectively². But independently of the way Hare deals with the problem of the extent to which citizens and soldiers are responsible for obeying their country's decision to wage war, the fact which remains clear is that some such decisions are more justified than others and, therefore, certain wars more justified than others. Of course, the clarity of such a distinction has been disputed by some philosophers. Jonathan Glover quotes G.E.M. Anscombe saying that «The present-day conception of 'aggression', like so many strongly influential conceptions, is a bad one. Why must it be wrong to strike the first blow in a struggle? The only question is, who is in the right»³. And then he goes on: «There seems no reason in principle why it should always be wrong to start a war. If other governments had foreseen what the Nazis would do, they would probably have been right to invade Germany to remove Hitler in the early 1930s, or to wipe out all the leading Nazis by a bombing raid, on one of the Nazi rallies at Nuremberg. Either of these courses of action would have avoided the far worse calamities that actually took place»⁴.

It would seem therefore to follow, if the above argument is correct, that the traditional basis of distinguishing between just and unjust wars collapses and that if we are going to continue holding this distinction, a different basis, a different criterion has to be introduced. But by what criterion therefore do we distinguish between just and unjust wars? As it has been pointed out, the just-war tradition can be traced back to ancient philosophers and jurists like, for instance, Plato and Cicero, and has found its best, first formulation in the Christian theologian of the 5th century, St. Augustine. Needless to say that this dogma has become part of the official teaching of the Roman Catholic Church and has been embodied in secular International law⁵. To put it briefly, it distinguishes between questions concerning when a state has a right to wage war (*jus ad bellum*) and those on how war is to be waged (*jus in bello*). And it further claims that for a war to be just, the following conditions must hold: (i) there must be a just cause; (ii) the war must be waged with the right intention; (iii) the decision must be made by a legitimate authority; (iv) there must be a formal declaration of war; (v) there must be reasonable hope for success; (vi)

2. R.M. HARE, Can I be blamed for obeying orders?, in IDEM, *Applications of Moral Philosophy*, London, Macmillan, 1972, pp. 1-8; and Loyalty and Obedience, in IDEM, *Objective Prescriptions*, Oxford, Clarendon Press, 1999, pp. 168-178.

3. *Op. cit.*, p. 269 where Jonathan GLOVER quotes G.E.M. ANSCOMBE, War and Peace, W. STEIN, *Nuclear Weapons, A Catholic Response*, London, 1963.

4. *Op. cit.*, p. 269.

5. Gabriel PARMER-FERNANDEZ, Civilian Populations in War, Targeting of, *Ethics in Politics and the Media*, edited by Ruth Chadwick, San Diego - San Francisco - New York, Academic Press, 2001, pp. 39-53.

war should be the last resort, and (vii) it must satisfy the requirement of proportionality⁶. Furthermore, even if the *jus ad bellum* conditions are satisfied, the *jus in bello* conditions must be also met in order to be able to claim that we have a just-war situation. So the means and hostilities employed during the war must be such that (a) they satisfy the principle of noncombatant immunity, that is fighting must be directed solely against the armed forces and civilians must not be deliberately attacked or killed; and (b) they satisfy the requirement of proportionality, that is the means which will be employed in fighting must not be so destructive as to outweigh the good to be achieved⁷. This notion of Just War has one main justification for going to war, i.e. to restore the injustice committed to one state by the aggression of the other. Consequently, the only reason for which one state is justified to wage war against another is self-defense.

This is a legal conception of just war and, despite its weaknesses, it has been also embodied in modern International law and in the Article 51 of the United Nations Charter, which permits the use of force for individual or collective self-defense. But, as on the present occasion, our main concern is not so much the legal but the moral definition of Just War, in the remainder of my paper I will put forward and discuss one such definition propounded by the contemporary moral thinker, R.M. Hare. In my opinion, his criterion of just war cuts through morality, it points out how we come to decide whether or not a war is just and thus avoids all the legalistic intricacies into which a legal conception of just war involves us.

Hare's starting point is that there is a wide tendency among people to become pacifists⁸. To mention that there are varieties of pacifism ranging from absolute pacifism on the one hand, in which neither killing nor any other kind of violence is allowed not even in cases of self-defense to moderate pacifism on the other, according to which certain forms of violence are allowed for reasons of self-defense. People therefore tend to cultivate this disposition to themselves and to others, they abhor all forms and kinds of violence in life because they firmly believe that it is a better life if it is lived without wars, killings and violence than if it is replete with all sorts of killings and violent acts. And a parent and an educator will be good and wise respectively if he attempts to cultivate these intuitions in other people and, mainly, the youth.

However, even though absolute pacifism seems to be a good attitude to adopt in our lives, it will turn out that it is not the best possible it could be. As we all know, people form relationships with one another, they fall in love, get married,

6. *Ibid.*

7. *Ibid.*

8. R.M. HARE, *Philosophy and Practice: Some Issues about War and Peace*, in IDEM, *Essays on Political Morality*, Oxford, Clarendon Press, 1989, pp. 62-78.

have families. A number of families may form small communities and these, in their turn, a political society. This is how the idea of state has come about. As people have gradually found out, it is a good thing that there are these social ties because it is the best way for them to support and sustain their long term interests: that is rear up their children, cherish their friends and relations, secure their health and safety from all sorts of danger. But it is unrealistic to believe that all will work perfectly alright, and peace and order will be secured in this way. Within each state and between different states, various empirical factors usually come in and this apparent balance is upset. So there are cases in which one state may grow jealous of the other for certain reasons and proceed to attack it. And the question which arises automatically is whether the prospective victim, the state which is likely to undergo the act of violence, even though it holds tightly to its pacifistic principles and ideals, ought to continue to hold to them or make an exception on this particular occasion. It will have to do some critical moral thinking, as Hare calls it⁹. It will probably reason along the following lines: it is generally a good thing if pacifism is respected by all societies. But in this particular case my state's or my country's safety or territory has been violated by the neighbour country. Not only has the neighbour country endangered my territory and safety but it has also showed that for certain reasons it has abandoned the absolute pacifist position which it initially held, leading me in this way to the awkward position to consider whether or not pacifism is the right principle to hold. It is at this point exactly that one runs the risk of turning into absolute patriotism. To say right from the start that absolute patriotism is the position usually described as «my country right or wrong», that is that one's country is justified in using whatever means necessary to further its interests and that its citizens ought to obey it and participate in any war undertaken in these terms, without questioning whether or not it is justified. Now Hare's strong point, I think, is that it is a great danger for an absolute pacifist to turn into absolute patriotism, if he fails to do his reasoning well. For if he contends that his country's territory, interests etc. have been violated and are in danger and that whenever his countries interests are in danger, he ought to defend them in all possible ways and even wage war if this is what is required to restore the order, then he is unavoidably sliding into some form of extreme patriotism. And even though patriotism is a good position to start with, nevertheless, if one is not careful, it may develop into some extreme forms of nationalism which, as we all know well, may have terrible consequences for humankind. On the contrary, if the absolute pacifist claims not simply whenever his own country's interests are under attack, but also whenever every other country's territory or interests are in danger, this other country ought to defend them and even wage war against the aggressor, then he

9. *Ibid.*

is most likely to avoid patriotism in any of its extreme forms. Consequently, it would seem to follow that even though absolute pacifism is a good position to start with, nevertheless it would not be a good thing to stay at when one's country is in danger and its interests are likely to be violated by another. So we can definitely start with a non-aggression position, some form of non-aggressive patriotism but we cannot be left at it. Our insistence to remain at this position when our country's interests are in danger not only exhibits some form of logical error on our part but it may also have terrible consequences in actual life. Instead, our critical thinking will enable us, after we have exposed into light the facts and the logic of the situation, to abandon temporarily our initial pacifist position and move into a moderate patriotic position which permits us to wage war and use other violent means in cases of self-defense. Hare calls this position a kind of defensive patriotism and, in his opinion, it is pretty closely to the legal conception of just war we have referred to at the beginning. It is a form of patriotism, undoubtedly, because it allows countries which are in danger or under attack to wage war as a means to avert the damage already done to them. And its virtues are that (a) it does not slide into any form of extreme patriotism with all the evils that usually follow it; (b) nor does it abandon absolute pacifism as the general disposition which people ought to cultivate and have. Consequently, I see no reason why this position of defensive patriotism ought not to be adopted under the right circumstances.

In conclusion, I would say that I have only tried to touch upon the issue of just war. That in the sophisticated world of the 21st century in which we live, we will always need legal guidance and assistance from the International laws in order to decide under what circumstances a war can be considered just. But an International law itself presupposes a certain conception of morality, a certain criterion of just and unjust wars. It is exactly this criterion that I have attempted to draw sketchily in this text.

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ΥΠΑΡΧΟΥΝ ΔΙΚΑΙΟΙ ΠΟΛΕΜΟΙ;

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Τὸ πρόβλημα τὸ ὁποῖο μᾶς ἀπασχολεῖ εἶναι κατὰ πόσον ὑπάρχουν δίκαιοι πόλεμοι δεδομένου ὅτι ἡ παραδοσιακὴ βάση γιὰ τὴ διάκριση μεταξὺ δικαίων καὶ ἀδικῶν πολέμων φαίνεται νὰ μὴν ἰσχύει, ἀφοῦ συχνὰ ἕνας ἐπιθετικὸς πόλεμος ποὺ θὰ προλάβει καὶ θὰ ἀναχαιτίσει τὶς ἐπιθετικὲς διαθέσεις μιᾶς χώρας εἶναι προτιμότερος ἀπὸ ἕναν ἀμυντικό. Οἱ διεθνεῖς κανόνες καὶ οἱ νόμοι τοῦ ΟΗΕ ἐνσωματώνουν στὴ μία ἢ τὴν ἄλλη μορφή της, τὴν παράδοση τοῦ δίκαιου πολέμου. Ἐπειδὴ ὁμως κάθε νομικὴ σύλληψη δικαίου προϋποθέτει λογικὰ τὴν ἠθικὴ σύλληψη αὐτοῦ, τὸ ἐρώτημα ἐν προκειμένῳ εἶναι, ποῖο εἶναι τὸ ἠθικὸ κριτήριό τοῦ δίκαιου πολέμου; Ἡ πρόταση τοῦ R.M. Hare, φιλοσόφου τοῦ 20οῦ αἰ., εἶναι ὅτι ἐνῶ ὅλες οἱ χώρες πρέπει νὰ διαπνέονται ἀπὸ ἕναν ἄκρατο εἰρηνισμό, ἐν τούτοις σὲ περιπτώσεις κατὰ τὶς ὁποῖες κρίνουν ὅτι ἡ ἐπικράτεια ἢ τὰ συμφέροντά τους παραβιάζονται ἀπὸ μιὰν ἄλλη χώρα, τότε καλὸ θὰ εἶναι, χωρὶς νὰ ἀπορρίψουν τὴν ἀρχὴ τοῦ εἰρητισμοῦ, νὰ υἱοθετήσουν παράλληλα καὶ τὴν ἀρχὴ τοῦ μετριοπαθοῦς πατριωτισμοῦ. Ἐνας τέτοιος πατριωτισμός, σὲ ἀντίθεση μὲ τὸν ἀπόλυτο πατριωτισμό, θὰ τοὺς ἐπιτρέψει νὰ ὑποστηρίξουν ὅτι ὅταν τὰ συμφέροντα ὁποιασδήποτε χώρας θίγονται, τότε αὕτὴ δικαιολογεῖται ἠθικὰ νὰ διεξάγει πόλεμο ἐναντίον τῆς παραβιάστριας δύναμης. Κατὰ συνέπειαν, ἐνῶ θὰ παραμείνουν κατ' ἀρχὴν εἰρηνόφιλες, ἐν τούτοις θὰ δικαιολογοῦν ἠθικὰ τὴν κατ' ἐξαίρεση διεξαγωγὴν πολέμου κάτω ἀπὸ ἴσους ὅρους, κάτω ἀπὸ ὅρους δηλαδὴ παραβίασης τῶν συμφερόντων τους.

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