

The Ethics of War and Peace



Guernica, oil on canvas, Pablo Picasso, 1937
Museo Reina Sofia, Madrid, Spain

I. From *An Encyclopedia of War and Ethics*:

JUST WAR. The concept of just war has been a part of Western culture from its beginnings. Written accounts of war invariably include efforts to explain, defend, condone, or otherwise justify making war. Groups seem virtually incapable of mass armed violence in the absence of reasons for seeing their cause to be in the right. Throughout history, nations and leaders assert their righteousness as participants in war while questioning that of their enemies.

The long tradition of expecting and providing moral justifications for war and acts of war has continued, despite the absence of clearly universal value standards by which such judgments are made. In fact there is no consensus about value standards to this day. There is wide disagreement on who should make the judgments and on the standards by which they should be made. All that exists is a just war tradition, not a single precise and explicit doctrine of an international body, government, treaty, church, or moral theory. The tradition consists of generally accepted yet variously interpreted guidelines about morality and war that have been evolving for centuries. It involves broadly cultural values as well as narrowly religious, military, and professional elements; sources include ancient literature and philosophy, medieval theology, modern history, contemporary military codes of conduct, and the like.

The very earliest attitude about war seems to have been what is now called "war realism." It is the view that war happens outside of morality, that war is just a fact, a natural and normal activity, and that when war happens the best thing to do is win first and worry about being moral after the war is over. The old adage, "all's fair in love and war," is an effort both to exempt war from usual moral standards and to justify doing so on moral grounds.

Perhaps out of self-interest or perhaps out of moral recognition of the suffering of victims of war, moral restraint in undertaking and conducting war emerged early in history. Ancient texts such as Homer's epic *Iliad* reveal codes of conduct concerning rules of war. Cicero makes reference to the Amphictyonic Council whereby twelve Greek tribes united on an equal basis for the purpose of caring for Delphi, the religious center of the ancient world, and for observing rules of battle. This is the earliest known European organization dedicated to eliminating cruelty in war. In his *Republic*, Plato offers perhaps the earliest systematic theoretical account of war in which grounds for moral restraint in war are presented.

The fiercely independent city-states of the ancient Greeks were consolidated in the conquest of Alexander the Great, but the widest military domination of the Mediterranean world and Europe came as the Roman Empire swallowed the Greek world. From the end of the 2nd century until the fall of Imperial Rome at the close of the 5th century, the empire was constantly at war. While the early Christian church embraced pacifism to the point of nonresistance despite Roman persecution of Christians, church and state united in embracing a notion of just war after Emperor Constantine's conversion in 313.

The teachings of St. Augustine on war, developed near the beginning of the 5th century, became standards for the church for generations to come. They were built from the ancient codes of Cicero and Plato but with Christian additions. Killing and Christian love could go together for Augustine because salvation, not the life of the body, was of supreme importance. Attitudes, not actions, were the locus of right and wrong. Since the goal was to avoid hate; even destruction of the body may benefit the sinner. With just intent, war could vindicate justice. Fought without atrocities, war could create peace. Just as Augustine consolidated and built upon values from earlier generations, so his guidelines have been refined, extrapolated, and expanded into the broad cultural standards of just war operative today.

As it has evolved to the present, the western just war tradition is made up of two distinct but related themes: (1) the *jus ad bellum*, or moral justification for going to war, and (2) the *jus in bello*, or moral guidelines for conduct in war. Each involves several conditions to be satisfied. For a war to be considered just under this tradition, both the conditions which justify resorting to war and the conditions which justify conduct in war must be met.

The *jus ad bellum*, or justification for going to war, involves six distinct conditions: (1) the cause must be just, (2) a right authority must make the decision to go to war, (3) groups going to war must do so with a right intention, (4) war must be undertaken only as a last resort, (5) the goal of the war must be a likely emergent peace, and (6) the war must be proportionate, that is, the total evil of a just war cannot outweigh the good achieved by the war. Each of these conditions must be met independently prior to a decision that it is just to go to war.

Just Cause. The just war tradition maintains that aggression is impermissible and that a war is justly undertaken in response to aggression. A use or threat of force by one state against the political sovereignty or territorial integrity of another constitutes aggression. Self-defense is the obvious rationale for going to war. But the principle of just cause has been extended to cover defense of another state against aggression, intervention to protect potential victims of massacre, assisting secessionists, and even preemptive strikes against potential aggressors.

Right Authority. Historically, right authority meant legitimate decision makers of government. This has included, in varying contexts, heads of state, rulers, monarchs, presidents, generals, prime ministers, legislative bodies, and so on. Over the past few hundred years the principle of right authority has shifted from resting with single individuals to resting with the collective will of those people directly affected by the potential gains and burdens of the war in question. Revolutionary wars are justified by appeals to defense against exploitation and aggression, and by claims to rights of self-rule, as well as rights to security and freedom.

Right Intention. The only right intention for a just war is the will to right the wrong of aggression and to bring about peace. Intending revenge, domination, harm, cruelty, or personal or national self-interest are always wrong.

Last Resort. For war to be justly undertaken, all avenues for righting the wrong of aggression must have been exhausted first. The just war tradition presumes the moral abhorrence of war and insists that war must be avoided if possible.

Emergent Peace. The just war tradition requires that war be undertaken only if it is likely to generate conditions of lasting peace. Such conditions would have to set right the problems that provoked the aggression that broke the peace.

Proportionality. Finally, war is taken up justly only where the total good to come from the war is likely to outweigh the total evil of making war. If the price of the projected war is too great in total dislocation, suffering, and death, including all human, economic, and cultural costs, in comparison to the good likely to come of it, again, considering all the likely gains, then the war is disproportionate.

Deciding when it is just to go to war, given these six factors, is a complex and difficult task. It is not a simple matter of measuring a proposed war against a formula. Many factors must be considered, and there is room for disagreement and difference in interpretation along the way. If agreement can be reached by the appropriate decision makers that conditions are met to justify going to war, then attention must turn to the conditions guiding conduct in war. That is, even if a war satisfies the conditions for justly going to war, still it is not a just war unless moral guidelines for conduct in the war are satisfied as well.

The *jus in bello*, or moral guidelines for conduct in war, consist of three parts: (1) discrimination, or the immunity of innocents, as governed by (2) double effect, or the intended results as distinct from those unintended, and (3) proportionality again, this time regarding specific acts within war rather than the overall proportionality of the war.

Discrimination. The principle of discrimination means that in just war, noncombatants should be immune from attack. It is always wrong to kill innocents, and participants in just war must discriminate between legitimate and illegitimate targets of acts of war. The notion of noncombatant immunity seems to have its origins not in moral sensitivity but in a code of chivalry *from* the Middle Ages. Knights were professional soldiers and there was no glory in taking arms against nonknights. Peasants, serfs, craftspeople, and merchants were sources of wealth to the knightly class. It was considered cowardly to attack a knight indirectly through attack on his servants, workers, and noncombatant subjects rather than engaging the knight directly.

Today it seems obvious that children, the elderly, and the infirm all are inappropriate targets of military action. Noncombatant immunity is not as easy as it may seem, however. Defense plant workers are usually considered legitimate targets, since they work for the war effort. The residential dwellings of ordinary people and their families have traditionally enjoyed immunity, but modern warfare has reached into neighborhoods of traditionally immune noncombatants on the grounds that they support the war.

Double Effect. The principle of double effect was developed by Christians in the Middle Ages to come to grips with the inevitable "spillage" of war. The basic thrust of the notion is that while the injury or death of innocents is always wrong, either may be excused if it was not the intended result of a given act of war. The point is that acts of war may have more than one effect: the intended effect is the injury or death of the legitimate military target; the second effect is the unintended injury or death to the innocent person whom it is always wrong to target (hence the term, *double effect*). As long as acts of war do not target and thus intend the injury and death of innocents, they may be excused as unintended or collateral losses.

The principle of double effect is complex and provokes paradoxical difficulties. The use of nuclear weapons on Hiroshima and Nagasaki, for example, may be said not to involve intending the injury or death of noncombatants, and thus the principle of double effect would justify hundreds of thousands of injuries and deaths. Yet such casualties were foreseen. It is difficult to grasp the distinction between unintended yet foreseen casualties.

Proportionality. Finally, the conduct of a just war is guided by the principle of proportionality. As in the justification of going to war above, the issue is one of weighing the evil of war against the good results to be gained by war. But rather than consider the total good and evil in the balance of going to war, here the consideration is with a given act, a particular campaign, a specific event contemplated as a part of the overall war. According to this guideline, each act must meet the proportionality test: Is it likely that the evil of doing a given act will be offset by the likely good to be gained from the act? If not, the act is disproportional and thus prohibited.

The elements justifying both the resort to war and the conduct in war fit together. A war is just only if all of both sets of conditions are met. If any condition goes unmet, the war is not justified morally. This means that even if all six of the *jus ad bellum* conditions are met, but the war cannot be fought under the guidelines of the *jus in bello* conditions, then the war is not just and thus should not be undertaken. The same can be said for wars that can be justly fought but fail to meet standards to justify going to war.

The just war tradition is a complex, subtle, living set of standards that has evolved over more than two thousand years and continues to evolve as wars present themselves for moral consideration. It is not a straightforward doctrine with clear and measurable conditions that can be tested empirically. The tradition itself gets various interpretations by different individuals for a variety of situations and purposes. Those using the tradition to justify or to deny justification for any particular war must interpret the complex set of interrelated principles, and in doing so they inevitably weigh various aspects of the tradition differently. While the tradition has provided a broad and general guide to considerations of morality and war, it cannot answer an questions definitively. People are left bearing the burden of having to make moral judgments of war. The just war tradition can help, but the final responsibility is ours.

Source:

Wells, Donald A. *An Encyclopedia of War and Ethics* (Portsmouth, NH: Greenwood Publishing Group, 1996).

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II. From *The Stanford Encyclopedia of Philosophy*

Included here is only a part of their entry on “War,” first a summary of *The Ethics of War and Peace* in which the three traditions of thought—Just War Theory, Realism, and Pacifism—is introduced. Just War Theory is divided into three parts: *jus ad bellum* which concerns the justice of going to war; *jus in bello* which concerns justice within war; and *jus post bellum* which concerns questions of justice regarding the end of war. I have only included the first section, *jus ad bellum*. I have also included the section on War Realism. For the full entry go to: <http://plato.stanford.edu/entries/war/>

1. *The Ethics of War and Peace*

Three traditions of thought dominate the ethics of war and peace: Realism; Pacifism; and Just War Theory (and, through just war theory, International Law). Perhaps there are other possible perspectives but it seems that very few theories on the ethics of war succeed in resisting ultimate classification into one of these traditions. They are clearly hegemonic in this regard.

Before discussing the central elements of each tradition, let's declare the basic conceptual differences between “the big three” perspectives. The core, and controversial, proposition of just war theory is that, sometimes, states can have moral justification for resorting to armed force. War is sometimes, but of course not all the time, morally right. The idea here is not that the war in question is merely politically shrewd, or prudent, or bold and daring, but fully moral, just. It is an ethically appropriate use of mass political violence. World War II, on the Allied side, is always trotted out as the definitive example of a just and good war. Realism, by contrast, sports a profound skepticism about the application of moral concepts, such as justice, to the key problems of foreign policy. Power and national security, realists claim, motivate states during wartime and thus moral appeals are strictly wishful thinking. Talk of the morality of warfare is pure bunk: ethics has got nothing to do with the rough-and-tumble world of global politics, where only the strong and cunning survive. A country should tend to its vital interests in security, influence over others, and economic growth—and not to moral ideals. Pacifism does not share realism's moral skepticism. For the pacifist, moral concepts can indeed be applied fruitfully to international affairs. It does make sense to ask whether a war is just: that is an important and meaningful issue. But the result of such normative application, in the case of war, is always that war should not be undertaken. Where just war theory is sometimes permissive with regard to war, pacifism is always prohibitive. For the pacifist, war is always wrong; there's always some better resolution to the problem than fighting. Now let's turn to the elements of each of these three traditions.

2. *Just War Theory*

Just war theory is probably the most influential perspective on the ethics of war and peace. The just war tradition has enjoyed a long and distinguished pedigree, including such notables as Augustine, Aquinas, Grotius, Suarez, Vattel and Vitoria. Hugo Grotius is probably the most comprehensive and formidable classical member of the tradition; James T. Johnson is the authoritative historian of this tradition; and many recognize Michael Walzer as the dean of contemporary just war theorists. Many credit Augustine with the founding of just war theory but this is incomplete. As Johnson notes, in its origins just war theory is a synthesis of classical Greco-Roman, as well as Christian, values. If we have to “name names”, the founders of just war theory are probably the triad of Aristotle, Cicero and Augustine. Many of the rules developed by the just war tradition have since been codified into contemporary international laws governing armed conflict, such as The United Nations Charter and The Hague and Geneva Conventions. The tradition has thus been doubly influential, dominating both moral and legal discourse surrounding war. It sets the tone, and the parameters, for the great debate.

Just war theory can be meaningfully divided into three parts, which in the literature are referred to, for the sake of convenience, in Latin. These parts are: 1) *jus ad bellum*, which concerns the justice of resorting to war in the first place; 2) *jus in bello*, which concerns the justice of conduct within war, after it has begun; and 3) *jus post bellum*, which concerns the justice of peace agreements and the termination phase of war.

2.1 *Jus ad bellum*

The rules of *jus ad bellum* are addressed, first and foremost, to heads of state. Since political leaders are the ones who inaugurate wars, setting their armed forces in motion, they are to be held accountable to *jus ad bellum* principles. If they fail in that responsibility, then they commit war crimes. In the language of the Nuremberg prosecutors, aggressive leaders who launch unjust wars commit “crimes against peace.” What constitutes a just or unjust resort to armed force is disclosed to us by the rules of *jus ad bellum*. Just war theory contends that, for any resort to war to be justified, a political community, or state, must fulfil each and every one of the following six requirements:

1. *Just cause*. This is clearly the most important rule; it sets the tone for everything which follows. A state may launch a war only for the right reason. The just causes most frequently mentioned include: self-defence from external attack; the defence of others from such; the protection of innocents from brutal, aggressive regimes; and punishment for a grievous wrongdoing which remains uncorrected. Vitoria suggested that all the just causes be subsumed under the one category of “a wrong received.” Walzer, and most modern just war theorists, speak of the one just cause for resorting to war being the resistance of aggression. Aggression is the use of armed force in violation of someone else's basic rights.

The basic rights of two kinds of entity are involved here: those of states; and those of their individual citizens. International law affirms that states have many rights, notably those to political sovereignty and territorial integrity. It thus affirms that aggression involves the use of armed forces—armies, navies, air forces, marines, missiles—in violation of these rights. Classic cases would be Nazi Germany into Poland in 1939, and Iraq into Kuwait in 1990, wherein the aggressor used its armed forces to invade the territory of the victim, overthrow its government and establish a new regime in its place. Crucially, the commission of aggression causes the aggressor to forfeit its own state rights, thereby permitting violent resistance. An aggressor has no right not to be warred against in defence; indeed, it has the duty to stop its rights-violating aggression.

But why do states have rights? The only respectable answer seems to be that they need these rights to protect their people and to help provide them with the objects of their human rights. As John Locke, and the U.S. Founding Fathers, declared: governments are instituted among people to realize the basic rights of those people. If governments do so, they are legitimate; if not, they have neither right nor reason to exist. This is vital: from the moral point of view, only legitimate governments have rights, including those to go to war. We need a theory of legitimate governance to ground just war theory, and Aquinas perhaps saw this more clearly than any classical member of the tradition. This connection to legitimacy is consistent with the perspective on war offered so far: war, at its heart, is a violent clash over how a territory and its people are to be governed.

Based on international law (see Roth), it seems like there are three basic criteria for a legitimate government. If these conditions are met, the state in question has rights to govern and to be left in peace. They are as follows. First, the state is recognized as legitimate by its own people and by the international community. There is an uncoerced general peace and order within that society, and the state is not shunned as a pariah by the rest of the world. Second, the state avoids violating the rights of other legitimate states. In particular, legitimate governments don't commit aggression against other societies. Finally, legitimate states make every reasonable effort to satisfy the human rights of their own citizens, notably those to life, liberty and subsistence. States failing any of these criteria have no right to govern or to go to war. We can speak of states satisfying these criteria as legitimate, or “minimally just,” political communities.

Why do we need to talk about these rights? First, to give state rights moral legitimacy and to avoid fetishizing state rights for their own sake. Second, to describe what is wrong about aggression and why it justifies war in response. Aggression is so serious because it involves the infliction of physical force in violation of the most elemental entitlements people and their communities have: to survive; to be physically secure; to have enough resources to subsist at all; to live in peace; and to choose for themselves their own lives and societies. Aggression thus attacks the very spine of human civilization itself. This is what makes it permissible to resist with means as severe as war, provided the other *jus ad bellum* criteria are also met. Third, talk of legitimacy is essential for explaining justice in a civil war, wherein there isn't classical, cross-border aggression between competing countries but, rather, a vicious

fight over the one state between rival communities within a formerly united society. The key to discerning morality in such cases revolves around the idea of legitimacy: which, if any, side has minimal justice? Which side is defending—or is seeking to establish—a legitimate political structure in our three-fold sense? That's the side which it is permissible to: a) be part of; or b) if you're an outsider, to support.

How does this conception of just cause impact on the issue of armed humanitarian intervention? This is when a state does not commit cross-border aggression but, for whatever reason, turns savagely against its own people, deploying armed force in a series of massacres against large numbers of its own citizens. Such events happened in Cambodia and Uganda in the 1970s, Rwanda in 1994, Serbia/Kosovo in 1998-9 and in Sudan/Darfur from 2004 to the present. Our definitions allow us to say it's permissible to intervene on behalf of the victims, and to attack with defensive force the rogue regime meting out such death and destruction. Why? There's no logical requirement that aggression can only be committed across borders. Aggression is the use of armed force in violation of someone else's basic rights. That "someone else" might be: a) another person (violent crime); b) another state (international or "external" aggression); or c) many other people within one's own community (domestic or "internal" aggression). The commission of aggression, in any of these forms, causes the aggressor to forfeit its rights. The aggressor has no right not to be resisted with defensive force; indeed, the aggressor has the duty to stop and submit itself to punishment. If the aggressor doesn't stop, it is entirely permissible for its victims to resort to force to protect themselves—and for anyone else to do likewise in aid of the victims. Usually, in humanitarian intervention, armed aid from the international community is essential for an effective resistance against the aggression, since domestic populations are at a huge disadvantage, and are massively vulnerable, to the violence of their own state.

Terrorists can commit aggression too. There's nothing to the concept which excludes this: they, too, can deploy armed force in violation of someone else's basic rights. When they do so, they forfeit any right not to suffer the consequences of receiving defensive force in response. Indeed, terrorists almost always commit aggression when they act, since terrorism is precisely the use of random violence—especially killing force—against civilians, with the intent of spreading fear throughout a population, hoping this fear will advance a political objective. On 9/11, the al-Qaeda terrorist group clearly used armed force, both to gain control of the planes and then again when using the planes as missiles against the targets in The Pentagon and The World Trade Center. This use of armed force was in violation of America's state rights to political sovereignty and territorial integrity, and to all those people's human rights to life and liberty. The terrorist strikes on 9/11 were aggression—defiantly so, deliberately modelled after Pearl Harbor. As such, they justified the responding attack on the Taliban regime in Afghanistan. The Taliban had sponsored and enabled al-Qaeda's attack, by providing resources, personnel and a safe haven to the terrorist group.

An important issue in just cause is whether, to be justified in going to war, one must wait for the aggression actually to happen, or whether in some instances it is permissible to launch a pre-emptive strike against anticipated aggression. The tradition is severely split on this issue. Vitoria said you must wait, since it would be absurd to "punish someone for an offense they have yet to commit." Others, like Walzer, strive to define the exceptional criteria, stressing: the seriousness of the anticipated aggression; the kind and quality of evidence required; the speed with which one must decide; and the issue of fairness and the duty to protect one's people. If one knows a terrible attack is coming soon, one owes it to one's people to shift from defense to offense. The best defense, as they say, is a good offense. Why let the aggressor have the upper hand of the first strike? But that's the very issue: can you attack first and not, thereby, yourself become the aggressor? Can striking first still be considered an act of defence from aggression? International law, for its part, sweepingly forbids pre-emptive strikes unless they are clearly authorized in advance by the UN Security Council. These issues, of course, were highlighted in the run-up to the 2003 U.S.-led pre-emptive strike on Iraq. The U.S. still maintains, in its National Security Strategy, the right to strike first as part of its war on terror. Many other countries find this extremely controversial.

2. *Right intention.* 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 enough: the actual motivation behind the resort to war must also be morally appropriate. Ulterior motives, such as a power or land grab, or irrational motives, such as revenge or ethnic hatred, are ruled out. The only right intention allowed is to see the just cause for resorting to war secured and consolidated. If another intention crowds in, moral corruption sets in. International law does not include this rule, probably because of the evidentiary difficulties involved in determining a state's intent.

3. *Proper authority* and public declaration. A state may go to war only if the decision has been made by the appropriate authorities, according to the proper process, and made public, notably to its own citizens and to the enemy state(s). The “appropriate authority” is usually specified in that country's constitution. States failing the requirements of minimal justice lack the legitimacy to go to war.

4. *Last Resort*. A state may resort to war only if it has exhausted all plausible, peaceful alternatives to resolving the conflict in question, in particular diplomatic negotiation. One wants to make sure something as momentous and serious as war is declared only when it seems the last practical and reasonable shot at effectively resisting aggression.

5. *Probability of Success*. A state may not resort to war if it can foresee that doing so will have no measurable impact on the situation. The aim here is to block mass violence which is going to be futile. International law does not include this requirement, as it is seen as biased against small, weaker states.

6. *Proportionality*. A state must, prior to initiating a war, weigh the universal goods expected to result from it, such as securing the just cause, against the universal evils expected to result, notably casualties. Only if the benefits are proportional to, or “worth”, the costs may the war action proceed. (The universal must be stressed, since often in war states only tally their own expected benefits and costs, radically discounting those accruing to the enemy and to any innocent third parties.)

Just war theory insists all six criteria must each be fulfilled for a particular declaration of war to be justified: it's all or no justification, so to speak. Just war theory is thus quite demanding, as of course it should be, given the gravity of its subject matter. It is important to note that the first three of these six rules are what we might call deontological requirements, otherwise known as duty-based requirements or first-principle requirements. For a war to be just, some core duty must be violated: in this case, the duty not to commit aggression. A war in punishment of this violated duty must itself respect further duties: it must be appropriately motivated, and must be publicly declared by (only) the proper authority for doing so. The next three requirements are consequentialist: given that these first principle requirements have been met, we must also consider the expected consequences of launching a war. Thus, just war theory attempts to provide a common sensical combination of both deontology and consequentialism as applied to the issue of war.

3. *Realism*

Realism is most influential amongst political scientists, as well as scholars and practitioners of international relations. While realism is a complex and often sophisticated doctrine, its core propositions express a strong suspicion about applying moral concepts, like justice, to the conduct of international affairs. Realists believe that moral concepts should be employed neither as descriptions of, nor as prescriptions for, state behaviour on the international plane. Realists emphasize power and security issues, the need for a state to maximize its expected self-interest and, above all, their view of the international arena as a kind of anarchy, in which the will to power enjoys primacy.

Referring specifically to war, realists believe that it is an inevitable part of an anarchical world system; that it ought to be resorted to only if it makes sense in terms of national self-interest; and that, once war has begun, a state ought to do whatever it can to win. In other words, “all's fair in love and war.” During the grim circumstances of war, “anything goes.” So if adhering to the rules of just war theory, or international law, hinders a state during wartime, it should disregard them and stick steadfastly to its fundamental interests in power, security and economic growth. Prominent classical realists include Thucydides, Machiavelli and Hobbes. Modern realists include Hans Morgenthau, George Kennan, Reinhold Niebuhr and Henry Kissinger, as well as so-called neo-realists, such as Kenneth Waltz.

It is important to distinguish between descriptive and prescriptive realism. Descriptive realism is the claim that states, as a matter of fact, either do not (for reasons of motivation) or cannot (for reasons of competitive struggle) behave morally, and thus moral discourse surrounding interstate conflict is empty, the product of a category mistake. States are simply not animated in terms of morality and justice: it's all about power, security and national interest for them. States are not like “big persons”: they are creations of an utterly different kind, and we cannot expect them to live by the same rules and principles we require of individual persons, especially those in peaceful, developed societies. Morality is a luxury states can't afford, for they inhabit a violent international arena, and they've got to be able to get

in that game and win, if they are to serve and protect their citizens in an effective way over time. Morality is simply not on the radar screen for states, given their defensive function and the brutal environment in which they subsist.

Walzer offers arguments against this kind of realism, contending that states are in fact responsive to moral concerns, even when they fail to live up to them. States, because they are the creation of individual persons, want to act morally and justly: it could not be otherwise. Walzer goes so far as to say that any state which was motivated by nothing more than the struggle to survive and win power could not over time sustain the support from its own population, which demands a deeper sense of community and justice. He also argues that all the pretence regarding “the necessity” of state conduct in terms of pursuing power is exaggerated and rhetorical, ignoring the clear reality of foreign policy choice enjoyed by states in the global arena. States are not frequently forced into some kind of dramatic, do-or-die struggle: the choice to go to war is a deliberate one, freely entered into and often hotly debated and agonized over before the decision is made. And this is leaving unspoken the argument regarding the defiant, Machiavellian amorality behind certain kinds of realism, and the moral calibre of the actions it might recommend on this basis. For example, if it's all about power and winning in the competitive struggle, does that make it alright to unleash weapons of mass destruction? Or to launch a mass rape campaign? Commit genocide and just get rid of those bastards? Just war theory suggests not, and just war theorists like Walzer want to claim that the rest of us agree.

Prescriptive realism, though, need not be rooted in any form of descriptive realism. Prescriptive realism is the claim that a state ought (prudential “ought”) to behave amorally in the international arena. A state should, for prudence's sake, adhere to an amoral policy of smart self-regard in international affairs. A smart state will leave its morality at home when considering what to do on the international stage. Why? Because if it's too moral, it will be exploited by other states more ruthless. Nice guys finish last. Or, a moralized and moralizing state will offend other communities, whose communities sport different values. Better to stick to the sober calculus of national interests and leave ethics out of it.

It's important to note that a prescriptive realist might, in the end, actually endorse rules for the regulation of warfare, much like those offered by just war theory. These rules include: “Wars should only be fought in response to aggression”; and “During war, non-combatants should not be directly targeted with lethal violence.” Of course, the reason why a prescriptive realist might endorse such rules would be very different from the reasons offered by the just war theorist: the latter would talk about abiding moral values whereas the former would refer to useful rules which help establish expectations of behaviour, solve coordination problems and to which prudent bargainers would consent. Just war rules, the prescriptive realist might claim, do not have independent moral purchase on the attention of states. These rules are what Douglas Lackey calls “salient equilibria”, stable conventions limiting war's destructiveness which all prudent states can agree on, assuming general compliance. There might even be some room for overlap between this kind of realism and just war theory.

KEY TERMS

jus ad bellum

jus in bello

jus post bellum

QUESTIONS

1. What are the three main traditions of thought that dominate the ethics of war and peace?
2. What is the difference between the three branches of Just War Theory?
3. According to Just War Theory, when is a war justified? What are the six basic conditions or criteria for *Jus Ad Bellum*?
4. According to Just War Theory what are the possible just causes of war? Can a war of aggression ever be justified? Are pre-emptive strikes ever justified?
5. What is War Realism and how is this perspective connected to the political philosophy of Thomas Hobbes?