

*Giangiuseppe Pili\**

## **War is not our Profession – Paradoxes for a Moralization and Morality of War\*\***

### **Abstract**

War is the evil trivialized, and peace is the contextual precondition for ordinary morality. The essence of war is a suspension of morals, whatever the parties one wants to consider. However, not all sides in war hold equal responsibility in establishing the conditions for suspending ordinary morality. It is possible to ground accountability and responsibility of war and warfare on the ground of a compatibilist neo-Kantian morality. The account holds that war is the ultimate absence of morals, where only evil is possible, and, at the same time, the blame is one-sided. Ultimately, peace is a common good which is where proper moral actions are possible.

### **Keywords**

Philosophy of War, Just War Theory, Kant, Neo-Kantian ethics

## **1. Introduction**

Philosophy neglected war in everything but morals. This is particularly remarkable if we compare the amount of philosophical time spent on topics whose relevance to human existence is not easily comparable. Unfortunately, few events are as crucial as war to human evolution. In the history of philosophy, war appears here and there, but constantly in limited ways.<sup>1</sup> In addition, war is never the main actor in the philosophical scene. It is very unusually the only and main subject of the conceptual

\* Royal United Services Institute

\*\* **Acknowledgments:** I am grateful to Roman Kolodii for a careful reading of this paper and his suggestions. I am also grateful to Jules Gaspard for the many discussions on the topic, which were inspiring for my writing.

<sup>1</sup> For a detailed discussion of this, see Moseley, A., *A philosophy of war*, Algora Publishing: New York, 2002; 5-12; Pili, G., *Filosofia Pura della Guerra*, Roma: Aracne 2015, 33-35; Pili, G., “The Wild Bunch is Enrolled to the Army – Sorites Paradox and the Problems for the Ontology of War”, *Areté – International Journal of Philosophy, Human & Social Sciences*, 5, (2020), 235-237.

analysis. If anything, those concepts are indeed employed to ‘dissolve’ war into something different: political categories, history, or some alleged rule or law of historical evolution in disguise (e.g., providence, destiny, class struggle, power competition, and the like).<sup>2</sup>

As mass is an exception to the proportion of outer space’s dimension, this unacceptable surprising vacuum has its own exceptions. Morals is one of them. Philosophers try to address the conditions under which war can be *morally* fought. Though in the absence of a debate on the definition of war, its ontology, and its consequences on human understanding and culture, there was a parallel philosophical realm in which what could be a proportional response to violent aggression was considered, as it can be, a genuine philosophical riddle. We are talking about just war theory, which has a long-lasting philosophical tradition, started by philosophers who understood that war could not be avoided but must be somehow restrained. It should not come as a surprise, then, that those philosophers were Saint Augustine and Saint Thomas. Indeed, they were the first to break the traditional, classic conception of war as part of nature. To summarize the entire state of affairs, ironically, in the *Stanford Encyclopedia of Philosophy* the entry ‘war’ is *only* ‘just war theory’.<sup>3</sup>

The defended thesis of this research will be counterintuitive. It will be argued that war is the suspension of morals in human affairs, whatever the side. War is just evil. There is no way to redeem it. However, and at the same time, the responsibility for the suspension of morality in human affairs is one-sided. The line of the argument is, paradoxically, Kantian in nature, and it breaks with the traditional understanding of war in moral philosophy. A brief history of the philosophy of war will be considered, the general intuitions behind the argument explored, and the proposal will finally be laid out before the conclusions, which will summarize the main result of the discussion.

## 2. A brief history of the philosophy of war

It is reasonable to say that the classic pre-Christian tradition conceived war as a form of natural event, not even necessarily of an unfortunate kind. Famously, Heraclitus started this naturalistic approach to war:

<sup>2</sup> Generally, it can be characterized as a rule that drives all possible changes in history and evolution (which is obviously very suspicious, as a logic rule that trivially allows all possible deductions).

<sup>3</sup> Lazar, S., “War”, *The Stanford Encyclopedia of Philosophy* (Spring 2020 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/spr2020/entries/war/>>.

“War is father of all and king of all; and some he manifested as gods, some as men; some he made slaves, some free.”<sup>4</sup> All the Greek and Roman culture was imbued with the warrior’s ethos.<sup>5</sup> All ancient Greeks (and beyond) appreciated Spartans for their military capability, discipline, and effectiveness on the battleground. Athens herself respected the agone.<sup>6</sup> The first form of democracy was born out of the civil liberty of the warrior, who only had the right to vote.<sup>7</sup> Socrates was a hoplite (heavily equipped footsoldier) who fought in war. Though he started the quest for philosophical definition arising moral questions (the definition of the good), he did not pose any counterargument against war in Greece and war in general.<sup>8</sup> Or maybe he did, but we do not know. But Plato has no excuses.

First above all, the Platonic Republic (state) is centered around the simple idea that one-third of the whole society holds its political justification in defense of the realm. Specifically, the warriors defend the other two social compartments: the elite in power (the wise, the philosophers) and, what today we would call, the ‘working class’.<sup>9</sup> The state is there to fight against any change, including those from the people outside the Republic. Order and the specter of war are preminent in Plato’s political philosophy, one of the most influential in the history of philosophy, if not the most influential of all, re-phrasing Alfred Whitehead’s famous statement.<sup>10</sup> To find the greatest and definitely more detailed assault to it required a long time when Karl Popper argued that, in such a vision, freedom is impossible, the individual is erased, and progress castrated.<sup>11</sup> Indeed, Popper has his reasons to argue on this line.

<sup>4</sup> Quotation in Graham, Daniel W., “Heraclitus”, *The Stanford Encyclopedia of Philosophy* (Summer 2021 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/sum2021/entries/heraclitus/>>.

<sup>5</sup> Garlan, *Guerra e società nel mondo antico*, Il Mulino: Bologna, 1985; Hanson, V. D., *The Western way of war: Infantry battle in classical Greece*, California University Press: Berkeley, 2009; Keegan, J., *A History of Warfare*, Vintage: London, 7; Pili, G., *Filosofia pura della guerra*, cit., 495 seq..

<sup>6</sup> Emblematic is Thucydides’s reconstruction of Pericle’s long speech in both stressing how Athens was ready for war, strong at sea with many specific virtues even facing a formidable adversary such as the Spartans: Thucydides, *History of the Peloponnesian War*, translated by Richard Crawley, Digireads.com Publishing, 2017, Book II, 35.

<sup>7</sup> For the historical relationship between citizenship and warfare in Athens: Ridley, R. T., “The hoplite as citizen: Athenian military institutions in their social context.” *L’antiquité classique*, 1979: 508-548 especially p. 510. For a philosophical and historical account of Athen’s democracy, Held, D., *Models of Democracy*, Stanford: Stanford University Press, 22-39.

<sup>8</sup> Sinclair, R.K., *Democracy and participation in Athens*. Cambridge: Cambridge University Press 1991.

<sup>9</sup> Plato, *Republic*, Indianapolis: Hackett 2004.

<sup>10</sup> Whitehead, A., *Process and Reality*, New York: Free Press 1979, 39.

<sup>11</sup> Popper, K., *The Open Society and its Enemies, Volume I: The Spell of Plato*, Princeton:

What today would be called 'national security' would be the Platonic state's first value. According to Plato, the elite in power has the right to lie to its people for their safety: "The rulers then of the city may, if anybody, fitly lie on account of enemies or citizens for the benefit of the state; no others may have anything to do with it."<sup>12</sup> It was argued that this is the first instance of social epistemology.<sup>13</sup> Interestingly, several centuries later, Immanuel Kant argued for the opposite in his *Perpetual Peace*, as truth and trustworthiness in the given word are the *preconditions* for any agreement even in time of war: "For some confidence in the character of the enemy must remain even in the midst of war, as otherwise no peace could be concluded and the hostilities would degenerate into a war of extermination (*bellum internecinum*)."<sup>14</sup>

Returning to antiquity, Aristotle did not write about national security as much as Plato. However, he discusses war as an alternative way to pursue politics, though its achievements are only instrumental. This is argued in the *Nicomachean Ethics*.<sup>15</sup> If anything else, the passage seems to suggest that war reaches 'grandiose and noble' gestures: "If then among practical pursuits displaying the virtues, politics, and war stand out preeminent in nobility and grandeur, and yet they are un leisured, and directed to some further end, not chosen for their own sakes."<sup>16</sup> War is fought because there are competing ways to conceive peace.<sup>17</sup> Stoics and Epicureans were well positioned to find a solution for the single person's anxieties and fears, but not as much for complex group subject's events exactly for the same reason. Both positions can account for war as part of natural development, being with (Stoics) or without (Epicureans) as a form of providence.<sup>18</sup> Probably, they framed it as those necessary evils completely out of subject's control and, therefore, to be accepted as they come.

Stoicism and Epicureanism were Rome's major schools of thought, where war was never an issue. The Roman way of living was absolutely dominated by violence and war.<sup>19</sup> This was true for the Roman republic,

Princeton University Press, 1945.

<sup>12</sup> Plato, *Republic*, 389b.

<sup>13</sup> For a discussion: Pili, G., "Plato and Analytic Epistemology. Has Plato Been Set Aside?" in Muni, A., (2016), *Platone Nel Pensiero Moderno E Contemporaneo* Vol. VIII, Limina Mentis, Villasanta (MB), 133-145.

<sup>14</sup> A lesson still valid today. Kant, I., *Perpetual Peace: A Philosophical Sketch*, 1795, Section I, par. 6.

<sup>15</sup> Aristotle, *Nicomachean Ethics*, bk. 10, 1177b.

<sup>16</sup> Ivi.

<sup>17</sup> Ivi.

<sup>18</sup> Reale, G., *Storia della filosofia greca e romana*. Milano:Giunti 2018.

<sup>19</sup> Shaw, B. D., "Bandits in the Roman empire." *Past & Present*, 105 1984, 3-52; Whittaker, C.R., *Rome and its Frontiers: the Dynamics of Empire*. New York: Routledge 2004.

and it was as true for the Roman empire without any sort of conceptual and temporal discontinuity. Even at the dawn of Christianity and at the setting sun of Roman civilization, the classic vision of war was still alive. Procopius still considered himself and the Byzantine army as Roman well into the fifth century AD.<sup>20</sup> It is a Christian peculiarity and fundamental achievement in the history of philosophy and morals to consider war as something deeply troubling and, ultimately, evil.

This is due to several crucial assumptions in the Christian tradition, such as Christ's plea for universal love and human recognition of equal rights for everybody. The very idea that each human being is equal at least before he/she is born, in the essence of God, almost necessarily produces a case for peace. There are, I think, very few questions about the relevance of peace in the Christian tradition, especially in comparison with the warrior ethos so widely shared in the classic culture before Christ. Indeed, once Friederich Nietzsche tried to reintroduce a pre-Christian and classic world vision to the industrialized XIX century, he tried to bring back the warrior ethos on his terms.<sup>21</sup>

No (philosophical) surprise that just war theory was born out of Christianity. There was still a widespread need to defend the people who truly believed in the Christian faith. In a sense, it was a way to restrict and circumscribe the target of war and warfare. In modern parlance, we would say, a form of targeting. Then, the quest started to be not as much on the universal recognition of the human value as conceived by God *sub specie aeternitatis*, but on who, though possibly born with a soul, was condemned to hell and, therefore, anyway expendable. This conception is flexible as it allows both the idea that every human being has a soul and can be killed under appropriate conditions.<sup>22</sup> Naturally, restrictions are drawn and are the roots of just war theory.

Just war theory is not only a theory.<sup>23</sup> It is the only form of philosophical thought applied to war that had enduring success. Indeed, the Geneva

<sup>20</sup> Procopius, *History of the wars*, Harvard: Harvard University Press 1916.

<sup>21</sup> For instance, Nietzsche, F., *Thus Spoke Zarathustra*, Walter Kaufmann (trans.), New York: Viking, 1954 (1883–5), 33–34.

<sup>22</sup> Obviously, the universal attribution of the soul was not a given even for Christians but exploring exquisite theological issues is not the topic of this paper, though interesting discussions from a historical point of view can be found in Brown, P. *The rise of Western Christendom: triumph and diversity*, AD 200-1000. Vol. 3. New York: John Wiley & Sons 2012.

<sup>23</sup> For a presentation whose author considered war extensively far beyond morals: Moseley, A., "Just war theory." *The Encyclopedia of Peace Psychology*, 2011. Lazar, S., "War", *The Stanford Encyclopedia of Philosophy* (Spring 2020 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2020/entries/war/>; Elshstain, J.B. ed., *Just war theory*, New York: New York University Press 1992, Walzer, M., "The triumph of just war theory (and the dangers of success)." *Social Research: An International Quarterly* 69, no. 4 (2002): 925-944.

conventions and many international and multilateral agreements against the use of weapons of mass destruction (WMD), the proliferation of nuclear weapons etc., are heavily indebted to just war theory tradition and concepts. There is still the need to fight, though under restrictions, whose rules have to be well defined, predictable, and, somehow, moral. Just war theory thrived even in closer fields in both theory and practice, such as intelligence ethics, which is almost totally dominated by accounts of what is now called just intelligence theory.<sup>24</sup> However, just war theory is also a theory. Its nature is shown by its being completely unachievable in practice, and its principles are as vague as they possibly can be. Moreover, paradoxically, it ultimately allows some form of moral justification of war, at least for the defender. Therefore, war is both moral and immoral, depending on the point of view. Usually, the debate is shaped by the nature of these principles, but the argument here will be very different.

Indeed, the argument that will unfold is a rejection of a similar conception *ex ante*. It is not important, then, to try to give a logical philosophical introduction of just war theory for the purposes of using it as a target: all theories that try to go in the direction of setting rules for a moral fight are, by definition, rejected by the recognition that there is *no morality* in war.

### 3. Moral intuitions about war and their discussion

In a sketch, the position is that there is no such thing as *moral* war, not even on the defender's side. War is a deliberate suspension of morality, as all the principles that make morality possible, all the moral values are entirely suspended on the defender's side and are obliterated by the aggressor. As we shall see, this does not mean that there is an equal responsibility in the suspension of ordinary human ethics. At the same time, this is not a form of pacifism, though it is a recognition of war as the ultimate evil. It is a different way to reinterpret a form of Kantian morality to show that war is not moral at all. However, in line with a compatibilist position of freedom, some people are responsible and accountable for

<sup>24</sup> Miller, Seumas, Mitt Regan, and Patrick F. Walsh. *National Security Intelligence and Ethics*. Taylor & Francis, 2022. Miller, S., "Rethinking the just intelligence theory of national security intelligence collection and analysis: The principles of discrimination, necessity, proportionality and reciprocity." *Social Epistemology* 35, no. 3, (2021): 211-231; Miller, S. "National security intelligence activity: a Philosophical analysis." *Intelligence and National Security* (2022): 1-18; Bellaby, R. "What's the harm? The ethics of intelligence collection." *Intelligence and National Security* 27, no. 1 (2012): 93-117, Bellaby, R., "Redefining the security paradigm to create an intelligence ethic", *Intelligence and National Security*, (2022) <https://doi.org/10.1080/02684527.2022.2076335>.



war. Before outlining the argument in detail, it is worth observing that this is an intuitive way of thinking compared to just war theory.

There are two different intuitions about war that are particularly compelling. First, it seems that starting war is the most immoral act possible, as it implies the death of an open-ended number of friendly and unfriendly people for an open-ended time window, including potentially everybody.<sup>25</sup> In this regard, war is absolute *moral* evil in both descriptive and normative senses. Descriptively, war can cause self-destruction and seems untenable according to reason.<sup>26</sup> Normatively, because *logically*, war includes the possibility of killing, which is often the case. Then, if I recognize the universal value of each human being as equal to mine because I share with him/her the right to live, a condition that induces me to kill is morally deplorable, whatever the cause. This is indeed one of the early Christian pacifism versions.<sup>27</sup> At the same time, it seems impossible to disregard the chance of defense. This is what just war theory tries to address. But here is the second important intuition.

To be effective, restraining the use of force is possible only to a certain extent. And this extent implies non-moral efficiency. In war, there are too often situations in which counterattacks are necessary to avoid greater losses. But this would mean that *locally* the *defender* is not defending anymore. And in general, as the only 'half' philosopher of war, Carl Von Clausewitz brilliantly stated in *On War*: the defender makes the war possible, not the attacker.<sup>28</sup> Morally, we can say that the attacker causes war, but there is a strong intuition behind the idea that the defender still plays an active role in the dance of war. It is technically and logically paradoxical to apply restraining principles in warfare, as it is a realm, by definition, in which the fighting parties disagree so deeply that they agree to fight. Especially for positions that try to justify war from the defender's side, it is a paradox to ask the defender to restrain his/her use of force as it could undermine his/her ability to fight effectively. Therefore, the defender is allowed to self-defend, or it is not. If it is, a slippery slope argument can be moved

<sup>25</sup> Death is only a collateral consequence of war activities as it is not a logical requirement. However, it is obviously very likely and both parties in war accept this principle.

<sup>26</sup> A compatibilist causal account of metaphysics such as the one outlined by Baruch Spinoza in his *Ethics* would rule out war in these terms and as a corollary of the preeminent importance of reason in human affairs. Moreover, war and war related activities and warfighting include the possibility of self-destruction, mutilation and death which are difficult to rationally account. This line of defence could be laid out in descriptive terms as his treatise is. Spinoza, B., *The Complete Works*, Samuel Shirley, (transl.) Indianapolis: Hackett Publishing, 2002.

<sup>27</sup> Fiala, A., "Pacifism", *The Stanford Encyclopedia of Philosophy* (Fall 2021 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/fall2021/entries/pacifism/>>.

<sup>28</sup> Clausewitz, C., *On war*, Howard, M. and Paret, P. Princeton, NJ: Princeton University Press (1832) 1976.

to the notion of ‘restraining’ itself, which is usually called the ‘principle of proportionality’ in just war theories.<sup>29</sup> Moreover, the defender’s ability to endorse this principle seems to be related to his/her capacity to prove it, namely, to show some evidence for the choice. Indeed, suppose I am the victim of physical aggression, and I try to be proportional. In that case, I should be able to account for it in normative and causal terms, where the evaluative component is the cause of the restrained action itself. However, the evaluation is contextual, and therefore it is the application of force *in that* restrained context of action. If so, one has to be able to prove that he/she acted in force of the principle. But what kind of proof can be offered? First, if the action was proportional can be proved only *ex post*, which introduces vagueness in the capability to relate evaluation to action. Second, the actor should know the result in advance. Otherwise, who is going to reassure me that my action will be effective and able to save my life? Third, it is unclear where it is possible to compare different actions in war. For instance, in guerrilla warfare, there is an intrinsic asymmetry between the power in place and the insurgents. Is the act of killing people from the power in place comparable to the terrorist attacks that follow? The debate is quite significant and only shows its ultimate untenability. There is no reason for such disputes because there is no way to set the standards and systems of measurement to settle the comparison. This failure substantiates the idea that war is the suspension of morals, and restraining principles are considered and practiced only because of more significant fears, and they stand in force of non-moral arguments.

It is not important here to go into the weed of such a difficult topic. It will suffice to say that, intuitively, war is considered the most-evil event possible, and, at the same time, it seems complicated to believe that there is no right to self-defense. If war is immoral *ex ante*, there are no ways to bind it morally. This brings us to the positive side of the proposal. The next step requires understanding how a neo-Kantian ethics can interact with such a topic to show that war is immoral *and* there is a sense in which self-defense is possible.

#### **4. A minimal account of neo-Kantian ethics and the suspension of morals in war**

For the current purpose, it will be enough to consider a minimal conception of a Kantian vision of morals, ultimately grounded on

<sup>29</sup> See Bellaby, R., “Intelligence and just war theory tradition”, in Miller, S., Regan, M., and P., Walsh, (eds) *National Security Intelligence and Ethics*, London: Routledge 2021, 15-16.



Immanuel Kant's major works.<sup>30</sup> This Kantian conception will be outlined through principles:

(1) There is no exception to a moral rule, meaning that if a moral rule *R* applies to a (rational) subject *A* at time *t*, *R* applies to any (rational) subject at any time.<sup>31</sup> This is what makes morals universal and no excuses possible.

(2) Any negation of any moral principle is *morally* a contradiction, and it has to be disregarded. Therefore, a rule *R* that prescribes *a* and *not-a*, where *a* would count as a *good* action and *not-a* a wicked one, would be disregarded as *morally* illogical. This rule asks for moral consistency and acts as a limiting principle on the potentiality of (1).

(3) Any morally purposeful action *a* is pursued recognizing that *a* is intended for the good of every single human, including myself as part of humanity.<sup>32</sup> Here 'humanity' should be intended as the simple sum of every single rational being, unrestricted on the nature of its body (as in Kant's, there is room to accommodate rational aliens etc.). This is a limiting principle on the potential exploitation of another rational being, *whatever the purpose*.<sup>33</sup> Also, it directs and restricts the action toward particular receivers of the moral goods (e.g., it would exclude stones on the other side of the universe, etc.).

(4) There must be a non-randomly causal chain between the good intention and the consequent action. Therefore, if a moral subject desired to do *x* and did *y*, even if *y* is good, the subject is *not* morally accountable for *y*. This is a safety principle analogous to those discussed in virtue epistemology.<sup>34</sup> Basically, the good is not by chance.<sup>35</sup> There must be no doubt in principle that a given good action was a consequence of a *different* intention.

(5) Any moral action requires a certain level of efficiency, which amounts to the capacity of the rational subject to *more or less* ideally cause the action that he/she intended to pose into existence. This principle is required to maintain (4) as otherwise there is always the *alea* of a complete disjunction between intentions and actions. Let's assume its negation. If a subject *S* wants *a*, but he/she is not able to cause *a* even to some extent, there is no

<sup>30</sup> Kant, I., *Critique of Pure Reason*, translated by Paul Guyer and Allen Wood, 1998. Kant, I., *Practical Philosophy*, translated by Mary Gregor, 1996. Includes: "An Answer to the Question: What is Enlightenment?," *Groundwork of the Metaphysics of Morals*, *Critique of Practical Reason*, and *The Metaphysics of Morals*.

<sup>31</sup> Kant, I., *Groundwork Of The Metaphysics Of Morals*, Cambridge University Press (1788) 2006, 31.

<sup>32</sup> Ivi, 38.

<sup>33</sup> Ivi.

<sup>34</sup> For instance what can be considered a classic: Pritchard, D. "Anti-luck virtue epistemology." *The Journal of Philosophy* 109, 3, (2012): 247-279.

<sup>35</sup> Though not framed in causal terms, as far as I can understand, this was also Kant's conception.

way that *S* can account for *a* as *a* would not exist. This means that *S* is not only able to *think* of the good but also to *produce* it. Without this causal link between intentions and actions, morals would be pointless.

These principles sketch a general conception of a neo-Kantian ethics. The last two are the relative departure from Kant's own account, as Kant is more interested in preserving free will than considering the causal relationship between intentions and actions. However, both principles are still largely compatible even with a closer look at Kant's direct approach. Those two principles will be crucial for the next step of the argument, but before turning to it, I will consider two corollaries from the principles.

(I) According to this account, the subject's rationality is key to morals. Indeed, rationality is intended to be a precondition of morality, as otherwise (1) would be unsafe and not well formulated.<sup>36</sup> Therefore, any action that causes the elimination or temporary suspension of my rationality is immoral. From (1), (2), and (3), it is possible to generalize: that any action that causes the elimination or temporary suspension of *any* rationality<sup>37</sup> is immoral.

(II) For (2) and (I), any action that purposefully causally supports or helps the rationality's development, whatever the action's receiver, is moral. This thesis is also well supported by the intuition that if I take care of a person because I value caring people and succeed in helping a specific individual, then this action *is* good.

I characterize war as follows: War is a relationship between two opposing parties in which one of the two is intentionally forcing the other to follow its own will through violence. Violence is intended as a causal chain that starts in one group's will and ends in the application of force to the other.<sup>38</sup> The nature of 'force' is vague, but it is intended as anything that allows war as characterized before. From (1), (3), (I), and (II), there is no clear way to evaluate an act of war or an action *in* war as good or compatible with moral principles.

For instance, once already in war,<sup>39</sup> Vladimir's general invasion plan of

<sup>36</sup> And obviously in line with Kant's proposal: "From what has been said it is clear that all moral concepts have their seat and origin completely a priori in reason, and indeed in the most common reason just as in reason that is speculative in the highest degree..." Kant, I., *Groundwork Of The Metaphysics Of Morals*, Cambridge University Press (1788) 2006, 23. Nobody could tell, including the subject, if he/she yielded the good by chance or by intention. Elaborating further this point would take too much space and would far exceed the limits of this paper.

<sup>37</sup> Ascribed to a specific subject.

<sup>38</sup> For a detailed discussion of this topic, Pili, G., *Filosofia pura della Guerra*, Roma:Aracne, 2015, chap. 1 especially p. 71.

<sup>39</sup> I want to leave open the question whether war plans are immoral *tout court*.

the region  $P$  counts as an immoral act because of (1), (3), and (I). There will be an open-ended number of individuals whose life (and rationality) will be seriously endangered by the plan and its consequences. If Jack is defending his life to the point of killing, the act is immoral for (1), (3), and (I). This act will endanger the life of another individual whose value is exactly the same as Jack's.

Obviously, there are acts in war that seem good or compatible with moral principles. For instance, a soldier gives his supply to a little child to save her from starving. This moral act does not relate to the war context itself and as it falls under the second corollary. However, here we are trying to understand if warfare, and specifically war-related activities that require or cause violence, can be moral, and the answer is negative. Whatever damage is inflicted on a person for the purpose of war, it is immoral according to those principles, especially (1), (3), and (I), because their combination asks for a good purpose with no possible extensional exceptions. Moreover, even milder acts such as propaganda, information operations etc., are also immoral because spreading disinformation (false information) is intended to suppress the other party's capacity to think, understand, and, possibly, decide rationally (for (2) applied to (II)). Even if of different nature, these acts are still included in anything but morality as the (3) explicitly asks for it.

According to a neo-Kantian understanding of morality, it seems clear enough that warfare and war-related activities are immoral (evil). As a result, we can safely say that war requires violence and the unrestricted use of force, which determines the conditions for mass death, mutilation, and lies. As the principles are universal to any rational subject, there is no distinction between aggressor and defender as both are in the very same condition, morally speaking. This argument makes justice of the first moral intuition, namely that war is an absolute evil, and it is because it is the suspension of the possibility of morality.

However, there is still the second intuition about war that has to be vindicated. There is an asymmetric responsibility in war conditions, and this is the last step of the argument.

## 5. War as the absence of morals and related responsibility

Insofar, the consolidated intuition is that war is morally evil, whatever the side. Notwithstanding, we want to avoid the night when all the cows are black, where simply all the parts in war have the same responsibility and are equalized on moral grounds. War is a very peculiar situation where it is *impossible* to be morally good. The defender is forced to react to an assault, which means that the aggressor poses him/her in a position where

any further action will be immoral. For instance, if a father has to defend his children, he will probably have to violently react to the aggression, probably mutilating, killing, or lying. Assuming this person can defend himself and his children, postulating that the father could have been a perfectly moral human being letting the enemy damaging or killing them, he can refuse to defend his children and himself to respect the general moral principles. However, intuitively, nobody would like to ask for such a strong commitment and would allow the father the right to defend his children and himself. Moreover, here the paradox is particularly clear. If the father has a particular moral obligation to defend his children, then there must be a moral principle that supervenes the universality of morals and what usually defines the good. However, this would easily prejudice all the edifice of morals as it would imply a potential regression to infinity and the introduction of moral contradictions. Instead, the example makes clear how war creates contexts in which *ordinary* morality is simply suspended. If war is the suspension of positive moral values, it is because the aggressor puts the defender in a position where whatever the result, it will be wicked. However, the realm of human morality ended at the moment in which the aggressor started the war unilaterally. From that instant on, all the blame is to be retroactively tracked to the last moment, when an alternative course of action was possible. Therefore, whatever the defender does, the responsibility is not his/her but of the aggressor in the first place.

Therefore, war would have never had to start in the first place. But once it started, the situation is such that the defender can decide to react violently due to the fact that he/she did not want that, but he/she has no responsibility in that regard. For instance, a soldier asks a person to betray his fellows; otherwise, he would kill ten people randomly. Whatever the person will ultimately decide, the burden of the responsibility will be in the soldier's hands and not in anybody else. This scenario is generalized as a logical consequence of the act of aggression, which counts as the moment a person gets drunk. As Aristotle argued, once unable to understand because of his mistake, whatever follows is still under the individual even though he is unable to think purposefully. War and warfare pose the defender in this very situation vis a vis the aggressor, who is the one who has to be considered immoral in the deepest sense as he was the one who suspended the very possibility of morality as such. Finally, that's why asking the defender to restrain his defense is detrimental. First, this would only be in line with the aggressor's interests. Second, this would prolong war and the state of immorality by design. The only moral interest shared in war should be to end war as soon as possible. But this is only possible if the defender is willing and capable in his defense.

Once morals is suspended, the only reasonable requirement to ask for

the defender would be to act as efficiently as possible to shrink the time of war as much as possible. However, the attacker has the responsibility to end war anytime possible. As long as the defender did not want war nor acted for it, it is in his/her interest to end the war as soon as possible, meaning to reinstate the conditions of morals. Peace is a moral good in the sense that it is the contextual precondition for human ethics otherwise open-endedly suspended in the sense that evil is trivialized. Therefore, any defense act that counts as a way to shrink the time of war must be considered moral, at least in a limited sense. The very idea that peace is undoubtedly a moral good is not only confirmed by (1), (3), and (II) but also by other philosophers far less inclined to pacifism. Indeed, all those who agree that the state of nature is a suspension of morals as a perpetual state of war must agree on this conclusion, including Thomas Hobbes and Baruch Spinoza, among others.

## Conclusions

There is no morality in war, but not all sides have the same responsibility. This account of ethics could be further refined to break down the chain of responsibility in more detail, solve seemingly open issues, and clarify the limits of the suspension of morality (e.g. why a defender is not allowed to engage in warfare or war-related activities with non-aggressive parties etc.). The next step would be to go further in the exploration of the notion of causal chains, accountability, and parceled responsibility. For instance, a single soldier part of the aggressor's army has far less responsibility than the commander in chief or the head of state who decides for war.

However, for the moment, it will suffice to focus on the results of this new way of thinking about war in neo-Kantian ways in which a compatibilist conception of responsibility and freedom is associated with the pure normative Kantian frame. It is the aggressor who must be considered the one responsible for starting the war, and only he/she has to reply to any further consequences without any appeal to morals as he/she was the one who determined the absence of morality and, therefore, no appeal to it is possible anymore. As peace is the precondition of moral actions, and war counts as a trivialization of evil, all parties are urged to finish war. After all, even in war, there is always the time to do the right thing: reestablishing the preconditions of good for any rational human being.

## Bibliography

- Aristotle, *Nicomachean Ethics*, bk. 10, 1177b.
- Bellaby, R., "What's the harm? The ethics of intelligence collection." *Intelligence and National Security*, 27:1, (2012): 93-117.
- Bellaby, R., "Intelligence and just war theory tradition", in Miller, S., Regan, M., and P. Walsh, (eds.) *National Security Intelligence and Ethics*, London: Routledge 2021
- Bellaby, R., "Redefining the security paradigm to create an intelligence ethic", *Intelligence and National Security*, (2022) <https://doi.org/10.1080/02684527.2022.2076335>.
- Brown, P., *The rise of Western Christendom: triumph and diversity, AD 200-1000*, New York: John Wiley & Sons 2012.
- Clausewitz, C., *On war*, Howard, M. and P. Paret (Transl.), Princeton: Princeton University Press (1832) 1976.
- Elshtain, J.B. ed., *Just war theory*, New York: New York University Press 1992.
- Fiala, A., "Pacifism", *The Stanford Encyclopedia of Philosophy* (Fall 2021 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/fall2021/entries/pacifism/>>.
- Kant, I., *Critique of Pure Reason*, Guyer P., and Allen W. (transl.), Cambridge: Cambridge University Press 1998.
- Kant, I., *Perpetual Peace: A Philosophical Sketch*, 1795 available at: [http://fs2.american.edu/dfagel/www/Class%20Readings/Kant/Immanuel%20Kant,%20Perpetual%20Peace\\_.pdf](http://fs2.american.edu/dfagel/www/Class%20Readings/Kant/Immanuel%20Kant,%20Perpetual%20Peace_.pdf)
- Kant, I., *Practical Philosophy*, M. Gregor (transl.), 1996. Includes: "An Answer to the Question: What is Enlightenment?," *Groundwork of the Metaphysics of Morals*, *Critique of Practical Reason*, and *The Metaphysics of Morals*.
- Lazar, S., "War", *The Stanford Encyclopedia of Philosophy* (Spring 2020 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/spr2020/entries/war/>>.
- Miller, S., M. Regan, and P. F. Walsh. *National Security Intelligence and Ethics*. London: Routledge 2022.
- Miller, S., "National security intelligence activity: a Philosophical analysis." *Intelligence and National Security*, (2022): 1-18.
- Miller, S., "Rethinking the just intelligence theory of national security intelligence collection and analysis: The principles of discrimination, necessity, proportionality and reciprocity." *Social Epistemology* 35, no. 3 (2021): 211-231.
- Moseley, A., "Just war theory." *The Encyclopedia of Peace Psychology*, 2011.
- Moseley, A., *A philosophy of war*, Algora Publishing: New York, 2002.
- Nails, D., and S. S. Monoson, "Socrates", *The Stanford Encyclopedia of Philosophy* (Summer 2022 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/sum2022/entries/socrates/>>.
- Nietzsche, F., *Thus Spoke Zarathustra*, Walter Kaufmann (trans.), New York: Viking, 1954 (1883-5).
- Pili, G., "Plato and Analytic Epistemology. Has Plato Been Set Aside?" in Muni, A., (ed), *Platone Nel Pensiero Moderno e Contemporaneo* Vol. VIII, Limina Mentis, Villasanta (MB), 133-145.



- Pili, G., (2020), "The Wild Bunch is Enrolled to the Army – Sorites Paradox and the Problems for the Ontology of War", *Areté – International Journal of Philosophy, Human & Social Sciences*, 5, 231-249.
- Pili, G., *Filosofia pura della guerra*, Roma: Aracne 2015.
- Plato, *Republic*, available at: <http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0168%3Abook%3D3%3Asection%3D389b>
- Popper, K., *The Open Society and its Enemies, Volume I: The Spell of Plato*, 5th ed., Princeton: Princeton University Press (1945) 1971.
- Pritchard, D., "Anti-luck virtue epistemology." *The Journal of Philosophy*, 109, 3 (2012): 247-279.
- Procopius, *History of the wars*, Harvard: Harvard University Press, 1916.
- Reale, G., *Storia della filosofia greca e romana*, Milano:Giunti 2018.
- Reeve, C. DC. "Plato: Republic." Indianapolis: Hackett 2004.
- Ridley, R. T., "The hoplite as citizen: Athenian military institutions in their social context." *L'antiquité classique*, (1979): 508-548.
- Rothchild, J., "Introduction to Athenian democracy of the fifth and fourth centuries BCE." *Wayne State University Law School Research Paper*, 7:32, (2007), available at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1020397](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1020397)
- Shaw, B. D., "Bandits in the Roman empire." *Past & Present*, 105, (1984), 3-52.
- Sinclair, R.K., *Democracy and participation in Athens*. Cambridge: Cambridge University Press 1991.
- Spinoza, B., *The Complete Works*, S. Shirley, (transl.) Indianapolis: Hackett Publishing 2002.
- Thucydides, *History of the Peloponnesian War*, R. Crawley (Transl.), *Digireads.com Publishing*, 2017.
- Walzer, M., "The triumph of just war theory (and the dangers of success)." *Social Research: An International Quarterly* 69:4, (2002): 925-944.
- Whittaker, C. R., *Rome and its Frontiers: the Dynamics of Empire*. New York: Routledge, 2004.