The Ethics of Armed Conflict
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During the Cold War, I was startled awake when the ground shook, frightened that nuclear war had begun; but it was Los Angeles, and only an earthquake. I have written this book with the wish that we all someday may awaken from the nightmare of armed conflict.

It was during the Vietnam War that I first learned about just war theory. In terms of just war principles, my belief was then, and still is, that the Vietnam War was unjust. After the Cold War, I was shocked by the genocide in Rwanda. In terms of just war principles, I believed then, and still do, that armed intervention there would have been just. My first article about just war theory, which featured the case of Rwanda – ‘Is armed humanitarian intervention to stop mass killing morally obligatory?’ (2001) – expressed theses that are precursors of theses in this book.

Truly, some uses of armed force are just, and some uses of armed force are unjust. The problematic of just war theorising is to formulate and support moral principles by means of which responsible agents can determine correctly whether a particular use of armed force would be just or unjust. This book is devoted to the study of such principles, which might be more aptly termed ‘unjust and just war principles’.

As the book’s subtitle indicates, my purpose is to develop a just war theory that is cosmopolitan, whereas more traditional just war theories tend to be state-centric. Stimulated by moral debate about the 2003 Iraq War, another of my articles – ‘Preventive wars, just war principles, and the United Nations’ (2005) – applied just war principles from the standpoint of the Security Council. Instead of being state-centric, my cosmopolitan just war theory is centred primarily on the Security Council.

During June 2004, I participated in an NEH Summer Institute at the US Naval Academy, ‘War and Morality: Re-thinking the Just War Tradition for the 21st Century’. Influenced by this instructive experience, I wrote an article that was a prototype for this book: ‘Generalizing and temporalizing just war principles: illustrated by the principle of just cause’ (2007b). In addition to
interstate wars, suitably generalised just war principles should be applicable to armed humanitarian interventions, counterinsurgency operations, armed revolutions and so forth. As its title indicates, this is a book about the ethics of all forms of armed conflict.

I am concerned especially with the question of how received just war theory should be rethought, so as to be applicable prospectively to present and future cases. This book is not a history of the just war tradition. Most of my real-world cases are recent – for instance, the cases of Afghanistan, Darfur, Libya, Rwanda and South Sudan. My purpose is to contribute to the cooperative endeavour of rethinking just war theory.

I have not served in the military, and I favour the use of armed force only as a last resort. Inspired by the civil rights movement, I wrote an article interrelating armed force and nonviolent action: ‘Before military force, nonviolent action: an application of a generalized just war principle of last resort’ (2009a). To counterbalance overemphasis of the idea of just cause, I emphasise a generalised last resort principle.

There are members of armed services who are advocates of just war theory. From 2005 onwards, I have participated in annual conferences of the International Society for Military Ethics (ISME). For instance, my talk at the 2007 ISME conference was based on my article ‘Military operations by armed UN peacekeeping missions: an application of generalized just war principles’ (2009b). The topic of UN peacekeeping is prominent among the topics considered in this book.

To establish that a proposed use of armed force would be just, responsible agents have the burden of proving by means of clear and convincing evidence that just war principles are satisfied. Sometimes, to obtain sufficient evidence, there is need for intelligence collection and analysis. Since 2008, I have participated in all but one of the annual conventions of the International Studies Association (ISA). My talk at the 2011 ISA convention was based on my article ‘Intelligence about noncombatants: the ethics of intelligence and the just war principle of noncombatant immunity’ (2011). To counterbalance overemphasis of the idea of just cause, I also emphasise the noncombatant immunity principle. (The proportionality principle is also emphasised.)

Indeed, the academic subject of just war theory is interdisciplinary. There are scholars of just war theory in departments and programmes of international studies, military affairs, peace and justice, philosophy, political science, religion and so forth. I am a philosopher, and I view just war theory especially through the lens of moral philosophy. However, a main theme of this book is that a just war theory should be interrelated with a variety of other theories, not only a moral theory, but also theories of global justice, human rights, international security and so forth.

A related main theme is that a just war theory should be interrelated with
real-world cases of armed conflict. To make such cases more vivid, I have provided some quotations from contemporary news articles, Security Council resolutions, statements by political leaders, reports by nongovernmental organisations and so forth. These (and other) quotations should be read as integral parts of the book.

I am particularly concerned to interrelate a cosmopolitan just war theory with a universalist theory of human rights. Some views about human rights that I expressed in a recent article – ‘Global health, human rights, and distributive justice’ (2012) – are also expressed here. Biomedical ethics is the most developed field of applied ethics. My conception of how just war principles should be applied to cases of armed conflict has been informed by my study of how general moral principles (e.g. distributive justice) have been applied to biomedical cases.

In summary, let me preview some distinctive approaches to the ethics of armed conflict that are interwoven in this book: a revisionist approach that involves generalising received just war principles, so that they are applicable by all sorts of responsible agents to all forms of armed conflict; a cosmopolitan approach that features the Security Council; a preventive approach that emphasises alternatives to armed force, including negotiation and mediation, nonviolent action and peacekeeping missions; a temporalist approach that prioritises the application of just war principles prospectively to present and future armed conflicts; a coherentist approach that interrelates just war principles, general moral principles (e.g. distributive justice) and real-world cases (e.g. the Rwandan genocide); and a human rights approach that encompasses not only armed humanitarian intervention, but also armed invasion, armed revolution and all other forms of armed conflict.

In these prefatory remarks, I have alluded to my past engagement in just war theorising. I want to stress that this book is not a collection of previously published articles. Although I have included some rewritten passages from some of those articles, the book is largely new.

I have striven to make the book accessible to a wide range of readers. There are many worthwhile writings about the ethics of war and peace, and I have profited greatly from my reading of them. (There is no space for a comprehensive bibliography. My list of references is limited to works cited; many significant works are not cited.) However, my book does not presuppose the reading of any other book about just war theory. It does not contain lengthy contestations of views of other just war theorists, nor are there notes cluttered with substantive remarks. The few notes in my book mostly contain my recommendations for collateral reading.

I have also striven to make the book reasonably academically rigorous. To strike a balance between rigour and accessibility, I have provided accounts of terms and ideas that might be unfamiliar to nonspecialist readers. Although
my argumentation is often demanding, it is largely self-contained. I have tried to state and support a cosmopolitan just war theory as cogently and completely as possible in the space available.

I have benefited considerably from thoughtful and instructive comments by Nigel Dower, Charles (Jim) Landesman and James Pattison about the entire penultimate draft of my book manuscript, and I wish especially to thank them for this. Over the years, I have had insightful conversations with many other persons about various topics in the book, conversations which surely helped to make it better than it otherwise would have been, and I wish to thank them also. Let me thank a few of them by name: Joe Betz, Michael Brough, Omar Dabhour, Randall Dipert, Jan Goldman, Carol C. Gould, Fran Harbour, Virginia Held, Phil Jenkins, George Lucas, Rosamond Rhodes, Jordy Rocheleau, Steve Ross and Harry van der Linden.

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In closing, I would like to append some remarks about the cover. To me, this picture is chock-a-block with symbolism. The owl is an ancient symbol of wisdom. Just war theory aspires to morally constrain the use of armed force wisely. Nocturnal hunting by an owl is symbolic of the idea of a targeted military operation. The owl in the picture is a burrowing owl (Athene cunicularia), standing resolutely before a burrow, symbolising the idea of self-defence. Unwisely, the burrow is near an entrance to a public beach, symbolising the idea of fallibility in just war theorising. Burrowing owls are endangered by human economic development, symbolising the idea of collateral damage. The right of this vulnerable animal to security is symbolic of a human rights approach to just war theory. The photograph of this small owl (its length is less than 30 cm) was not taken with a powerful telephoto lens. (The picture is an enlargement of a photograph taken with a 100 mm lens.) The owl’s direct gaze is not an illusion of magnification. Unmistakably, as I photographed it a number of times, it would swivel its head to the left and right, but it would also look directly at me. On the cover of this book, the owl is looking at you, the reader, inviting you to enter its pages.

John W. Lango
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