

WAGING WAR

A Philosophical Introduction



IAN CLARK

L A R E N D O N



P A P E R B A C K S

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CLARENDON PRESS · OXFORD

Oxford University Press, Walton Street, Oxford OX2 6DP

Oxford New York Toronto
Delhi Bombay Calcutta Madras Karachi
Kuala Lumpur Singapore Hong Kong Tokyo
Nairobi Dar es Salaam Cape Town
Melbourne Auckland Madrid
and associated companies in
Berlin Ibadan

Oxford is a trade mark of Oxford University Press

Published in the United States
by Oxford University Press Inc., New York

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British Library Cataloguing in Publication Data

Clark, Ian
Waging war: a philosophical
introduction
1. War (Philosophy)
I. Title.
355'.001 U21.2
ISBN 0-19-827759-8 (Pbk)

Library of Congress Cataloguing in Publication Data

Clark, Ian, 1949-
Waging war: a philosophical introduction / Ian Clark.
p. cm.
Bibliography: p. Includes index.
1. War 2. War—Moral and ethical aspects. I. Title.
U21.2.C52 1988 355'.02-dc19 87-30754
ISBN 0-19-827759-8 (Pbk)

3 5 7 9 10 8 6 4

Printed in Great Britain
on acid-free paper by
Biddles Ltd,
Guildford and King's Lynn

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INTRODUCTION

WAR is a supremely practical activity. The destruction of the battlefield, it would seem, is a universe removed from the sedate reflections of the philosopher. As such, war is more appropriately regarded as a realm of action than as a realm of abstract contemplation: if we seek to know about the nature of war, we should immerse ourselves in works of military history, not in works of moral or philosophical theory.

In these brief observations we find a statement of the immediate difficulties in approaching the subject of war, and the waging of it, from an essentially philosophical perspective. The first problem is one of resistance. To many minds the effort to reduce the death, pain, and suffering inflicted by war to a set of philosophical speculations and abstractions is quaint at best and obscene at worst. Hence, to the military pragmatist, philosophy of war is the last refuge of the academic scoundrel who claims to some knowledge about the subject of war—but at a very safe distance.

The theorist is twice cursed. Not only is he remote from the subject about which he writes but his labours are, inescapably, in vain. The gulf between practice and theory is such that whatever general guidelines might be devised for the conduct of war, in terms of idealized sets of principles, must inevitably break down when confronted with real situations. General principles tell us little about conduct in circumstances where competing principles apply or, indeed, in the grey areas where the general principles imperfectly capture the complexity of reality. Choices in war are, by their nature, hard choices which result in death and destruction whichever course of action is adopted. Those who saw virtue in the Second World War strategic bomber offensive against Germany did not do so *in vacuo* but as the lesser evil in comparison with the grisly land campaigns of the First World War. Bomber Command's Arthur Harris accordingly preferred an air strategy to 'morons volunteering to get hung on the wire and shot in the stomach in the mud of Flanders'.¹ From this point

¹ M. Smith, *British Air Strategy between the Wars* (Clarendon Press, 1984), 64.

of view, whatever philosophical reflection might tell us about the *essential* nature of warfare, it can have minimal impact on its actual conduct.

This suggests that there is little common ground between the practice of war and the activity of philosophical contemplation upon it. The two are worlds apart. This was to be the point at issue in the dispute between Paul Fussell and Michael Walzer over the ethics of the atomic bombings of Hiroshima and Nagasaki.² Fussell, on that occasion, espoused the view that 'experience' of war provided a critical perspective on the subject: 'the experience I'm talking about is that of having come to grips, face to face, with an enemy who designs your death.' When it comes to discussion of the legitimacy of acts of war, Fussell would argue, such experience concentrates the mind wonderfully and provides unique insight into the 'reality' of war. While he does not quite say that those without this experience are disqualified from the discussion, he comes mightily close to implying as much, as in his innuendo that J. K. Galbraith's interpretation of the bombing is invalidated by the safe position he held in 1945: 'I don't demand that he experience having his ass shot off,' Fussell commented, 'I just note that he didn't.'

If Fussell insists that having been close to the action provides a special vantage-point for looking at the subject, Walzer has argued against this that it may also bring one *too* close to the action. The perspective will thereby be distorted and essentials will be left out of the picture by the very closeness of the fighting. After all, war is more than the actuality of combat: participation in the latter offers, at best, a partial understanding of the whole. What we refer to as a state of war encompasses a complex of legal and political conditions, over and above the fighting that takes place.

Fussell is surely wrong on two counts. First, on general grounds, he errs in suggesting that moral judgement is tied to direct experience. This is not deemed to be a necessary qualification to participate in other forms of moral discourse and, indeed, such a personal perspective may be detrimental to objectivity. Secondly, he underestimates the extent to which the gulf can be bridged, in any case, by empathy and creative imagination. Is it not ironic that a book, widely praised as giving a brilliant portrait of the reality of *The Face of Battle*,³

² 'Hiroshima: A Soldier's View' and 'An Exchange on Hiroshima', *The New Republic*, 22, 29 Aug., 23 Sept. 1981.

³ John Keegan's book by that name (Jonathan Cape, 1976).

should have opened with the disclaimer that the author had 'not been in a battle; not near one, nor heard one from afar, nor seen the aftermath'?

Understanding war, in its full philosophical richness, requires several orders of empathy beyond the simple capacity to visualize the horrific experiences of others. Judgements about war can scarcely avoid the delicate issues of generational responsibilities and obligations, both in terms of the causes of wars and of their long-term consequences. There is no necessary coincidence between the state's official decision-makers and those who suffer directly in its name, and some theoretical framework is required to integrate the two; in its absence, empathy breaks down with corrosive impact, as in the anger of war poetry:

The young men of the world
Are condemned to death.
They have been called up to die
For the crime of their fathers.⁴

The generational relationship need not be so fractious. It can exist also in the empathic obligation to pursue the cause of those who have died in its quest:

Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
in Flanders fields.⁵

A philosophical account of war must be sufficiently comprehensive to embrace fathers and sons, the living and the dead.

In any event the separation between philosophy and practice is much less than complete. Few military pragmatists, if pressed hard, are likely to take the position that there are no restrictions whatsoever upon the waging of war: military manuals the world over refute any such idea. Even those who subscribe to the notion that 'war is hell' do so in a relative, rather than an absolute, way. The experience of war is mightily different from the experience of peace but the transition from

⁴ F. S. Flint, 'Lament', in J. Silkin (ed.), *First World War Poetry* (Penguin Books, 1979), 147.

⁵ J. McCrae, 'In Flanders Fields', *ibid.* 85.

one to the other does not take us from order to total anarchy. Nardin makes the point well:

it does not follow from the fact that in war the normal order of society is disrupted that the state of war is one without order. The alternative to life according to one set of rules is not necessarily life without any rules at all, but rather life according to different rules.⁶

Once this crucial concession is made, we engage in a dialogue about where and why the lines of restraint are to be drawn and already the philosophy of war is begun.

It is not the objective of this work to offer a set of prescriptions for the conduct of war, nor to elaborate a single philosophical orientation towards the nature of war and the manner of waging it. Its purpose will be served if it acts as a guide to the multiplicity of complex issues which compete for attention when this subject is considered.

Beyond this limited goal, the intention of this book is to offer a tentative introduction to the manner in which the philosophy and practice of war might be integrated. Its point of departure is thus an absolute denial of the assumption that war can be 'practised' in separation from a theoretical understanding of its nature. In short, it is only by knowing what it is that we practise that any kind of framework for the discussion of the waging of war can be constructed at all. As Michael Oakeshott suggested in a more general context 'the so-called "practical" is not a certain kind of performance; it is conduct in respect of its acknowledgement of a practice'.⁷ When we thus refer to the practice of war, we do not refer simply to the actions which people perform but to the context of choice and understanding in which certain acts of violence are recognized as acts of war.

While sympathizing, therefore, with a recent book which demonstrates the difficulties of distinguishing war from non-war, as regards differing forms of communal violence, and while accepting that the drawing of such boundaries is fraught with difficulty, the present work rejects the conclusion that 'it is not essential to be able to distinguish cleanly between war and near-war. The importance and the immediacy of the moral problems will remain constant'.⁸ If the practical conduct of war is inextricably related to a practice of war, and this in turn to

⁶ T. Nardin, *Law, Morality and the Relations of States* (Princeton University Press, 1983), 288.

⁷ *On Human Conduct* (Oxford University Press, 1975), 57.

⁸ N. Fotion and G. Elfstrom, *Military Ethics* (Routledge & Kegan Paul, 1986), 3.

acceptance of a common set of understandings, it follows surely that our moral assessments will vary in accordance with our degree of common recognition of war's nature and of its necessary features. To this extent, war is voluntaristic and we make of it what we will.

The practice of war is related to the practice of peace. For some, peace can be defined negatively as the simple absence of war. Those who have written *The History of Peace* have generally written books about the elimination of the practices of war.⁹ More interestingly, however, others have seen the proper end of war as the restoration of a better peace. General Sherman, however inappropriately, is commemorated with the epitaph '[T]he legitimate object of war is a more perfect peace'.¹⁰ Accordingly, it is also the task of a philosophy of war to depict it integrally within the landscape of peace.

War has come to be regarded as an adjunct of the modern state system and a major part of the intellectual framework which surrounds it is provided by the heritage of ideas about the nature of international society, and about the place of individuals and states within it. It is apposite, therefore, to note that many contemporary issues in the philosophy of war are reflected in related debates about the wider realm of international relations. If a central schism in Western thought about international relations has been that between the respective obligations of 'men and citizens',¹¹ then recent theoretical appreciations of the nature of international society have clearly demonstrated the practical import of these competing conceptions. It is not too much to say that the practices of the state system have been critically examined in recent years as to their consistency with 'individual' and 'human' values of one kind or another. The place of human rights in the conduct of international relations, the legitimacy of intervention in the affairs of other states, and the nature, if any, of obligations to a more egalitarian distribution of the global product—all these matters have received renewed scrutiny and demonstrate the impact of changing intellectual frameworks upon the practices of statecraft.¹²

Recent analyses of war have been subject to similar intellectual

⁹ See the book of that name by A. C. F. Beales (Bell & Sons, 1931).

¹⁰ J. F. C. Fuller, *The Conduct of War, 1789-1961* (Methuen, 1961), 111.

¹¹ This theme is developed in A. Linklater, *Men and Citizens in the Theory of International Relations* (Macmillan, 1982).

¹² See e.g. C. Beitz, *Political Theory and International Relations* (Princeton University Press, 1979); R. J. Vincent, *Human Rights and International Relations* (Cambridge University Press, 1986); C. Beitz et al. (eds.), *International Ethics* (Princeton University Press, 1985).

influences. If war is deemed to be an institution of international society, its nature will change in accordance with changing conceptions of that societal framework. International society is no longer generally viewed as exclusively formed by corporate states: it is the milieu in which the world of states intermingles with the world of people. Hence, such general issues about duty and obligation which emerge from revised conceptions of international (or world) society cannot but impinge upon the specific realm of warfare. This is manifested in recent discussions about individual responsibility in war, the relationship between state and individual as a basis for discrimination in targets of warfare, and the philosophical bases of the rules of war generally. Put briefly, it might be said that the central issue is that of reconciling theories of human rights, and associated ideas of 'private' morality, with the corporate nature of warfare and the 'public' demands of the state-at-war.¹³

Much of the interest in the philosophy of war centres upon the dichotomy between 'public' and 'private'. Not least is this so because of the augmented public capacity to do harm. As Nagel has complained 'the great modern crimes are public crimes . . . the growth of political power has introduced a scale of massacre and despoliation that makes the efforts of private criminals, pirates, and bandits seem truly modest.'¹⁴ The ramifications spread beyond this fact alone. How is it that war has been able to mobilize resources on this public scale? As a historian of Renaissance warfare has proclaimed 'the central mystery of politicized conflict is not why wars took place but how enough men could be found to fight in them'.¹⁵ A resolution of this problem requires detailed historical knowledge of military administration and recruitment, of finance, and of the changing face of battle itself. It also demands a proper understanding of the intellectual underpinnings of the public state-at-war. This is the more so since the actual military art has itself become increasingly depersonalized. Heroic individual virtues are devalued in over-the-horizon warfare. As a historian of the technology of warfare has argued 'the technology of modern war, indeed, excludes almost all the elements of muscular heroism and simple brute ferocity that once found expression in hand-to-hand

¹³ This is certainly one theme of M. Walzer, *Just and Unjust Wars* (Basic Books, 1977).

¹⁴ T. Nagel, 'Ruthlessness in Public Life', in S. Hampshire (ed.), *Public and Private Morality* (Cambridge University Press, 1978), 75.

¹⁵ J. R. Hale, *War and Society in Renaissance Europe* (Fontana, 1985), 45.

combat'.¹⁶ In short, even the practice of warfare has lost some of its rudimentary private characteristics.

In accordance with this perspective the following chapters serve as an introduction to some of the issues that are raised by looking at the philosophy and practice of war, not as polar opposites, but as proximate realms of activity, each influencing the character of the other. This is not to say that the soldier, in the heat of battle, is engaged in philosophy but only that the nature of his activity has a meaning which derives from the framework of ideas surrounding it. Various symbolic acts of war—its formal declaration, treatment of prisoners and wounded, the niceties of battle itself, and acts of surrender such as the raising of hands—all derive their practical effect from a common appreciation of the nature of the activity in which the belligerents are engaged.

Accordingly the approach to this book will be to argue that there is an intimate interrelationship between how war is thought about and how it is waged. The first three chapters of the book can, therefore, be seen as deductive in method. They introduce various concepts of war and deduce certain means for the prosecution of war from these initial conceptions. In this way it can be shown that certain restraints on the waging of war make sense only within the context of a conception of war that is compatible with them. For instance, there is no point in making appeal to 'fair play' in war if your initial conception of war is one that makes no allowance for the notion of rules. As a specific manifestation of this, there can be no objection to bombing of civilians in cities if your concept of war is open-ended and contains no rules about the nature of targets. Chapter 1 will canvass this particular issue in some detail.

Chapters 2 and 3 will attempt to establish two major traditions about the waging of war, each of which argues for restraints in so doing, but each of which presents a substantially different argument for the kind of restraint it advocates. The main themes in, and the development of, the just war tradition will be discussed in Chapter 2. Chapter 3 will seek to present an alternative tradition, that of limited war, which, even when coming to similar conclusions for the practical conduct of war, reaches them by a different process of reasoning. In each case it will be contended that the practice of war is grounded in a distinctive conception of the nature of war itself. Although presented as two

¹⁶ W. H. McNeill, *The Pursuit of Power* (Blackwell, 1983) p. viii.

separate traditions, just and limited war will also be compared and the area of overlap between the two examined.

In Chapters 4 to 6 there is a shift of focus. Rather than seek to deduce certain norms for the waging of war from an initial philosophical orientation, the analysis will canvass inductively the various discrete elements in terms of which war can be waged—issues concerning the nature, extent, and means of the combat itself—and discuss the practical issues at stake in implementing general principles of warfare. Deductively, for instance, we might argue for the rights of non-combatants from a definition of war as a contest between military forces. Inductively, we might arrive at conclusions about what it is permissible to do in warfare on the basis of various principles grounded in theological premisses or theories of human rights. In terms of the latter, killing innocent civilians is prohibited as a general principle of ethics and not simply as a consequence of a particular conception of the nature of warfare. In the former, the practice of war is deduced directly from a concept of war that contains within it certain gross restrictions on its prosecution.

These chapters will review the major issues of contemporary warfare such as discrimination, proportionality, the nature of permissible weapons, the idea of war crimes, the problems associated with nuclear strategies, and the specific questions presented by the nature of deterrence. In other words, in considering deterrence as a means of preserving peace, we are compelled to pose the question whether principles elaborated for the waging of war are relevant in the context of strategies for the waging of peace: is there a practice of peace which requires us to adopt different rules of conduct from those pertaining in war or, on the contrary, might it be said that the practice of war only has recognition within the greater goal of peace and derives its meaning from that source?

The book will have three principal areas of concentration. The first concerns the nature of war itself and how the central idea has developed in the context of changing social, political, and technological environments. The second is devoted to the elaboration of more specific codes for the waging of war and explains how these have variously evolved under the pressure of similar developments. Thirdly, the book will analyse the problems of implementation and the means by which general and abstract codes of conduct can be applied to the practicalities of war. In examining this set of problems, the book will focus on the ambivalence of 'soundness' in relation to the rules of

war—whether their soundness resides in philosophical strength and consistency or whether the major virtue of the rules of war is to be found in salience and observability.

This is the real meeting ground of the theory and practice of war. Without philosophical substance and guidance, the codes of war are likely to be arbitrary and, in the nature of things, morally repugnant. At the opposite extreme, without any prospect of observance, the most rigorous philosophical systems have no material impact and will remain as abstract and unattainable ideals. It is at the point where these two forces come together—general philosophical orientations and the face of battle—that the real challenges of the philosophy of war are to be discovered.

WAR: CONCEPT AND CONDUCT

IN this book philosophy is presented as a means to a fuller understanding of the practice of war and not as a radical alternative to that practice. The entire argument is based on the contention that we cannot comprehend the manner of waging war without some wider framework of ideas within which acts of war, both of commission and omission, have meaning. Accordingly, the task of this chapter is to establish the general context of the discussion by demonstrating how certain conceptions of war entail, necessarily, certain modes of prosecution and how we can only come to terms with the means of waging war by locating them in their distinctive philosophical setting. This is simply to adapt the procedure of Machiavelli, of whom it has been said that all his military views were 'based on Machiavelli's concept of war and derive from it. . . . War . . . must end in a decision, and a battle was the best method of reaching a quick decision.'¹

Just as the racing car driver handles his car differently from the family tourist because to be engaged in racing is, essentially, to be engaged in a different practice from that of touring, so the soldier, fighting in a war, practises a distinctive form of violence. A specific version of this argument has been advanced elsewhere:

What I should like to be able to do is to derive the morally defined limits from the very concept of war itself, so that if these are breached we no longer have war but slaughter, and whether there are moral limits to slaughter hardly can arise since slaughter is the other side of moral limits already.²

Danto concentrates upon one particular concept of war and derives from it certain rules for its conduct: this is not the only possible concept but, for the moment, we can concur in his general procedure, if not necessarily in his substantive conclusions.

This is not to claim that the style of war is determined by philosophers. The actual conduct of war is a product of a vastly

¹ F. Gilbert, 'Machiavelli: The Renaissance of the Art of War', in E. M. Earle (ed.), *Makers of Modern Strategy* (Princeton University Press, 1943), 22.

² A. C. Danto, 'On Moral Codes and Modern War', *Social Research*, Spring 1978, 180.

complex interplay of forces including political, social, economic, military, cultural, and technological factors. For this reason Michael Howard was able to discuss *War in European History*³ in terms of the prevailing political arrangements for war at various historical periods. But, in saying this, we are not denying the role of ideas in shaping the manner in which our wars are fought. It is, after all, fundamental ideas about political and economic organization—such as the right of the prince to pursue public war, the legitimacy of the principle of national self-determination, and the need for a state structure to manage the technological scale of war—which have contributed to the resources available for the waging of war and which have influenced the ends for which it is fought. While it is true, therefore, that war is a supremely practical activity when once undertaken, we must not blind ourselves to the clash of ideas which has organized the warring parties, allowed them to mobilize their respective forces, and provided the intellectual imagery which serves as the axis of contention. This is not to say that wars are necessarily fought over ideas; merely that ideas inevitably play their part in the practical arrangements for war. Few developments have so profoundly affected the character and scale of contemporary warfare as the raising of mass conscript armies but this would not have been possible without underlying theoretical assumptions about the relationship between national state and citizen, or indeed, as Iran's recent experience reminds us, between the individual and the theocratic state.

The idea of war itself is a major factor in the way in which it is waged. We can, therefore, agree wholeheartedly with the remarks of Geoffrey Best in his introduction to the series of histories on war and society:

The idea of war is of itself a matter of giant historical importance: how at particular epochs and in particular societies it is diffused, articulated, coloured and connected. Only by way of that matrix of beliefs about God and man, nature and society, can come full understanding of the causes and courses of wars that have happened.⁴

What Best's remark impresses upon us is that, although we speak of war in human history as if it were a continuous and unchanging social institution, the context of ideas in which war has occurred has changed dramatically over time. Wars have been variously understood as an

³ Oxford University Press, 1976.

⁴ Series Editor's Preface to Fontana History of War and European Society.

affliction imposed by the gods, as a test of individual will and courage under supreme emergency, as a mere instrumentality of the dynastic ruler, and as the ultimate expression of the national essence. It is questionable whether one practice of war underlies these varying intellectual frameworks. In short, the attempt to understand war in history is unavoidably, albeit not exclusively, an excursion into the history of ideas.

War and the State

The intimate relationship between concept and conduct of war is nowhere clearer than in the view of war as something which happens between states. The theory of the state system and the practice of international law have long been predicated on the notion that war is a relationship between states and that this distinguishes war from other forms of violence. We find such a definition of war advanced by Plato in his *Republic*: 'It seems to me that war and civil strife differ in nature as they do in name, according to the two spheres in which disputes may arise: at home or abroad. . . . War means fighting with a foreign enemy; when the enemy is of the same kindred, we call it civil strife.'

What is intriguing about Plato's formulation is that, having elaborated his concept of war, he proceeds directly to deduce a code of conduct from it: 'Observe then, that, in what is commonly known as civil strife . . . it is thought an abominable outrage for either party to ravage the lands or burn the houses of the other.' But what is impermissible in civil strife is clearly acceptable in waging a war with a foreign enemy. In other words, the more permissive code of conduct which applies in war is but a natural deduction from the nature of the activity itself. War occurs between states *by definition* and the restraints which operate in the civil sphere do not operate in relations between states. Plato's distinction between external (inter-state) war and internal (civil) war has been a profound and enduring one. Ironically, however, the historical record has if anything seen an inversion of Plato's code of practice inasmuch as the conduct of external wars has been more effectively regulated and restrained, by the mechanisms of the international system, than has the conduct of civil wars which take place in a fractured or vacuous political milieu. Indeed, if anything, the prize of accreditation to the international community, via international recognition of domestic legitimacy, has raised the stakes of civil strife and contributed to the impassioned, and cruel, nature of such struggle.

The emergence and development of the modern state has imposed its imprint upon the practice of war in a variety of ways. It might be useful at the outset to argue that this has occurred in two discrete phases. Initially the state brought a degree of regulation to the practice of war that was to be so assertive as to lead to the concept of war being purloined by the doctrine of the state itself. However, in the aftermath, the nature of the state has changed dramatically in the past several hundred years and much of the changing style of warfare has been derivative from the evolution of the theory and practice of statecraft.

In the long history of political theory, the state and war are regarded as being closely interwoven. Indeed, they are seen as serving a reciprocal function. On the one hand, there are the many theories which discover the origins of war in the very nature of the state. This argument adopts two broad forms. The first is the generalized proposition that war derives from the foundation of the political state itself. To the extent that the state is a political construct to overcome the ills of the 'state of nature', the consequent anarchical international system is simply the external price we have to pay for the state's imposition of domestic order: of these various costs, war is but the highest. Walzer captures the argument succinctly in his observation that 'the corollary of the King's Peace, thus established, was the king's war'.⁵ This is no more than to say that it is the very endeavour to pacify the territory of the individual state by bringing it under the rule of sovereignty which creates the second-level problem of a state of nature between the sovereigns themselves. Thus runs the classical Hobbesian account. 'By the beginning of the eighteenth century', Howard remarks, 'political thinkers in general thus saw war as a necessary evil to keep in check yet greater evils.'⁶ Indeed, as the century wore on, this was to become less of a justification of war and more the basis of a critique of society.

Alternatively the argument has taken a more particularist form: war derives not from the nature of *the* state but from the nature of *some* states. In brief, origins of war have been located in the political shortcomings of certain kinds of 'defective' states. From this perspective, autocratic, capitalist, and communist regimes have, at one time or another, been claimed to possess innate proclivities towards war.⁷

⁵ M. Walzer, *The Revolution of the Saints* (Harvard University Press, 1965), 274.

⁶ *War and the Liberal Conscience* (Temple Smith, 1978), 21.

⁷ This is K. Waltz's second image. See *Man, the State and War* (Columbia University Press, 1959).