Only as a Last Resort: Reflections on War and Justice

Raimond Gaita

The looter held a sign in one hand as he pushed a trolley overflowing with stolen goods in the other. His sign read, ‘Thank you, Mr Bush’. It was not, I suppose, the kind of gratitude George W. Bush had expected. The next day’s looting was not likely to raise a smile: private homes, great museums and hospitals were ransacked. Vigilantes exercised rough and sometimes cruel justice. There will be worse to come when mobs catch Saddam Hussein’s brutal functionaries. Again, we will be reminded that oppression does not even make people noble, let alone good.

There was plenty of mischief in that face, but it was hard to read the levels of irony. The attitude to the USA of many of the people who live in the underdeveloped nations appears to be as complex as the USA itself. They seem to hate, admire and envy America in a state of moral and psychic confusion potent enough to make anyone mad. Perhaps they will respond to their liberation with a similarly unstable combination of attitudes. Robert Fisk insists on putting liberation in inverted commas, but liberated is what the Iraqis are, from a régime that was an abomination led by a man who admired Stalin above all others. Humiliation, pain, sorrow, anxiety — most Iraqis are bound to feel all that and more, but that does not mean that they cannot feel simple joy because they are finished with a truly evil régime. People like myself, who opposed the war, need enter no qualifications to their delight that Saddam is defeated, nor to their fervent hope that he is not dead and that he will be captured to stand trial for crimes against humanity and perhaps genocide. Had our view prevailed, he would, I admit, still be in power, probably for years to come, but those who supported the war should not deny us our pleasure in Saddam’s defeat, as though we are undeserving of it. We wished in our hearts for his defeat, but saw no just means to its achievement.

Perhaps Fisk puts liberation in inverted commas because it was not the purpose of the war, perhaps not even a subsidiary purpose: it was an anticipated and welcomed benefit. Or he may be sceptical about how much liberty the future holds for Iraqis. Such scepticism is justified. We have no idea what the future will bring. Geopolitical speculations will continue as they did before the war, and people will, as always, say they know things they do not know. The political lesson that has most impressed me over the last thirty years or so is that none of the major political events of that period — certainly not in international affairs — were predicted. It may not matter as much as we think, therefore, that we do not know the political objectives of the ‘Coalition of the Willing’. Even if it had clear objectives, it would be in the lap of the gods whether they are realised.

More reason for joy even than the liberation is the fact that civilian casualties were lower than anyone had the right to expect or reason to hope for. They are relatively low because the Coalition tried to keep them to a minimum, and because Baghdad fell without the kind of street fighting that almost everyone had feared. It could have been otherwise. If one supported the war, one will be glad that the civilian casualties were not of a number and kind as to render the war unjust, even if it began justly. If one believes the war was unjust, then the low civilian casualties will not make it seem just. Whether one was for or against this war, one should be glad of the fact that the sun shines on the just and the unjust.

With his characteristic arrogance, Ehud Barak said that, when the Coalition finds weapons of mass destruction hidden in Iraq, opponents of the war will look like ‘clumsy appeasers’. He thinks that, I suppose, because he assumes that someone could sanely oppose the war only if he believed Saddam had no such weapons. For many, however, the argument was not over whether he had them (I assumed he did), but whether his possession of them constituted the kind of danger to others that would justify going to war. That said, I acknowledge that there could be discoveries that would make opponents of the war believe they were mistaken. Perhaps we will learn things about the brutality of Saddam’s régime that would make even those who thought they had the measure of it wonder whether the humanitarian argument was of itself a sufficient reason to go to war. Or we might discover that his weapons of mass destruction were so extensive and of such a kind that opponents of the war will have no option but to be thankful that the Coalition got him when it did. Both are unlikely, however.

Does it matter, now that the war is over, that we should rake over arguments about the justice of it? It does. We are...
part of a Coalition that killed tens of thousands of people, so
we will indeed hold life cheap if we think it is no longer
important to know whether we were right to have joined it.
Many supporters of the war believe they have been vindicated.
The war will not quickly be forgotten. Heroic tales will abound.
It is likely to set dangerous precedents. As a matter of
national self-respect, and also as a matter of prudence, therefore, we should try to be lucid about why we went and
what it means that we did.

To justify its impatience with the Security Council, the
Coalition persistently emphasised that the reasons for going
to war date back to the ceasefire of 1991. Responding to pleas
that the inspectors be given more time, the Coalition asked
rhetorically: is twelve years not enough? But the rhetorical
tone was disingenuous because, whatever can be made of the
facts pre-September 11, the Coalition went to war because of
the fear that September 11 caused in many Western nations.

The arguments that spoke to and played upon those fears
were sometimes inconsistent. Against people who believed
that a war with Iraq would increase the chance of terrorist
attacks on Britain, Tony Blair said that there would be such
attacks whatever Britain did. He was probably right. If he
wasn’t, then those against whom he made the point probably
were. Either way, waging war would not protect Britain from
attacks on its cities. The same is probably true of the USA
and Australia. Even so, the leaders of the Coalition urged, again
and again, the need for a pre-emptive, defensive strike.
Thankfully, they failed to convince the majority of Britons
and Australians, but it is important to see what kind of case
they wanted us to accept. They wanted us to be prepared
to kill tens of thousands of Iraqi soldiers and thousands of
Iraqi civilians because, perhaps at some unknown time in the
future, a weapon of mass destruction — procured, perhaps,
from Saddam, but more likely from elsewhere — might be
used against our cities. Our leaders have also asked us to
turn a blind eye, if we cannot actually grant consent, to the
torture of terrorist who may have information about who
has, who might be trying to get and who might use such
weapons. Alan Dershowitz, the influential Harvard academic
lawyer, has argued that a certain degree of torture should
be legalised so that we can torture terrorists transparently,
without hypocrisy.

Within living memory, millions of people have been
murdered by tyrants and have died and suffered in wars, but
that did not tempt us to defend a doctrine of pre-emption,
nor to turn the clock back on the fight to outlaw torture. When
4000 people were killed in the USA, and almost 200 in Bali,
John Howard and other national leaders, playing on our
fears, urged us to turn the world upside down.

Global terrorism is new, they tell us. It is, but the moral
problem it presents to us is as old as thought about morality
itself: what are we prepared to do to protect ourselves? Socrates
taught that it is better to suffer evil than to do it. Two and
a half thousand years later, our leaders urge us, in tones of
high moral earnestness, always to be ready to do evil to our
enemies before they have much chance of making us suffer it.

Paul Kelly said that success tends to legitimise
whatever it cloaks. He avoided saying whether he
meant that as a matter of fact it tends to do so in the
eyes of most people, or whether he meant that it justifiably
did so. A moment’s thought would make him and anyone
else acknowledge that the latter is false. Who would say, on
reflection, that overwhelming might will make for right? Yet
we know that people often act as though it does, and that,
I suppose, is what Kelly meant. Why do they? Not, I am sure,
because they are such bad logicians that they cannot see the
fallacy in the inference from the fact that we have won to the
belief that our cause is just. Is it then because there is some-
thing deep in human nature that attracts us to power even
when we know it is not right?

Attraction to success, to power and to the kind of
prestige it brings goes deep in the human heart, but it is
a mistake, I believe, to think of it as merely a temptation
against standards of justice and decency. Often it appears
to us under a conception of value that justifies it and the
disdain we so often feel, despite ourselves, for weakness.
Think of the disdain conveyed in the popular expression
‘losers’. People who use it do not believe that it offends
against what they most deeply value. To the contrary, they
believe it expresses it. Only saintly people fail completely
to condescend to those who are bereft of all the trappings
of status and prestige, and who suffer deep and ineradicable
affliction. Simone Weil put it beautifully:

The supernatural virtue of justice consists in behaving exactly as
though there were equality when one is the stronger in an
unequal relationship. Exactly in every respect, including the
slightest details of accent and attitude, for a detail may be
enough to place the weaker party in the condition of matter
which on this occasion naturally belongs to him, just as the
slightest shock causes water which has remained liquid below
freezing point to solidify.

Two (at least two) conceptions of value often compete
for our allegiance. On the one hand, there is an ethics
of assertion, of self-realisation and of flourishing in which,
perhaps, courage, nobility, integrity or autonomy are focal
concepts. Those virtues, together with conscientiousness,
responsibility and others, were sometimes possessed by
administrators of concentration camps. With the exception
of nobility, they were all possessed by Adolf Eichmann.
Saints, too, exhibit them. The point, however, is not that evil
can be done in the name of any value whatsoever. It is that
one can, without inconsistency, acknowledge people to be
conscientious, responsible, courageous, noble and as having
great integrity, while also believing them to be evil. We
cannot say that they are just or good, however. Justice and
goodness are the focal concepts of a quite different concep-
tion of the ethical. One — the first — centres on strength and
expresses our admiration for it. Think how deep in us is the
desire that goodness be triumphant and how quickly we
identify the good with the triumphant. The other is an ethics
of renunciation. Socrates expressed it when he said that it is better to suffer evil than to do it. To his incredulous interlocutors, he acknowledged that nothing in morality, as he understood it, can save us from the possibility that we will face an enemy who is cunning enough to ensure that the only available means for our self-defence are evil. Socrates’ affirmation (and St Paul’s injunction, often associated with it, that one may not do evil, though good may come of it) is the affirmation that nothing matters so much as living one’s life decently — where nothing really means nothing. Morality, as Socrates understood it, may require us to renounce the means to achieve what we most passionately and decently desire, and the means to protect what we rightly cherish.

In some parts of our tradition, the Socratic doctrine was deepened and transformed by an affirmation of the inalienable preciousness of every human being, even those whose deeds and hearts are so evil that we can find no place in them in which a sober remorse might grow. In its religious formulation, it affirms that every human life is sacred. Sometimes it is expressed in stories and parables that tell us that we are all God’s children or that we are all created in God’s image. Sometimes it is expressed in abstract theological and philosophical doctrines. It has secular formulations, the greatest of them by Immanuel Kant, who said that we must never treat others only as a means to our ends, but always as ends in themselves. In its most sublime form, it affirms that even the most terrible evil-doers are owed unconditional respect.

In his book *If This Is Man*, Primo Levi tells the story of when he and a friend, Charles, lived in a barrack in Auschwitz with fellow prisoners who had typhus. One of them, a young Dutchman called Lakmaker had dysentery. He fell from the bed he had soiled onto the floor, where he lay groaning in his vomit and faeces. Levi writes:

Charles climbed down from his bed and dressed in silence. While I held the lamp, he cut all the dirty patches from the straw mattress and the blankets with a knife. He lifted Lakmaker from the ground with the tenderness of a mother, cleaned him as best as possible with straw taken from the mattress and lifted him into the remade bed in the only position in which the unfortunate fellow could lie. He scraped the floor with a scrap of tin plate, diluted a little chloramine and finally spread disinfectant over everything, including himself.

The whole episode is something to wonder at, but most wondrous is the fact that Charles should have responded ‘with the tenderness of a mother’. It is wondrous because of what it showed about Charles, but also because to be moved by his tenderness is, I believe, to affirm with him that every human being is inalienably precious.

A religious person might say that Charles responded to Lakmaker as to someone who is sacred, but one needn’t be religious to respond fully to Charles’s affirmation of his preciousness. Examples such as this give content to talk of inalienable rights, of the inalienable dignity of all human beings and of the unconditional respect owed to them. In this context, respect does not mean esteem. The respect owed to the inalienable dignity of all human beings is owed even to those whom we cannot help but despise. True, these expressions have an air of desperation about them, but, if you wonder what they could mean, think of Charles and Lakmaker, and of many other examples of saintly behaviour to be found in our tradition.

Kant said that a good deed shines ‘like a jewel’. Charles’s wondrous goodness would not have been visible to the guards in the camp, nor, I am sure, to most of the inmates. For this jewel to shine, it must be embedded in a conceptual setting that can resist corrosion from the conception of value that makes success, power and prestige so attractive to us.

Writing before the end of World War II, Simone Weil noted that the French had little reason to be critical of Hitler’s imperialistic brutality because he had aspired to and achieved what French children are encouraged to admire in Caesar and Napoleon. She was right to this extent at least: we cannot in our hearts believe that every human life is precious yet care so little about the lives treated as expendable in the achievement of the glory we praise in such military feats.

It is tempting to believe that we accord unguarded admiration to great military leaders only to the extent that we are protected from the bloody reality of war. A sense of that reality is, however, internal to admiration for the warrior. He is, after all, someone who kills and knows what that means. Knowledge of the blood he has spilt is internal to our (perhaps ambivalent) admiration for him. We are mistaken, therefore, if we believe that we support wars only to the degree that they are sanitised for us. War is often intoxicating for those who wage it and, to a lesser degree, to those who participate vicariously in it because killing can be exhilarating. Perhaps there is a sense in which people who are exhilarated by war cannot fully understand what they see and do — but it is the sense in which Socrates said that no one does evil fully knowing what they do, not even the sadist whose pleasure in what he does appears to depend on an exquisitely refined understanding of what his victim suffers. But that is not what people have in mind when they say that we are excited by war and moved by the ceremonies that honour and celebrate it only because we turn our faces from its bloody reality.

Should we be pacifists, then? For reasons that George Orwell articulated so powerfully, I believe that World War II depleted pacifism of any potential to be a decent option. It must be possible to find ways in which we can honour the bravery and nobility of soldiers that do not in the slightest diminish the full realisation, in our hearts, of the infinite preciousness of each life they have taken. Weil is right to urge on us a realisation of how rare that has been in our history. The realisation that the killing of each person is the destruction of a miracle should transform our understanding of military virtue and what we honour in military ceremonies. Someone who believes this would never go to war unless it were truly the last resort, and someone who goes knowing it is not the last resort shows that he does not believe it.
SOME MAY BELIEVE that I am naïve or even wilfully blind, but I cannot see how anyone could seriously claim that the Coalition went to war as a last resort — not, at any rate, if it went to disarm Saddam of his weapons of mass destruction. If I am right, not even a truckload of Security Council resolutions could make the war just when it started. Nor even legal, I suspect, because such resolutions would most likely have been in breach of the UN Charter.

When the weapons inspectors went to Iraq late last year, it was widely predicted that it might take them up to a year to do their job. Just before the war began, Hans Blix said that they might be able to do it in six more months. No one can sensibly doubt that Saddam allowed the inspectors to return only because the Americans were serious when they threatened war, but it became clear quite early that the USA regretted agreeing to the renewal of UN inspections.

Supporters of the war say that they knew that Saddam would never fully cooperate. But the question was not whether he would fully cooperate, but whether we had reason to believe that, at the end of the day, he would not have sufficient weapons to justify an attack against him. No one can justifiably claim to know the answer to that question. From the outset, it was obvious (and given Bush’s tone, understandable) that Saddam would be as obstructive as he could possibly be. Even so, before the war began, he had yielded enough to make credible Blix’s judgment that over six months, he might continue to yield enough to obviate the need for war. Blix may have been proved wrong, but those who would not wait to see cannot claim that they went to war only as a last resort.

Just before the war began, John Howard said that it was foolish to expect the Coalition troops to sit in the desert for an indefinite period. It is true that you would have to be foolish to hope that Donald Rumsfeld would agree to it. But if you really do believe that each human life is a miracle, and if you were confronted with someone grieving over the death of even one of the people killed by the Coalition, it is hard to know what you could say if you were presenting Howard’s case. Could you say that, though you regretted the loss of this life, and indeed of every life, it was really not feasible to ask the Coalition soldiers to risk boredom and demoralisation by staying in the desert for a further six months, or for the taxpaying citizens of the countries of the Coalition to pay the extra cost of keeping them there, or to pull some out, only to send them back later?

It is important, I think, that we be shown pictures of the people our government, through the agency of Coalition soldiers, has killed and mutilated. The pictures will be the same whether the war was just or unjust, so they cannot tell us which it was. Only thoughtless arrogance could make one believe that people could support the war only if their hearts were hardened to what they saw in those pictures. But the pictures will, one hopes, put to us the question again and again about whether we really did go to war as a last resort.

If we fought an unjust war, then the intentional killing even of the evil-doers amongst the Iraqis will count (morally) as murder, and the unintended deaths of others will be on our heads, whether those deaths were caused by us or by the Iraqis. The bad consequences of our unjust acts are rightly slated home to us. To see this, consider the following: if you attack someone unjustly and unintentionally injure or kill an innocent bystander, or if you attack someone unjustly and they unintentionally injure or kill someone to protect themselves, then moral responsibility for the unintended deaths falls on you. This is not true if the attack is just, provided that the unintended deaths are not foreseeable and that you have done all you can to prevent them. The same is true of war. If our attack on Iraq is unjust, then even if the people killed in the Baghdad markets were the victims of failed Iraqi ground to air missiles, it is we who are morally accountable. To put the matter bluntly, if you are a Coalition soldier in Iraq, then whether or not you should have been there will radically affect what can be said in your defence when you shoot civilians because you feared they might be suicide bombers or because you could not tell...
them apart from the Iraqi soldiers who had shed their uniforms to mingle undetected amongst the civilians.

The UN is, I believe, as corrupt and ineffectual as George Bush thinks it is. Almost nothing is to be said for it except that it is all we have. Why do we need it? Because its demise or marginalisation would undermine the international institutions we need if we are to carry forward the spirit of Nuremberg, institutions that will see justice done to those who have committed crimes against humanity and to those who wage war when there is no necessity for it.

ON THE DAY when fourteen civilians were killed by the first bomb that exploded in a Baghdad market place, more than 600 soldiers were also killed in the field by US bombing. Judging by the attention given to them, the dead soldiers did not matter much to the leaders of the Coalition or to most of the media. The same conclusion is suggested by the fact that no serious efforts have been made to estimate the number of dead soldiers. We were told that up to 2000 were killed in the first ‘incursion’ into Baghdad. I have heard that when Coalition troops fought against Iraqi conscripts in the north they bombed on a line parallel to the trenches hoping to terrify the Iraqis into flight or surrender. I don’t know whether that is true. It is not likely to be true of the ‘softening up’ operations against the Republican Guard. At least three divisions — each, we have been told, containing more than 10,000 soldiers — were ‘destroyed’ or ‘degraded’ to an extent that rendered them incapable of putting up a serious fight. When he was asked if he was deliberately withholding figures of Iraqi military casualties, Howard claimed not to know them, but he must have some idea of whether the number is in the tens of thousands. Almost certainly it is.

People sometimes say there are no rules in war, but that is usually because they want to justify atrocities or because they are so appalled by the carnage that their capacity for judgment has collapsed and they find the application of moral distinctions to war obscene. Clearly, however, there are differences between wars in which belligerents respect one another and wars in which they treat each other with contempt. Those differences show themselves, for example, in the treatment of prisoners, in the treatment of the wounded and in the treatment of the dead. And insofar as we judge how the wounded should be treated, we must also judge the weapons that wound them. To call the generalised expression of such judgments ‘rules’ is perhaps misleading, for it ceases people too quickly into the frame of mind that prompts them to ask: ‘Do you think war is a game?’

Fundamental to our sense of a just war is the importance we rightly attach to the difference between the killing of combatants and the killing of civilians. The Coalition tried hard to minimise civilian casualties — in part, I am sure, because it was looking over its shoulder to the significant opposition to the war throughout the world. Such concern, and the difference modern technology makes to our capacity to put it into effect, would be admirable were it not made suspect by our lack of concern over the deaths of soldiers.

Operation Desert Storm set a chilling precedent for ruthless slaughter. True, the dead were soldiers serving an aggressor, but the distinction between killing aggressors and killing defenders or between killing civilians and killing combatants does not overlap neatly with the distinction between respect for human life and contempt for it. The softening up operations of Desert Storm that bombed tens of thousands of Iraqi soldiers into the desert sands showed a brutal lack of regard for human life. It is hard to see how one could show such contempt for the humanity of combatants and, at the same time, show genuine respect for the humanity of civilians by careful (and much publicised) attempts to minimise ‘collateral damage’. The same is true of this war. Respect for humanity is not so easily divisible. The frequent attempt to make it so is one of the reasons why Orwell was scornful of the sometimes hypocritical importance we attach to the distinction between combatants and civilians.

Colin Powell, it is reported, was deeply troubled by the extent of the killing in the desert that made an obscenity of that aspect of Operation Desert Storm. It was, he said, ‘unchivalrous’. Even to one who insists on the stringency of the rules of war, that expression sounds anachronistic. Only when fighting is for the most part face to face does it seem to have living use. It was striking, therefore, that Powell did not realise that the bombing that so disturbed him was not an example of unchivalrous conduct, but an example of a practice that undermined the conditions under which that concept had any serious application. An analogy might make the point clearer. Propaganda that radically dehumanises the enemy should be seen (I don’t know what its legal status is) as a crime against humanity rather than a war crime because it erodes the conditions under which we can retain a sense that shooting enemy prisoners or killing the women and children of the enemy, for example, are war crimes. I suspect that the reason why so many people were troubled by the awesome bombing of Iraqi troops in their bunkers (and perhaps why the leaders of the Coalition seemed keen to divert our eyes from it) was not just because it was brutal, or because the casualties must have been very high, but because it made craters in the conceptual space that gives sense to talk of the rules of war. Whether that was because the bombing revealed the battle to be so pitifully unequal, or because it was so brutal, or because it was so impersonal, or some combination of the three, I cannot say. From one perspective, of course, the bombing was just an extension of what artillery barrages brought into the world. Sometimes, however, differences of degree become differences of kind.

What is a nation to do if it possesses such technological capacity as the Americans now have? Should it deliberately refrain from using it in war? Should it deliberately expose its troops to enemy fire so battles are more equal? That would make war like a game and, in its own way, make it obscene. The answer, I think, is that such weapons should make nations that possess them more rather than less reluctant to go to war. Knowing in advance that it would bomb as it did should have prevented the Coalition from going to war when it did, for it
went before war was necessary. As much as an imaginative understanding of what civilians will suffer, an understanding of what such bombing means should enlighten our understanding of why war should always be a last resort. Almost certainly, we will pay dearly for what we have done. Such bombing must inflame the hatred in the hearts of those who are alive amongst its victims or those who lost loved ones to it. Denied his ability to fight except impotently in suicidal gestures, our enemy will naturally wish to fight us where he can — in our cities.

If the USA had intervened unilaterally in Rwanda, it would now be honoured for redeeming, to some degree, a world that had abandoned the Tutsis to the genocidal ferocity of the Hutus, who exterminated them ‘like cockroaches’. Instead, the Clinton Administration argued to an indecently attentive UN that the crime against the Tutsis, who were murdered only because they were Tutsis, should not be called genocide. If it were, the USA, together with all other signatories to the 1948 Convention on the Prevention and Punishment of Genocide, would have been obliged to intervene. Memory of the forsaken Tutsis has haunted argument about whether the world should have intervened on behalf of Saddam’s victims. Some people believe that the extent and brutality of his crimes against his people constituted a sufficient justification for the Coalition’s invasion. Others believe that, though the humanitarian argument (as it came to be called) did not justify going to war, it added weight to other arguments and that, taken as a package, they provided that justification.

Almost everyone now agrees that our failure to intervene militarily in Rwanda shamed us all. Almost no one thinks we should go to war against Zimbabwe, even though it is likely that more people will die there than were likely to die in the relatively near future under Saddam. When to intervene is, therefore, a matter of judgment, and decent people will disagree.

There is, I believe, a principle that can guide our thoughts on the matter. Keeping to the spirit of the idea that we should go to war only as a last resort, I would argue that justice permits us to go to war for the sake of those who suffer criminal injustices at the hands of their governments only when, all things considered, we are obliged to do so rather than merely when great good is likely to result from it. Because such an obligation falls upon nations, the effects of its exercise on respect for sovereignty and for international law will be pre-eminent in the list of ‘all things considered’.

Sovereignty is not sacred. Sometimes an obligation falls upon any decent nation to attack another sovereign nation for the sake of those against whom the latter commits crimes against humanity. But no one can sanely believe that we are morally bound to attack every nation guilty of that crime, nor even every nation guilty of genocide as defined in the United Nations Convention of 1948. It will always be difficult to justify attacking a nation guilty of those crimes if there are too many other nations guilty of them to much the same degree. Justification will then depend on what can be made of other reasons for going to war. In the context of anything that looks like the present state of international relations, a (moral) obligation to go to war exists when our refusal to do so for the sake of the persecuted is rightly seen by them as abandonment — when, in other words, they can justifiably claim that our refusal has wronged them. Rwanda satisfies that criterion. Zimbabwe does not. Neither, I believe, did Iraq.

If those who are ruthlessly persecuted by their governments can justifiably claim they are wronged by our refusal to wage war on their behalf, then the obligation to go to war falls on us, even though the consequences of doing so are radically uncertain. If, however, we wage war, not because we are obliged to, but because we want to bring about a great humanitarian benefit, so that ‘good may come of it’, then we must have other reasons that independently justify going to war, and we must have good grounds for believing that the aftermath of war will not cause such suffering as to wipe out the benefit. Who can soberly claim to predict the consequences of the war we have just waged?

Nothing I have said explains why I believe that the refusal to attack Iraq would protect us from the accusation, made against us by the victims of Saddam’s régime, that we wronged them by that refusal. In fact, I have little to say, beyond suggesting that, with the eyes of the world upon him and with something like the Franco–German proposal in place, Saddam would not have constituted a danger to his people sufficiently different from that constituted by many other dictators. How then could we justify military intervention against him but not against them? But, as I admitted earlier, it is a matter for judgment. My point in saying that I do not believe that the Iraqis could claim they were wronged by our refusal to go to war on their behalf is to introduce a consideration that is often neglected when people weigh up the suffering that would result from intervention against the suffering that would continue in its absence.

Students reading moral philosophy invariably come across examples that ask them to consider whether the murder of an innocent person is justified if it would save the lives of many others. Some students immediately say that the innocent person cannot justifiably be killed because his killing would be murder and we must not murder so that good may come of it or evil be averted by it. Others say, just as promptly, that the person should be killed for it is better that one be killed than (say) ten. In that second group, some say that, since it is right that the one person should be killed to save the ten, his killing cannot constitute a wrong, or, morally speaking, be an evil;
others say that the killing of the one is murder and therefore an evil, but a lesser evil than allowing ten others to be killed. Everyone agrees that of two scenarios — where there is one person dead, and the other where ten are dead — the former is obviously preferable.

Thinking about situations of that kind, it has often struck me that none of the ten could claim she was wronged by the refusal to kill the one. Nor could any of them decently ask that another person be killed for her sake. Nor, I believe, could one of them say: not for me taken alone, but for the ten of us taken together. No one has the right to speak on behalf of the others, and no one has the right to make of the others a conglomerate, in which the voice that addresses each individual, asking what she has the right even to hope for, is silenced. Each must ask what she hopes for, and none, I think, can decently hope that another person should be murdered so that her life be spared.

Seen from this perspective, each of the ten finds herself radically individualised — no longer a mass of ten to be weighed against the smaller mass of one. But that, I must now admit, is not a fact of nature. To be thus radically individuated is not a natural fact that could serve a universally approved rational basis for moral judgment. It is, rather, the expression of a moral perspective on oneself and one’s situation, the perspective Socrates gave voice to, and, I think, the perspective from which every individual is taken to be inalienably precious.

Artificial though such examples often are, lessons may sometimes be learnt from them. One is this. Our actions fall under much more complex judgments than is suggested by the maxim that we should always strive to bring about the best state of affairs. There are considerations of justice, and other considerations focusing on what a human life means whose force does not depend on their contribution to the overall state of affairs, or whether, to simplify a little, people are more benefited in this scenario than in that one. When we consider the consequences of our refusal to act — or better, our realisation that morally we cannot act — it is important always to ask whether those who suffer as a consequence of our incapacity to do what is unjust can say they are wronged. I believe that they cannot. If we act on their behalf, but unjustly, then the blood of those we kill is on our hands. But, if people are killed because we are (morally) compelled to renounce the unjust means that alone could save them, then only their oppressors can be held morally to account.

If we go to war, not because we are obliged to, but in order to bring about a humanitarian benefit — to save more lives, for example, than we estimate would be lost at our hands, because we have intervened — then we must answer the question: ‘Who do we think we are — what do we think we are — to have taken this upon ourselves?’ We must answer that question even if, as is hardly ever the case, we can have reasonable confidence in what the consequences of our intervention will be.

What kind of reply can we make to our victims, or to those who mourn them? That it is all for the best? That, all things considered, it is worth it?

Obligations can take the form of necessity. When we are lucidly obliged to go to war we can justifiably say that we will go because it is necessary, a necessity whose moral character is best (if clumsily) expressed with a double negative: we could not not go. Then, I believe, the question, ‘With what right have we taken this upon ourselves?’ falls away and with it the language of justification that is characteristic of replies.
Australians and Britons and live together with the soldiers who returned and with those who would grieve for them if they did not.

Sometimes governments may be so evil that no one who knows what they have done could decently support them. The Nazis created such a government in Germany. For that reason, those who fought in the German resistance were not only justified in doing so, but could legitimately claim to be the true patriots, fighting so that Germany could once again be a nation that decent people could defend. Clearly, those who were opposed to the war against Iraq could say nothing of the kind.

If one believes that one’s country is fighting an unjust war, then one is obliged to protest against that war. Perhaps one may refuse to call the other party to the conflict ‘the enemy’. If necessary, one might go to prison rather than be conscripted into such a war. And more besides, of that kind. But one cannot support an enemy who is killing one’s fellow countrymen and women and at the same time live with them and their loved ones in a form of community whose identity is shaped, in part, by love of and allegiance to a common country. Acknowledgment of that does not censor or even soften the voice of a universal conscience. Rather, in such circumstances, it finds its voice in the deepening possibilities of local allegiance. By the same token, love of a particular country finds its true form — distinguishes itself from its false semblance, jingoism — when it answers to the demands of a universal conscience. It does so when it acknowledges the obligation to condemn the unjust actions of its country.

The conditions for decent political communality are undermined by radical evil and also by support in wartime for those who would kill one’s fellow countrymen and women. They are undermined as surely, if less severely, by those who cry treachery when they sniff out their fellow citizens whose pity for the enemy drives them into inchoate and contradictory wishes of the kind I outlined earlier. Plato alluded them ‘troublemakers’. Because they refuse to allow a speaking part to some elements of the soul that may reasonably be in conflict with others, they subvert the possibilities for a just resolution of those conflicts, in the soul and in the community.

Almost everyone wanted the war to be short, despite the boost that an easy victory would give to the USA’s already overweening arrogance, and the dangers to the world of such arrogance. About halfway through, some people — I was one — felt, in one part of themselves, such dismay and even disgust at the imbalance of forces, at the ruthless way the Iraqi soldiers were bombed, that they wished, somewhat inchoately, that things were different. Speaking now for myself, reflection soon revealed that wish to be an impossible one, for when it became explicit, it became the hope that the Iraqis would put up a better fight. But they could put up a better fight only if they killed more of the Coalition’s soldiers, some of whom were my fellow Australian citizens and others British soldiers in whose country and amongst whose people I have lived and worked for more than thirty years. How could I hope that Iraqis might kill