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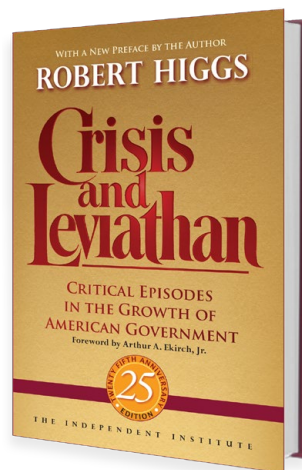
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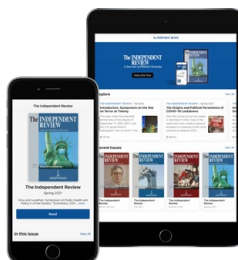
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Michael Walzer on Just War Theory's "Critical Edge"

More Like a Spoon Than a Knife



LAURIE CALHOUN

In *Arguing about War* (New Haven, Conn.: Yale University Press, 2004), Michael Walzer presents a collection of essays treating topics that have been widely discussed in the post-9/11 period. These essays, which Walzer terms "political acts," first appeared from 1981 to 2003 in venues as diverse as military journals, newspapers, and intellectual magazines, including the leftist quarterly *Dissent*, of which Walzer is coeditor. The essays together provide a fair representation of Walzer's views on the Israeli-Palestinian conflict, when and why we must engage in warfare, the "war on terrorism," and "global governance."

"The Triumph of Just War Theory" sketches a history of the classical "just war" tradition and the early development of Walzer's own political thought, decisively affected by the horrors of Vietnam, which convinced him and many others that moral constraints must be imposed on warfare. Among those, like Walzer, predisposed to reject pacifism, discussions during that period led to a resurgence of interest in "just war theory," and people have been speaking its idiom ever since, evaluating this or that military mission by appeal to the *jus ad bellum* conditions for the just waging of war and to the *jus in bello* conditions for the just conduct of war. Walzer sums up what he regards as "the triumph" of just war theory as follows: "Perhaps naïvely, I am inclined to say that justice has become, in all Western countries, one of the tests that

Laurie Calhoun is managing editor of *Du Bois Review: Social Science Research on Race*.

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any proposed military strategy or tactic has to meet—only one of the tests and not the most important one, but this still gives just war theory a place and standing that it never had before” (p. 12).

Walzer’s writing on war flickers with lucidity, while at the same time displaying an uncanny ability to scurry away quickly just when he broaches a significant philosophical problem, seeking refuge in the received view, as though the topic had never been raised. So, for example, Walzer himself poses the incisive question: “But does this mean that it [war] has to be more just or only that it has to look most [*sic*] just, that it has to be described, a little more persuasively than in the past, in the language of justice?” (p. 11). Without pausing for even a moment, he proceeds to answer his own question as follows: “The triumph of just war theory is clear enough; it is amazing how readily military spokesmen during the Kosovo and Afghanistan wars used its categories, telling a causal story that justified the war and providing accounts of the battles that emphasized the restraint with which they were fought” (p. 11). Although these passages appear in the opening essay in a collection entitled *Arguing about War*, precisely what is missing here is an *argument* or, for that matter, any reason at all for accepting the naive as opposed to the skeptical interpretation of the triumph of just war *rhetoric*.

Walzer celebrates the fact that many generals and political leaders now speak the language of just war theory, as eager as high school debaters to invoke the concepts of *jus ad bellum* and *jus in bello* in their discussions of war. But the question remains: What does this rebirth of interest in Latin really mean? Surely Walzer understands why military spokespersons invariably speak of “collateral damage” and “engaging the enemy,” rather than employing the considerably more graphic and less genteel translations of these phrases. The use of euphemistic language in describing the horrors of war is the requisite *modus operandi* of anyone in the military deemed safe enough to be put on public display. (Lt. General James Mattis, who recently proclaimed that “it’s a hell of a hoot” to shoot people, will no doubt be kept under wraps for the foreseeable future.)¹ The reason for using coded language and euphemism to speak of corpses and slaughter, however, would seem to be precisely the reason why many generals are now conversant in the idiom of just war theory as well.

In 1990–91, President George H. W. Bush proved to be fluent in “just war”-speak, even invoking Augustine as a supporter of Desert Storm, a fact that Walzer himself underscores in his discussion of the 1991 Gulf War. However, Walzer neglects to mention the equally significant fact that President George W. Bush never so much as mentioned the existence of just war theory during his own propaganda campaign preceding the 2003 invasion of Iraq. Is not the best explanation for leaders’ readiness to invoke the theory when it supports their war and not when it does not (the 2003

1. For a report of Mattis’s statement, see the MSNBC article available on-line at <http://www.msnbc.msn.com/id/6907269/>.

adventure was not a "last resort" by anyone's reading) the fact that just war theory is no more and no less than a rhetorical weapon wielded by leaders if and only when it may prove to be expedient?

In Walzer's view, Augustine's crowning achievement was to have "made war possible in a world where war was, sometimes, necessary" (p. 3). But the bloody history of mankind itself illustrates that war has always been possible, so Augustine could only have made war *more* possible. We might credit him, for example, with the Crusades. By defending just war theory, Augustine, Walzer, and others provide leaders with a prefabricated rhetorical framework in which to describe and rationalize their campaigns of military aggression. So long as they succeed in producing an interpretation that can be said to fit the template of just war theory, leaders are free to wage their wars with impunity, facing the populace and the press corps alike with a confident smile. Meanwhile, soldiers return home in coffins, and the hapless inhabitants of the enemy land are terrorized, maimed, and slain.

It turns out that Walzer is rather more "worldly" than one might gather from his naïveté regarding what is manifestly the triumph of just war *rhetoric*. Far from insisting on the necessity of absolute adherence to the *jus in bello* conditions during wartime, he actually claims that in a "supreme emergency" we must violate our own most sacred moral principles, committing acts that we ourselves regard as immoral and even abhorrent. He offers the direct targeting of noncombatant civilians during the British firebombing of German cities in 1940–41 as an example. In "Emergency Ethics," Walzer reasserts this peculiar view, previously articulated in his 1977 essay "Just and Unjust Wars," a view that he himself openly acknowledges to be paradoxical: "moral communities make great immoralities morally possible" (p. 50). In fact, on inspection, the exhortation to immoral action during a "supreme emergency"—that is, when the very existence of a community is at stake—proves to be either bald relativism (given the obviously conventional delimitation of communities) or simply incoherent.

In "Terrorism: A Critique of Excuses," Walzer opts for the second horn of the dilemma, insisting that factional terrorism is categorically impermissible, even while he acknowledges that those who practice it do in fact often claim that they are not only experiencing a "supreme emergency," but also fighting as a last resort. The people who make such claims are of course, in Walzer's view, wrong. In his insistence on sharply distinguishing factional terrorist actions resulting in the deaths of indiscriminately killed civilians from military actions resulting in the deaths of indiscriminately killed civilians, Walzer reveals his commitment to the ultraconservatism of just war theory with regard to who may ("legitimate authorities" or heads of state) and who may not (anyone else) wreak havoc on innocent people in the name of justice.

The most obvious problem with this view is its failure to recognize that nations are conventionally delimited and governed by conventionally appointed human beings. The received view regarding the moral permissibility of "collateral damage,"

which just war theorists such as Walzer uphold, dismisses the victims' perspective as irrelevant, altogether ignoring that to those who are to be arbitrarily destroyed by bombs or bullets, it matters not whether the means to their demise will be delivered by a person in uniform or by someone in civilian dress. Furthermore, although Walzer denies that individual soldiers may murder civilians or prisoners under the pretense of "supreme emergency," he seems somehow to have forgotten that soldiers are precisely the people who obey orders to commit the criminal acts supposedly mandated by a leader's claim to be in a state of "supreme emergency." If to will an end is to will the means to that end, then Walzer, by advocating the execution of immoral acts during "supreme emergencies," is committed to the implication that some soldiers must follow illegal orders in violation of *jus in bello*. How are the soldiers called upon to carry out such crimes supposed to know that they are following the orders of a "good" leader faced with a "supreme emergency," as opposed to the orders of a heinous mass murderer such as Hitler? Even a cursory look at Hitler's public addresses reveals that he often spoke in terms that bear a striking resemblance to Walzer's own concept of "supreme emergency."

The most balanced and persuasive discussions in this collection are Walzer's essays on Israel and Palestine, in which he evinces a genuine desire to see and the ability to weigh both sides of the controversy, criticizing and praising each where such judgments seem due. In his view, four "wars" are being fought by the Israelis and the Palestinians, only two of which are just—namely, the Israeli "war" for its own security and the Palestinian "war" for the establishment of a state to stand side by side with Israel. Walzer's insightful analysis of the Israeli-Palestinian conflict might have been fruitfully applied to the recent history of the United States, yielding a firm denunciation of both the 9/11 attacks and the illegal invasion of Iraq. Instead, his judgments on Iraq, in keeping with those regarding Afghanistan and Kosovo, reflect a pro-U.S. bias that severely compromises his ability to produce critical analyses rather than Pentagon public relations. So, for example, Walzer cannot merely denounce the 2003 U.S. invasion of Iraq, but must mitigate that crime by labeling Saddam Hussein's resistance to the invasion as equally unjust. He forgets that individual soldiers were the agents of Saddam's war, and they themselves no doubt and quite rightly regarded themselves as fighting to defend their homeland in what we would certainly, were the tables turned, interpret to be a paradigmatic case of legitimate self-defense. Their country (not only Saddam's) had been, after all, illegally invaded.

Again, Walzer amazingly buys into the Bush administration's simple-minded condemnation of Saddam's refusal to exile himself in order to save his people, apparently oblivious to the facts that, first, Saddam Hussein was a dictator with little or no interest in the fate of the Iraqi people and that, second, George W. Bush had issued in December 2002 an open-ended "hit list" of terrorist suspects whom the CIA was granted permission to execute, as the agency had already summarily executed one such suspect on November 4, 2002, in Yemen. Although Walzer's charity in interpret-

ing U.S. leaders' motives and actions knows no bounds in his discussion of the 2003 invasion, he takes a number of gratuitous swipes at France, Germany, and Russia, as if there were something truly objectionable about participating in what at the time was a nearly universal attempt to defend the United Nations (UN), the charter of which is grounded, ironically enough, in the very just war tradition that Walzer claims to support. Nowhere in his treatment of the 2003 invasion of Iraq does Walzer even mention UN weapons inspector Hans Blix.

Walzer owns that the "last resort" and "proportionality" constraints of *jus ad bellum* are indeed problematic (he reads them metaphorically), but he does not seem to realize that to discard or ignore these constraints for one leader is to do so for all. Either the just war paradigm is sound, in which case anyone who counts as a "legitimate authority" according to the theory may wage war when he believes the other requirements of *jus ad bellum* to have been fulfilled, or else the just war paradigm is fundamentally muddleheaded, for no political leader possesses the right to slaughter innocent people of another land, perfunctorily dismissing their deaths as "collateral damage." Similarly, to advocate the resort to immoral actions in a "supreme emergency" is to condone such action by any leader who believes himself to be in such circumstances.

By asserting that leaders of nations alone are entitled to claim to be acting in conditions of "supreme emergency," Walzer clears the way to the "all's fair" approach of the current U.S. administration, which continues to display an unmistakable disdain for covenants, treaties, and international law (not to mention the basic principle of rational consistency or nonhypocrisy). It is accordingly quite far from obvious what Walzer sees himself as accomplishing by promoting, in 2004, the resort to immoral practices in a "supreme emergency." He identifies "genocide" as the marker of "supreme emergency," but, of course, not everyone will set the bar so high, and some of the people with their fingers on the triggers of the deadly weapons of war regard their own assertion that "the world changed forever on September 11, 2001" as proof positive that we are in just such a "supreme emergency" today. In the post-9/11 period, even just war rhetoric has become a luxury, one with which George W. Bush need not trouble himself. "All is fair" in the "war" on terrorism initiated by the "supreme emergency" signaled by the events of 9/11.

Reading Walzer in isolation, one would have thought that economics were entirely irrelevant to the practice of contemporary war. Although he everywhere praises "the critical edge" of just war theory, his theory seems much more like a spoon than a knife in view of the glaring economic realities that he incomprehensibly ignores. In fact, throughout these essays, he expresses his progressively greater tendency to support U.S. military action abroad. He ridicules what he calls the "dial 911 response to 9/11," but a sober assessment of the outcome of the bombing of Afghanistan leaves one wondering whether working through and strengthening existing networks for contending with problems of international crime might not have

been a better strategy than the recourse to military force. The war on Afghanistan did not lead to the apprehension of Osama bin Laden, but instead executed thousands of innocent people for a crime they did not commit and at the same time incensed thousands, perhaps millions, of people all over the world.

In the final essay, “Governing the Globe,” Walzer proposes an international system lying between the antipodes of, on the far left, a thoroughly centralized global government under which all individuals are equal “citizens of the world” (that is, a system in which sovereign states no longer exist) and, on the right, global anarchism, in which sovereign states are not subsumed by or beholden to any metastate structure. He calls for a complex arrangement of layered and geographically overlapping international institutions that would form a nexus of social relations crisscrossing state borders and would concern themselves with different aspects of global governance. However, because the various entities in question (the UN, the World Trade Organization, the International Monetary Fund, the World Court, and various nongovernmental organizations, among others) are to have, *ex hypothesi*, conflicting aims—if one group’s priority is A and another’s is B, then they are, in virtue of this fact alone, in conflict—it is quite unclear how disputes between them might be resolved. Indeed, such irreconcilable conflicts would seem to give rise to precisely what Walzer claims is the primary problem of independent and sovereign states operating anarchically at the global level: war. In other words, these metastate structures, when armed (as the UN, for one, should be, according to Walzer), would operate as quasi-states at the global level, proving to be the source of even more of the very problems they had been erected to solve. Although Walzer’s discussion of “degrees” along the continuum from anarchism to totalitarianism is both interesting and nuanced, his proposal for proliferating and overlapping metagovernments created to address lower-level problems that are intractable not only to individuals acting alone but also to individuals acting within states does not demonstrate why or how such problems will miraculously become soluble by individuals acting within international structures of governance.