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PHILOSOPHICAL FOUNDATIONS OF WAR AND ETHICS

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Abstract

There is a need to understand that the end product of all human interaction is cooperation and conflict. While cooperation is not problematic, conflict is and therefore requires rules to regulate its intensity so that they do not get out of hand. Conflict has existed from pre-ancient times till now and has brought about a cataclysmic transformation of human society. While the ethics of war presupposes that war is bad and should be avoided if it is feasible, it advocates that war is a lesser evil when confronted with other bad choices in certain situations.

Keywords: War, Cooperation, Conflict, Ethics, Philosophical, Christian, Muslim, Jihad, Holy War, Military.

INTRODUCTION

There is a need to understand that the end product of all human interaction is cooperation and conflict. While cooperation is not problematic, conflict is and therefore requires rules to regulate its intensity so that they do not get out of hand (Okocha, 2014).

It is pertinent to note that conflict has existed from pre-ancient times till now and has brought about a cataclysmic transformation of human society (Okocha, 2014).

While the ethics of war presupposes that war is bad and should be avoided if it is feasible, it advocates that war is a lesser evil when confronted with other bad choices in certain situations.

Owing to the devastations of war which involves the premeditated and deliberate killing or the infliction of bodily injuries on people, war ethics therefore, have necessitated the creation of formal codes of war such as The Hague and Geneva Conventions, the deployment of soldiers and the stipulated punishment to be administered in the violation of such international conventions regulating armed conflict.

This paper, therefore, attempts to discuss the Philosophical Foundations of War and Ethics. For analytical convenience, this paper is divided into three parts. Part, one deals with the Conceptual definitions of the ethics of war and the Just War theory.

Part two critically examines the historical development of the just war theory. Part three deals with the summary and conclusion.

Conceptual Definitions of Ethics of War

The need to engage in a conceptual definition of the ethics of war would be futile without necessarily defining war itself. According to the Stanford Encyclopedia of Philosophy (2024), War is defined as the actual, intentional, and widespread armed conflict between political communities. In other words, it is a phenomenon that occurs only between political communities defined as those entities that either are states or intend to become states (Stanford Encyclopedia of Philosophy, 2024)

It is relevant to assert that classical war is an international war, which is between states. Also to be noted is the fact that certain pressure groups like terrorist organizations, may be considered political communities, being a community of people with designated political purposes who most often aspire to statehood in certain places (Stanford Encyclopedia of Philosophy, 2024).

Therefore, the conflict of arms must be actual and prevalent for it to be counted as a war. It must be intentional and widespread. This is because war is a conscious commitment that requires a significant mobilization of men and weaponry, on the part of the belligerents.

From the religious perspectives of both Christianity and Islam, war is depicted as a Crusade or a Jihad. Randall (2007) argues that the Christian term crusade and the Muslim term Jihad have often been distorted to justify violence. Randall further posits that the Bible is not the only Holy Book that has been misused, same goes for the Qur'an.

He maintains that in the eleventh through to the thirteenth centuries, the term crusade referred to the Holy War of Christians against Muslims. The crusades were Holy acts of violence commanded by God to cleanse the Holy Land of Muslims so that it could be rededicated to Christ (Randall, 2007).

It is pertinent to note that Christian writers copiously wrote books justifying Divine violence against the Muslims who had conquered and polluted the Holy Land where Jesus was born and crucified while having recourse to copious passages of the bible.

In the contemporary world however, the term crusade has lost its medieval import which connotes violence, and now depicts a passionate movement aimed at correcting injustice, advocating a cause, or deploying as a tool in aiding conversion (Randall, 2007).

Furthermore, the term Jihad in today's world is understood by the West as a Holy War commanded by Allah against all non-Muslims. It is believed that the Qur'an teaches this Holy War as the religious obligation of all Muslims.

Randall (2007) further argues that like Christian writers, Muslim extremists can also refer to dozens of passages in the Qur'an that justify the deployment of violence against infidels which include Christians and Jews. He argues that though the term Jihad features well in the Qur'an, it is not a Holy War. Nevertheless, Anna

Kaladioak(2003) pointed out that this misconception has led to ferocious religious violence. Based on the above, Juergensmeyer (2003) further argues that the common perception that there is a rise in religious violence around the world in the last decade of the 20th century has been borne by those who keep records of such (Juergensmeyer,2003).

Having made a conceptual clarification of war, it is relevant to maintain that the ethics of war and peace, therefore, is dominated by three traditions of thought, namely, Realism, Pacifism, and the Just War theory.

The Just War theory can be said to encapsulate the view that there are occasions when a State has the moral grounds for getting entangled in armed conflict. This can be said to fall within the purview of an ethically appropriate deployment of mass political violence (Stanford Encyclopedia of Philosophy, 2024).

Nye (1992) argues that the Realist school of thought repudiates the application of ethical concepts to the problems emanating from foreign policy. They argue that power relations and national security are what determine the actions of states during warfare and that the application of morality is non-existent (Calvocoressi, 1990).

The Pacifist school of thought in contradistinction deviates sharply from the Realist's sceptical point of view. The Pacifists believe that moral concepts can be deployed into international affairs. For them, war should not be undertaken. The pacifists believe that war is wrong and that resolutions can be devised which can make warfare prohibitive.

However, it may be argued that states strive for rapid dominance to achieve a complete victory that is swift and in which the adversary loses both manpower and material. Robertson (2006) argues that war could not be contained by the geographic area in which it was fought, but rather it spread out across social and cultural networks

Furthermore, other scholars such as Snyder (2006) have consistently argued that cultural differences have always had a major role to play in the military behavior of actors which determines the goals for which States engage in War.

Just War Theory

The just war theory deals with the justification of the reasons why warfare among states occurs. It must be noted that scholars think that this justification can either be theoretical or historical (Internet Encyclopaedia of Philosophy, 1995)

It must be noted that the theoretical aspect deals with the ethical foundations in justifying war and the manner that which warfare may or may not be executed.

Conversely, the historical aspect deals with the historical body of rules that have been deployed throughout the ages in the cause of various wars. At this juncture, it must be stated that the Geneva and Hague Conventions, which are international agreements are historical rules that were formulated to limit certain kinds of warfare and which lawyers could rely on in the prosecution of transgressors of these conventions (Internet Encyclopedia of Philosophy, 1995).

Ethics critically examines these international conventions to ascertain their philosophical coherence and that if such international agreements should be retained or reviewed to reflect the contemporary realities of modern warfare.

While it could be argued that the Just War tradition is as ancient as warfare, ancient writings have brought to the limelight the existence of some level of moral considerations that were deployed by warriors in limiting the devastation of warfare. These ancient moral considerations took cognizance of women and children as well as the way prisoners of war were treated (Internet Encyclopedia of Philosophy, 1995).

As previously stated, the Just War theory has a long history. It is pertinent to state that the Christian Bible highlights ethical behavior expected to be displayed in the cause of warfare. While Church fathers like St. Augustine espoused the morality of war from this Christian perspective as well as a list of Arabic commentators from the 9th to 12th centuries, St. Thomas Aquinas is argued to have provided the most systematic exposition in the Western tradition which is still a force to reckon with till this day (Internet Encyclopedia of Philosophy, 1995).

Thomas Aquinas, in the *Summa Theologie*, succinctly outlines the general view of the just war theory, which has become the subject of intensive scholarly discourse in several modern universities across the world. Aquinas postulated on the justification of war as well as enunciating activities that are permissible for a Christian in war. These postulations were later universalized beyond Christendom (Internet Encyclopedia of Philosophy, 1995).

It is pertinent to assert that with the development of nuclear weapons and other weapons of mass destruction in this contemporary era, the just war theory has undergone a revival because international scholars through various fora have engaged in consolidating and developing the theoretical aspects of these conventions. Famisano and Bohme (2010) however, argue that according to some scholars, such as Hesiod, there is no such thing as a just war for Humans.

It must be stated that certain conditions must exist for a war to be considered just. These are six in number. It includes the following:

- The war must be for a just cause.
- The war must be lawfully declared by a lawful authority.
- The intention behind the war must be good.
- All other ways of resolving the problem should have been tried first.
- There must be a reasonable chance for success.
- The means used must be in proportion to the end that the war seeks to achieve (Internet Encyclopedia of Philosophy, 1995).

The above-stated conditions must be met before a war can be just.

Historical Development of the Ethics of War

The historical development of the ethics of war dates to the Greeks and Romans. As pointed out earlier, within the purview of Christianity, ethics of war were developed by St. Augustine, and later by St. Thomas Aquinas and others. The Dutch philosopher, Hugo Grotius (1583-16450), in his authored book titled “*De Jure Ac Pacis*” (The Rights of War and Peace), enumerated the conditions for a just war that have become widely acceptable to date (Internet Encyclopedia of Philosophy 1995).

Johnson (2012) argues that the heritage of just war theory is a classical and Christian philosophical milieu; however, this is not to state that there are not parallels to be found in other cultures.

He further argues that in its traditional presentation, the just war tradition provides statesmen, philosophers, and soldiers with the policy and moral to go to war (*jus ad bellum*) and the ethics of how war is fought (*jus in bello*) (Johnson, 2012).

It must be pointed out that early just war theorists such as Thomas Aquinas and others argued that the just war decision to use military (*jus ad bellum*) was based on three criteria: legitimate authority acting on a just cause with right intent, likelihood of success, proportionality of ends, last resort and comparative justice. These

are viewed as practical criteria for judging the wisdom and morality of employing violence.

While it could be argued that the post-cold war era has witnessed the international community increasing the deployment of military powers to chaotic arenas of insecurity, from West Africa to East Timor, Patterson argues that when it comes to legal punishments, there are established judicial instruments for *jus in bello* violations, which include prosecution such as those carried out by the International Criminal Tribunals for Rwanda and the former Yugoslavia, the International Criminal Courts or the Geneva Conventions (Johnson, 2012).

Gross and Carrick (2013) asserted that Marcus Schulzke argues that in our contemporary world, the power of weapons has become so great that collateral damage invariably follows from major attacks no matter the sophistication of the weapon deployed. He further maintains that this collateral damage can be deliberate, incidental (foreseeable but unintended) and accidental (unforeseen and unintended). He further asserts that incidental and accidental collateral damage is often justified with the doctrine of double effect (DDE), which is permissible to happen to civilians when they are not intentionally harmed (Gross and Carrick, 2013).

This, therefore, excuses civilian collateral damage when it occurs as a by-product of proportional attacks on military targets. It must be noted that most times, the principle of utilitarianism is deployed in justifying any type of collateral damage (Okocha, 1991).

Critical Evaluation

That humanity is constantly involved in war as argued earlier is owing to the end product of all human interaction, which is cooperation and conflict. While cooperation is not problematic, conflict is problematic, and therefore, rules are devised to regulate the intensity of conflict so that they do not get out of hand.

The devastating destruction of war on humanity and the misery and suffering that it leaves in its trail is something that should not be encouraged no matter the cause. The modern contemporary world continues to propagate the need for the peaceful resolution of conflicts to minimize the horrific damage that conflicts and wars bring to bear on the human person.

We wish to argue that no matter the cause, war can never be justified owing to the heavy destruction of human lives and the environment that it inflicts. While, in some cases, wars become inevitable, it is further argued that wars should be avoided as much as possible while alternative disputes of resolving conflicts should be evolved to dissuade the eruption of full-scale devastating wars.

Conclusion

We have attempted in this paper to discuss the philosophical foundations of war and ethics. We began by embarking on the conceptual definitions of the ethics of war, the just war theory as well as the historical development of the ethics of war with its contemporary component being brought to the fore owing to the modern development of nuclear weapons and other weapons of mass destruction. We did state that no matter how justified war may be, it brings about devastating destruction to human lives and the environment and we also argued while critically evaluating the ethics of war, that efforts of alternative dispute resolutions should be evolved to put a stop to the carnage often brought to bear on humanity as a result of war.

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