War Ethics and War Morality: An Introduction

Jovan Babić

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Jovan Babić

University of Belgrade, Serbia
E-mail address: jbabic@sezampro.rs
ORCID iD: https://orcid.org/0000-0002-7591-4902

Abstract

War ethics might sound as impossible combination of words – how justify what seems to be unjustifiable? War is prima facie *unjustifiable. However, wars are a fact of human reality, and those among us who are unfortunate to live in times of war – in a way it is all of us – would know that the reality is not just a possibility, that* prima facie *designation does not help in answering what must be done, that unjustifiability does not imply impossibility. We must understand to be able to explain, and to explain to have a valid evaluation, especially when what is happening is important and with far-reaching consequences. Wars are such phenomena. We live amid such phenomena, and we need to understand not only their tragic and often cataclysmic nature, but also their meaning, their structure and logic of their functioning. We should understand that war is not something that happens only to others, nor that it is the matter of the past. In the present volume we have thirty-three essays examining war from many angles, sometimes from the opposite standpoints, exploring some of the most intriguing issues of warfare in times characterized by radical changes in the world in turmoil. The contributions in present volume give an overview of the world's thinking about war. The volume is certainly incomplete and unfinished, but it gives a lot of thought-provoking incentives to think about the most important aspects of warfare and its broad phenomenology.*

Keywords: *war; peace; ethics of war; just war theory (JWT); violence; justice; military ethics*

I.

Talking about war has always been a sensitive thing. It is under-standable. For those among us who were unfortunate, or just unlucky, to experience it, it is often perceived as cataclysmic, as something coming in a sudden and unexpected way by *erupting* from the

darkness of possibilities waiting patiently to show the irresistible power of shortcuts. But wars, being a matter of, in principle free, decision-making, are not unexpected surprises (in the sense in which other cataclysms, like earthquakes, arguably are). Those who decide to enter shortcuts believe that they are good paths ("just," "profitable," etc.), or, otherwise, that there are no other paths ahead. Both sides – as the war must have two sides – would prefer to avoid it: attackers would like the prospect of the attacked surrendering, and attacked certainly would prefer not to be attacked. But after starting a war (one side by attacking, the other by resisting) both sides see very vividly that they cannot just stop, which is one of the most basic features of war: *irreversibility*. Irreversibility is one of those essential features of war that are sometimes overlooked or neglected.

There are other such features. The one intimately connected with irreversibility is perhaps even more definitional: it is *temporariness*. Wars should end, they are not conceived as permanent states of human affairs. It is different with *peace*. Peace exists and functions under just opposite terms: as if it will be the same for ever, *sub specie aeternitatis*. So, as Clausewitz, and Cheyney Ryan in this volume following Clausewitz, say, "the most important question" to be answered when we talk about war is "what is meant by war."[1] What is war?, and What is peace?

The third among the very basic essential features of war is its *unpredictability*. This is particularly important, as it implies some of the very basic tenets of war: cardinal lack of control of the future time, constitutive character of victory which has a logical property of consent, necessary acceptance of the possibility of defeat, the normative necessity of *honourable defeat* (and valid capitulation), the possibility of ending of war not merely as a truce (containing the germ of future war) but as a real peace, the obligation to respect enemies (not treat them as criminals), etc. The importance of unpredictability, as an essential parameter of war is huge. It implies normative necessity to distinguish soldiers from police persons, and asymmetry between armies and police force. The very presence of this parameter as a reality implies a conclusion, present in some of the papers in this volume (Psarros, Ryan) that war *cannot* be outlawed (at least not until a world government has been established, which might prove to be impossible).

Another among the essential features of war is *suspension* of the way laws function, implying real suspension of many of them, along sus-

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[1] Carl von Clausewitz, *On War*, eds. and trans. Michael Howard and Peter Paret (Princeton, NJ: Princeton University Press, 1989), 75. Cf. Cheyney Ryan, "Killing and Dying for Public Relations," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 524ff.

pension of the obviousness that established expectations and other social rules have in the way how they function before (and after) the war.

However, relying on lists in a process of defining some social events or processes is, as some of the authors in this volume indicate, risky and epistemologically dangerous (we may say the same for analogies, however they might be compellingly plausible and attractive). So, it would be better to offer some "real" definition in answering the questions "What is meant by war?" or, simplified and substantivized, "What is war?" (In elaboration of the answer, we will encounter the question "What is peace?" as completing the picture.) The one I think might work is what I call *ultraminimal definition of war: War is a kind of conflict which cannot be resolved by any other (i. e., peaceful) means, but at the same time there is a mutual understanding that the conflict must not remain unresolved.*

Put this way, it seems, and it is, a surrender of the *intersubjectivity* based in reason and its universality, which should give a way to resolve all conflicts in a reasonable, i. e. peaceful, way (as all decisions, including those which produce conflicts, are reason-based, and should be solvable on that basis). However, reason has a very interesting ingredient which might be the answer to why it is not so. That ingredient is *cunningness.* Thomas Hobbes says[2] that even the weakest and most stupid may kill the strongest and smartest, by using the instrument of cunningness, which is an essential and inalienable, constitutive, part of the capacity of reason. If my intuition here is right this shows that reason is not securing, at least not necessarily, a possibility of peaceful resolution of conflicts, opening room for going around the, *per hypothesis*, universal requirements of intersubjectivity as the base for impartiality, reciprocity, and general recognition of all by all, i. e. that there are conflicts that *cannot* be solved by reasonable, i. e. peaceful means. This implies a need to determine and define "peaceful" and "peace."

Peace, which is supposed to be permanent, is offering maximal possible control of the future time by giving guaranties for good prospects in our setting goals, planning and deciding by firm validity of established and accepted social rules (laws, customs, established expectations, recognized virtues and vices). Total predictability still will not attain, but the most important and most difficult part of unpredictability, one based on impossibility to know in advance what *others* (and what ourselves) *will decide* in future should be constrained and put under adequate control. The ultraminimal definition of peace then would be: *Peace is accepted specific articulation of the distribution of social power in a particular society.*

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[2] Thomas Hobbes, *Leviathan*, ed. Richard Tuck. (Cambridge and New York: Cambridge University Press, 1996), xiii, 1-2.

The minimality of these definitions are clearly at odds with nowadays prevailing and accepted way of theorizing about war, which is characterized by certain maximalism. Peace is not taken to be what the wars are about; the final justification of war is justice. Peace is allowed as valid notion but only as "just peace," which should not be just what is *accepted* by the actual persons and does not allow real and substantial compromises. Both now widely accepted theories, Doctrine of Double Effect, and Just War Theory, seemingly corroborate our striving for *perfection* and *justice* in principle independently of existing interests of real people whose lives are at stake. This is far from any minimalism and makes ending wars (and sometimes starting them) much more difficult, costly and tragic than it is necessary. Moreover, it seems to me that such approach prevents us from understanding the deeper logic of human agency and the need for coordination and cooperation in human world, sometimes as if the future is strongly determined by what in the past had been determined as proper and right. A big intellectual effort has been put in elaboration of these issues in many of the contributions in this volume. I think that some of the findings are very illuminating and illustrative, showing that the discussion of Just War Theory came in a new and critical phase. We may hope that the outcome will be theoretically solid and practically relevant.

Another matter in which a big effort has been invested is the examination of the role and prospects of new technologies, which indicate a shift in paradigm and a turning point in way of our established beliefs and attitudes. Some of the problems there are independent from technology, for example the issue of naming new evils with old names (and a price the world is paying for that), but many others are showing a real *newness* working productively in construing a new world. Many of the contributions in this volume go deep into this matter. The problem is cardinal, but we are not certain what it consists in. Should we devise new storytellers, who would tell us what they are, as Henrik Syse and Martin Cook suggest? Should we just condemn what we do not know, or not recognize? Does it really change the paradigm of warfare, opening room for its being more like *pest control,* or *hunting,* does it *dehumanize* war and destroy *the intimacy of battles,* or the opposite, opens bright perspectives for "saving lives"? Or we should just wait and see what will come, with our only in part defined insights in what is coming? Whatever the case may be it is not only interesting but also highly important matter to think about.

<div align="center">II.</div>

Each paper contained in this volume is, I assume, a kind of work in progress and might become a bigger study or a book, and each refers

to some important aspect of the phenomenon of warfare. The phenomenon is vast and complex, so the papers are diverse and very different from each other. Still, I believe that they might be perceived as an overview of the world's thinking about war. Certainly, there are missing parts, and also parts not covered properly. However, the "journal production" is, in its nature, a work-in-progress, an incomplete and unfinished endeavour. The final production in this business are books. I believe that some of these texts will find their place in some books or become books. Some will evolve into or lead to new articles. All of them are good seed for further thinking. Certainly, war will not stop to be the inspiration for thinking and writing by those puzzled by its ever-new forms, but above all by the fact that it comes again and again, always producing new horrors and perplexities, and also new, sometimes hard to grasp, misunderstandings.

The papers are diverse. When Evangelos Protopapadakis asked me to order them in alphabetical order I was at the same time thankful and puzzled. Puzzled because the alphabetical order is messy and dishevelled, jumping from one topic to the order without logical, or expected, flow of content. Thankful because it wouldn't be easy to group them in suitable (and in principle "equal") sections. The papers are too diverse. A project intended to produce a coherent whole would be much more demanding, in time and other resources, and certainly would have much stricter requirements regarding the content, But the intellectual freedom and option to write just about what is for the author most important and urgent would be to some extent lost. The price is an apparent disorder, quite in line with other defects, the absence of systematicity and the incompleteness. Some problems here are absent, or only mentioned in passing. On the other side there are not many that overlap. So, alphabetical order has its benefits. The titles of the articles are clear enough to steer readers through the content. The content is highly relevant, timely, plausible, enticing, challenging, provocative, exciting even. We may hope that it will be productive too, in good discussions which should follow.

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In his short but succinct and concise article, Nigel Biggar examines our encounter with new technologies and the question of how this might fit into the value system accepted in today's warfare. Despite being short, his text is complex and rich. Biggar succeeds in what seems impossible – to show how new reality is a continuation of the same old one, keeping all the virtues present in the past, sometimes in new, more precise, shape. New

technologies come in two kinds and bring two[3] important outcomes. First, enhancement in techniques of searching (and hiding) on an unprecedented scale. Second, and this is bringing a real issue of concern, delegation of decision-making power to machines, by making them able to choose not only a specific target (according to a specific description) but also to decide to act without any further authorization (something that not only commanders but also regular soldiers are supposed to do in real battle situations, in a moment when the decision has to be made). In his description he doesn't skip other properties that autonomous machines (i. e. autonomous, not automatic weaponry) have to have to be able to perform their tasks: capacity to learn from mistakes (i. e., detecting mistakes *as* mistakes!) and improve initial choices.[4] Is this replacement possible and feasible?

Both these kinds of artificial intelligence raise problems, not only the second one. The first one (enhanced ability to identify and pursue targets), less in the focus of attention, is also very important as it produces (possibly important and far-reaching) changes in the very paradigm of warfare. It is interesting that this change is perceived in two cardinally different ways. Some take it as a progress (not only because of the ratio of costs but also in ratio of death and damage), while others take it as a dehumanizing process that implies a mechanical and impersonal, indifferent, engagement destroying the base for attributability of responsibility for what we do. According to the second approach something has been lost there, some virtues that Biggar briefly but convincingly analyses in his article one by one – courage, honour, loyalty, mercy. Biggar adds another one, which might refer to something that might, among other things, go unnoticed: "a certain kind of callousness"[5] (the lack of which might make humans spoiled and disposed to corruption?). Biggar explores some implications of the new technology in this respect, questions if it changes the nature of war, and concludes that it does not. But he, as some others in this volume, allows the appearance of new virtues: "While the traditional virtues will still be required of military personnel performing traditional roles, there may be novel roles that require a different set of virtues."[6]

Autonomy is more problematic. According to Biggar "[a]autonomy comes in degrees, and is never absolute."[7] Also, as some others in this

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[3] Nigel Biggar, "An Ethic of Military Uses of Artificial Intelligence: Sustaining Virtue, Granting Autonomy, and Calibrating Risk," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 68.

[4] Ibid.

[5] Ibid.

[6] Ibid., 71.

[7] Ibid., 72.

volume (Henrik Syse, for example), Biggar does not believe in total au-
tonomy and full moral equality of machines:

> morally speaking, one should never permit a weapons sys-
> tem to be fully autonomous in the sense that it can make the
> decision to strike on its own and without suffering interfer-
> ence from a human supervisor.[8]

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In his rich and insightful article,[9] George Boutlas examines one of the
most intriguing and important matters in modern moral and legal histo-
ry, the question of obeying illegal and immoral orders. Boutlas' analysis
is superb. He starts from historical exegesis (not so old, less than a cen-
tury).

> In June of 1945, the International Military Tribunal (ITM)
> formed in London, faced the problem of a non-yet existing
> legal armor for the Nazi crimes. Two new rules were wide-
> ly accepted there. First, a new category of war crimes, the
> "crimes against humanity" was legally defined. Second, the
> ex-ante rejection of the defense line "I was following or-
> ders" or *Führerprinzip* (the principle of the duty to obey every
> order given by the military leader).[10]

After a short but very precisely articulated analysis of historical context
Boutlas proceeds with a wider philosophical exploring of conscientious
objection in war ethics and the International Law on Human Rights that
supports it.[11] All the time Boutlas combines philosophical (ethical) and
legal approaches, relying on Kant and Rawls.

An important part of Boutlas' article is devoted to the issue of the
"tension between justice and peace in the context of war ethics."[12] Jus-
tice, which is past-oriented may come in conflict with the prospect of
peace, which requires acceptance of (from the viewpoint of justice) "im-
perfect" solutions, negotiations, reconciliation, forgiveness, tolerance.
Indeed, there are many hard to accept tenets for vindictive justice orient-

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[8] Ibid., 74.

[9] George Boutlas, "Führerprinzip or 'I Was Following Orders' in Jus in Bello Era," *Conatus –
Journal of Philosophy* 8, no. 2 (2023): 77-93.

[10] Ibid., abstract.

[11] Ibid.

[12] Ibid., 88.

ed more to revenge (and enjoying in blaming) than to negotiations and reconciliation.

In a fine historical exposition Boutlas gives a sketch of an argument on why *ius in bello* should be distinguished from *ius ad bellum,* and why it requires acceptance independently of the strength of urge to fight for what is felt as important enough and right to fight for. There is a need to alleviate not only the vindictive anger but also the risks of disproportional destruction and danger of unnecessary irreversible developments which might fight back in unpredictable way (in near or far future). Total annihilation of the enemy is not the best result, and in the long run it might prove not be a victory at all. Boutlas relies on Vitoria and Hugo Grotius: "Natural law *somehow* [italics J. B.] tells us what is right according to justice while *at the same time* [italics J. B.] prescribes the pursue of peace by agreements."[13] "The equality of combatants is a step in this direction of agreement even if only the one side is right,"[14] so "we must consider both sides (right or wrong) equally morally responsible for atrocities and so equally obliged to object in criminal orders."[15] There are two levels or strata of responsibility there, one for the justness or wrongness of making decisions leading to war (instead of continuing to try to avoid it, and abjure from attack or capitulate), the other, utterly different, for how the participants, combatants and others, act and where their responsibility lies in. What they do cannot be evaluated only on the basis of the contribution to the success of war efforts (victory or avoidance of defeat) but also from many other angles (as *heroic, tragic, absurd, wrong, impermissible,* etc.), among which the moral angle is the most important. Responsibility for "atrocities," or crimes, was established independently of responsibility to accept futile and hopeless defense, for example, or for "aggression" for that matter. Therefore "all the soldiers [are] morally responsible for objecting criminal orders even if they are fighting on the right side of the war."[16] Boutlas concludes:

> In seeking peace instead of justice which seems unattainable in the extremely complex and usually irrational environment of a war blast, jus in bello principles attempt to regulate the chaos, eliminate the slaughter, and keep the hope of peace alive. Peace is also justice's demand.[17]

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[13] Ibid., 89.

[14] Ibid.

[15] Ibid.

[16] Ibid.

[17] Ibid., 91.

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Are military medical practitioners soldiers or not? It is the issue provocatively dealt by Lu-Vada Dunford in her contribution.[18] The starting dilemma is if the ultimate objective of military physicians is to win battles against the enemies of their state, so military surgeons should follow their superior's orders.[19] She describes a case from Iraq where two wounded combatants arrive to the hospital, the enemy first, the compatriot later, but the military surgeon was ordered not to operate the enemy and take the compatriot first. This is obviously a case where two, presumably opposite duties, are in clear conflict. Taking aside the issue of how a Canadian is "defending his state" in Iraq and how an Iraqi soldier, being in his own country, is performing aggression on Canada at that distance, the problem at stake is real: what a *military surgeon* – a "physician-combatant" – should do: to obey the order of their superior or follow medical norm (even if it was not "required under Geneva Convention to give medical attention impartially"[20]) and refuse to *put down one patient to be able to put on the operation table another one*[21] (in the case described the time is precious and it is not possible for both to survive without the necessary operation on time)? The dilemma is real, it is ethical and not political, and a cardinal one. Dunford develops the argumentation in minute details (possible commensurability of two rivaling and conflicting duties, "physician first, soldier second," "soldier first, physician second," "medicine as a weapon," and other strategies), and covers a significant literature of the topic. The analysis is very interesting. For example, if military requirement is stronger and final, as the author's conclusion suggests (the dual-loyalty dilemma is deemed a non-issue[22]), that would be contradictory to revisionist interpretations of Just War Theory that *ius in bello* determines the status of *ius ad bellum*. Another interesting aspect is (expected?) reciprocity: does it mean that it is expected that *all* (i. e. the adversaries) would accept such a norm? Another one is special and territorial: does it matter *where* (or "when where") this is happening? Finally,

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[18] Lu-Vada Dunford, "Doctors with Borders," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 95-128.

[19] Ibid., abstract.

[20] Ibid.

[21] It seems that this surpasses the issue of partiality, as the example describes more than mere discrimination. It would be different if it was a matter of mere choice between two patients coming to operational room at the same time (and applying then some rule of selection that is not impartial).

[22] Ibid., 97ff, 109f.

if the duty of military physicians is helping in military efforts, would that imply that only heavily wounded enemies should be treated and those who may recover and return into the battle, should be simply killed (or healed less than is needed for recovery)? Some of these questions sound rude, but not as rude as wars usually are.

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In their strange but impressive, thought-provoking, and well-written contribution[23] Purissima Emelda Egbekpalu, Paschal Onyi Oguno, and Princewill Iheanyi Alozie, discuss what they take to be the primordial *conditio humane*: "maintenance of self in existence guided by a natural instinct for survival"[24] as "a struggle for survival [...] that entails overcoming conflicts and adversities of life."[25] "Human beings are by nature violent and are ever combat-ready. This is based on what may be considered as 'the will to live' (*conatus*)."[26] "[W]ar can be considered as having a genetic foundation."[27] Everything is in the process of permanent change, and "the universe is naturally considered an arena of conflicts."[28]

Peace is mentioned in the following way: "humans engage themselves in conflicts [...] not necessarily to bring peace, but to survive and maintain themselves in existence."[29] Although it is true that defence cannot be effective unless becoming *counterattack,* it seems that here there is no room for distinguishing (self)defence from attack. (The other two possible strategies of defence, running away and hiding, might be taken as subsidiary to the prospect of facing a necessity to attack at some point). The possibility to formulate "peace" as a compromise of a kind, a *modus vivendi,* does not fit well here, as the latent possibility to attack is patiently waiting the opportunity. So, it seems that any peace must be a kind of *truce,* although it is not clear if it is valid also *within* a state and not only on international level[30] (if the concept of universal law, secured

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[23] Purissima Emelda Egbekpalu, Paschal Onyi Oguno, and Princewill Iheanyi Alozie, "Dialectics of War as a Natural Phenomenon: Existential Perspective," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 129-145.

[24] Ibid., abstract.

[25] Ibid.

[26] Ibid., 141.

[27] Ibid., abstract.

[28] Ibid.

[29] Ibid.

[30] Cf. Jovan Babić, "The Structure of Peace," in *World Governance: Do We Need It, Is It Possible, What Could It (All) Mean?*, eds. Jovan Babić and Petar Bojanić, 202-216 (Newcastle upon Tyne: Cambridge Scholars Publishing, 2013).

by world government, is even conceivable). The attack has not only "ontological," but also normative primacy.

In the course of their text the authors offer an array of arguments corroborating this position, from the Heraclitean πάντα ῥεῖ, and from Darwin to Malthus, Nietzsche, Hegel, and Marx. In a way it is an excellent intellectual exercise on the issue of conflict and the place of life in its context, and the authors go through nuanced and challenging philosophical decomposition of many basic notions we use in everyday common speech, it seems at the cost of cardinal reductions, but with such a provocative strength worth of placing discussion.

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Criticism of the just war theory takes many forms, sometimes very much different from each other. The one we find in a strong wording of Andrea Ellner's piece of work,[31] is especially interesting. It is not a search for weaknesses neither of the notion of justice nor it's role and function in justifying wars (i. e., as designating them as "just" or "unjust"), but contrasting another notion with "justice." It might not be obvious, or even visible at first, but the notion of "care" (in the most basic sense of being interested in the reality of what is important and what we care about) is stronger regarding what we can designate as the final justifiable purpose of our encounters with catastrophes, war being one of them: it is *the life*. If we look carefully enough, we might see that at the bottom life is always the final designator in any *justification* of war, even in revenge or hate. It's always life what it's about. Andea Ellner very skilfully moves with this thesis through the meanders between pacifism (seemingly caring for life, but actually only for a particular specific way of proper such care)[32] and what she names "nonviolent conflict."[33] Her conclusion is that all the affirmative attitudes contained in pacifism and nonviolent conflict are "complementary [...] to living with the possibilities and tragedies of human condition," adding that this approach "is grounded in feminist theory and methodology and their connections with Galtung's models of violence and peace."[34] Her reasoning is more than convincing:

> Care must be oriented towards the future and growth. Just
> War Theory is *reactive* to the existence of an aggressor and

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[31] Andrea Ellner, "Ethics of Conflict, Violence and Peace – Just War and a Feminist Ethic of Care," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 147-173.

[32] Cf. my article, "Pacifism and Moral Integrity," *Philosophia* 41 (2013): 1007-1016.

[33] Ellner, 148.

[34] Ibid., abstract.

their act of aggression, and the peace it enables in principle is defined by the return to an absence of war, *negative peace* [italics J. B.]. An ethic of care confronts the ethic of justice of war with a radically different perspective with its starting point of life. With its *proactive* perspective, it holds up the mirror to Just War Theory and forces the view upon breaking thought the cycles of violence by building social orders at local, regional, and global levels that enable human endeavour thus creating positive peace.[35]

This is strong without entering in deep darkness of JWT (as Stanar and, in a way, Kashnikov and Glaser, do in their contributions): it is not to be expected that *negative peace* would permanently remove the causes of a war. On the contrary, being vindictive and punitive towards (by assumption weaker) states and other collective entities, JWT would more probably just contain those causes for some future chance to erupt. Here we can go even further and say that the JWT very often makes impossible or prevents the ending of war, while the ethics of care, allowing or even demanding reconciliation, fares much better in this respect.

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Paul Ertl, with a view on Ukrainian war and Russia's engagement in it, exposes what he finds to be the most distinct features of social change and progress, dissecting the pulsing of the dialectics between negative and positive impulses in society and history.[36] He discusses the role of violence in the dynamics of social processes, analysing some implications of how functions what he designates as "Gewalt,"[37] which is different from the English term "violence," and its relation to notions like "force," "power," "strength," "energy," and "control," leaning on the work of Benjamin,[38] Baudrillard, and others. The role of power, either as force or violence, is subtle and dynamic (we may recall the Kantian claim that wars promote progress in human history by dispersing populace in less hospitable but otherwise rich and vast areas of the globe, enabling access to resources there). Ertl's conclusion might be:

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[35] Ibid., 170.

[36] Paul Ertl, "Progressus as an Explanatory Model: An Anthropological Principle Illustrated by the Russia-Ukraine War," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 175-194.

[37] Ibid., 188ff.

[38] Ibid., 181-184.

The threat, manifestation and utilization of violence is thus inherent in all individuals and societies. It is not only fundamentally present but must also be applicable and evolvable if society is to be developed and made permanent.[39]

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The contribution of Anthony Udoka Ezebuiro, Emeka Simon Ejim, and Innocent Anthony Uke provides a different perspective in talking of war.[40] It is precious in its own way. The perspective from which all other papers in this volume have been written is western in a rather narrow sense; it is not "occidental" as there is no Islamic perspective (we may say that Islam, as monotheistic religion belongs more to the "Occident" than to "Orient") and other "eastern" or "southern" perspectives, so it would perhaps be more precise to say that the volume has a "European" perspective. To that extent it is a kind of privilege to have a text written from an African perspective. This perspective certainly deserves to be a part of the ethical discussions of war, especially as it can contain fundamentally different perceptions of what it is and how it should be articulated and regulated. The African approach is communitarian and holistic, as it is visible in *ubuntu* and other norms determining the way of life including warfare. "Determining force or reason to go into war"[41] is the community. Community is prior to other factors in evaluation. This has many interesting, important, far-reaching implications which might produce all kinds of misunderstanding. In the European rationalistic approach responsibility is located in the individuals, but in a worldview in which without family there are no persons and without society no families, many of our default terms and assumed notions may change their plausibility (for example child soldiering, if they defend their families, or the environment of their particular life, or just follow their cultural pattern). The whole realm of *ius in bello,* in its varied possible articulation, belongs to this area. There is obviously a proper, morally urgent even, need for a deeper discussion of many of those tenets that in the West are taken for granted, while they are not so convincing elsewhere and for others.

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[39] Ibid., 188.

[40] Anthony Udoka Ezebuiro, Emeka Simon Ejim, and Innocent Anthony Uke, "Just War Determination thoughout Human Acts Valuation: An Igbo-African Experience," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 195-215.

[41] Ibid.

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Joshua Hall in his scholarly contribution offers an elaborated critique of using drones in warfare.[42] He has two main argumentation lines (based in analyses of what he calls "premises," "Premise 1," and "Premise 2"), trying to show that drones are not justified, neither from utilitarian nor deontological viewpoints. His conclusions are opposite to those present in some other contributions in the volume, for example Nigel Biggar's; this iss interesting, as they use similar descriptions of pretty much same phenomena. Along his exposition he occasionally refers to proposals to ban the usage of drones in war echoing "Harry Van der Linden's call for an international treaty banning all weaponized UAV [uninhabited aerial vehicles]."[43]

It should be said that Hall gives his argumentation within the framework of JWT. The two premises refer to two tenets of JWT, proportionality and moral equivalency of combatants. The first premise offers a utilitarian argumentation against drones, while the second premise is based on deontological type of argumentation. His argumentation is deep and invites for further examination, even if that is not visible at first; for example, the racial and cultural arguments he more touches than elaborates are worth to be explored in more details. But the main direction of his thought is "ontological" – can drones have the status and stature to be acceptable rivals and adversaries? That would imply giving drones something they perhaps do not, or even cannot,[44] have, the moral and social equality needed for taking them as liable to responsibility. "If warfare between the drone and human combatants were just, then the drones would have to be equivalent in moral status to the humans."[45] Hall is determined: "but this is not the case."[46] So, it is just a rhetorical question when Hall asks: "can drones be meaningfully understood as fighting for 'their' state's future [if a state does not 'belong' to them in the first place]? The answer is obviously 'no.'"[47]

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[42] Joshua M. Hall, "Just War contra Drone Warfare," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 217-239.

[43] Ibid., abstract.

[44] Compare Henrik Syse and Martin L. Cook, "Robotic Virtue, Military Ethics Education, and the Need for Proper Storytellers," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 667-680.

[45] Hall, 219.

[46] Ibid.

[47] This is complex. When Syse and Cook say that "The machines themselves will never possess those virtues in any real, conscious sense" [in this volume, 678] the status of "never" is dubious, and obviously depend on the (semantically) arbitrary description of what are "the virtues." For example, is it impossible *to expect* that captured drones *refuse* to be used by "enemies" – beyond being *programmed* so, i. e. with an uncertainty regarding what they will "do" (assuming

Another interesting and important point. Hall says that "[w]ar has lost all features of the classical dual situation here and has approached, to put it cynically, certain forms of pest control." This is interesting in more than one way. First, explanation of wars as (collective) duels may imply losing their political side (which might be the most important one).[48] But, on the other side losing *all* such characteristic (as *essential feature* of wars, not their *raison d'être*) might really lead to a kind of perverse shift in their structure – by changing them into tools for such practices as the one Hall mentions here, *pest control,* or a kind of *hunting.*[49]

There are many fine thoughts in Hall's paper. For example, the "encounter between the autonomous agents of both sides" – the status, moral and "ontological" of such encounters is enticing and worth for further analysis based in deeper philosophical insights. It would be interesting to explore if Hall's argument holds also for other kinds of usage of drones, and if that would require different arguments – or the same argumentative scheme would suffice there too.

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I his intriguing and very interesting paper,[50] Asa Kasher raises some questions that, from one side, might look as peripheral to military ethics and, from the other side, may lead to further and deeper issues regarding some more basic and deeper matters of how far disagreement, political, religious, and other, may go in situations of cardinal collective decisions. In other words what is the nature of the loyalty owed to the state, and does it depend on what kind of state it is?

Or, from a different angle, there is an issue in the question: is the nature of the state and the fabric of its cohesion more or less contributive and instrumental to the status of obligations towards it and does it imply better or worse condition of the defence. Simply said, does the nature and structure of the state make the state and its armed forces stronger or weaker? Are democracies stronger because of being democ-

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that they may decide "by themselves" what to do)? Would such an act of theirs be, or could it be, designated as "heroic?"

[48] Compare Cheyney Ryan's contribution in this volume.

[49] Cf. Jovan Babić, "Military Ethics and War: What Is Changing and What Remains the Same?" in *Military Ethics and the Changing Nature of Warfare*, eds. Jean-Francois Caron and Marina Miron, 4-18 (Leiden and Boston: Brill/Nijhoff, 2023), 9.

[50] Asa Kasher, "Suspending Voluntary Reserve Service: New Questions in Israeli Military Ethics," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 241-256.

racies? According to Thucydides,[51] Pericles said that Athenian army is strong because of what Athen was, i. e. democratic: "we, by ourselves, attacking on foreign soil, usually gain easy victories over men defending their own homes." Could democracies, like loyalty, be more or less such, i. e. "democratic" in degrees? There are many highly relevant and topical points in Kasher's paper, regarding important issues of living together. What does it mean? Who is supposed to be entitled to participate in this "together"? Israel is defined, and so it's armed forces ("Spirit of the IDF")[52] as both "a democratic state and the nation-state of the Jewish people."[53] Kasher is explicit here:

> Any change in Israel's regime, from a democratic state to a dictatorial one, or from the nation-state of the Jewish people to a state that is not a nation-state but only a state of all its citizens, like the USA, would fundamentally change the ethics of the IDF (as well as the ethics of any other state body, like the Shin Bet, Mossad, Police, and Ministry of Defense).[54]

This raises some questions, including the one regarding the quote of a piece of Pericles' *Funeral Speech* above. What is "democracy?" Does it presuppose a strong national identity, or can it be articulated just as an aggregate of persons residing on certain territory governed by generally accepted laws and established rules securing predictability and planning – the normalcy of everyday life, regardless of who they are? If it does not, what is the status of dissent, especially when those who *belong* to the designated identity disagree, oppose or resist to what can be perceived as ingredients of that cohesion that makes identity feasible – *or endanger it* (what is Kasher's main point in his discussion of refusing or ceasing to volunteer for reserve duty in Israeli armed forces)?

What does the identity of the state, or the people, consist in? What is the real function of the concept of majority there? What are "minorities?" Are minorities, like political parties, parts of the same whole of what the majority is a part of (something in principle temporary)? Or they are permanent? In Stefanovski's and Čavoški's article we may see the dangers of "partocrathy," where every part was pulling recklessly in

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[51] Thucydides, *The History of the Peloponnesian War*, trans. Rex Warner, ed. M. I. Finley (New York: Penguin Classics, 1972), 2:39.

[52] Kasher, 243.

[53] Ibid., 244.

[54] Ibid.

their different directions. In such situations there might be an issue of specificity of some vital services not feasible for "democratic rights," like firefighters, police, army, or medical services – but at the same time having *a duty* to prevent or diminish risks of wrong political decisions. That might become a tragic, or absurd (which is not the same!) dilemma. Kasher is firm here: "Ceasing to volunteer for reserve service is not done within the military but is the act of a civilian,"[55] and is not breaking the "principle of *mamlakhtiyut* [respect for the role of the IDF within the framework of the state], which requires all those serving in the army to refrain from actively taking sides in any political dispute."[56]

Another interesting and not less important matter is the issue of the so-called "Hawara orders," the danger of which "is not negligible."[57] To put it short it reduces to the difficulties to demarcate what Kasher calls, respectively "an illegal order and a 'manifestly illegal' order."[58] This certainly is not a peripheral issue, but the question is how to make such a demarcation line, after demarcating "legal" and "illegal" first? Besides, there is a possibility of *morally wrong* but still *legal* orders, even if they are tragically and grossly morally wrong. Which might be a real crux of Kasher's point – how to preserve the essence?

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In their very interesting and provocative, possibly extremely relevant, inviting for further exploration, article,[59] Boris Kashnikov and Marina Glaser put on the table a case of a far-reaching usage of Just War Theory (JWT) for long-term strategic outreach of Germany and its presumed or possible strategic interests. The plausibility of their hypothesis is the issue for political analysts, and historians if it proved to be correct, but for us, doing applied ethics, it is a challenge as it would show the "other side" of our theories, in this case JWT. We know that JWT was used for justifying the passage[60] from original Christian pacifism, with its rejecting of all violence (by original Christians who preferred to be thrown to the lions rather than use violence) to accepting violence as a means for defence of

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[55] Ibid., 254.

[56] Ibid., 244.

[57] Ibid., 247.

[58] Cf. David Whetham, "Military Ethics Education – What Is It, how Should It Be Done, and why Is It Important?" *Conatus – Journal of Philosophy* 8, no. 2 (2023): 768. Cf. also Kasher, n. 4.

[59] Boris Kashnikov and Marina Glaser, "Just Wars Theory as a Key Element of Germany's New Sonderweg," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 257-278.

[60] Cf. my article "Orthodox Christianity and War," *Russian Journal of Philosophical Sciences* 63, no. 11. (2020): 39-57.

imperial peace,[61] making so policemen out of soldiers and implying the universal state in which God is the "supreme commander" of the world; universalism of "human rights" might have its root here. The hypothesis of Kashnikov and Glaser is that we have another, different, such useful employment of that same theory, now for the sake of German imperialism. It is understandable that German imperialism, after two world wars that Germany lost, is not something that could go open, so the scheme is based in a change of focus: from what was "German Europe" in the 19th and first half of 20th century, to "European Germany" in 21st century.[62] But, according to the authors, there is another difference: now the main tool is an infinitely enticing, irresistibly attractive, and supposedly irrefutable theory like JWT (supported by world-wide, or at least western, strong normative acceptance). That's Germany's new *Sonderweg,* proclaimed, as the authors say, in many occasions, as *Zeitenwende.*[63] It was a turning point "[f]rom the language of pacifism and non-usage of military force, it has moved to the language of just war, the specificity of which still needs to be determined."[64]

In the past decades after WWII, we already, many times, experienced the "threat of the returning militarism in the sheep's skin of humanitarianism."[65] It is also true that the warrior's cry is always, at least latently, present, not rarely in the form that justice is more important than peace, that

> [t]he world no longer seriously purports to accept the view that peace is unconditionally a higher value than justice [...] that it is permissible and perhaps desirable and, [...] even mandatory – to fight to promote justice, broadly conceived. Evil ought to be overturned, and the good ought to be achieved by force if necessary.[66]

The combination of human rights paradigm with just war doctrine, not surprisingly, may lead to the feeling of entitlement and even duty to

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[61] Cf. Michael Walzer, "The Triumph of Just War Theory (and the Dangers of Success)," in *Arguing about War*, ed. Michael Walzer (New Haven, CT: Yale University Press, 2004), 3. Cf. also mine "Ethics of War and Ethics in War," *Conatus – Journal of Philosophy* 4, no. 1 (2019): 10.

[62] Kashnikov and Glaser, abstract; 274.

[63] Ibid., 259, 260, and 272.

[64] Ibid., 270.

[65] Ibid., 262.

[66] Ibid., 263.

intervene anywhere – but if it sticks to[67] national cultural tradition instead of moral universalism[68] it may retain its motivational and mobilizing strength but shift the direction of action. That's the theme the authors of this article have in mind:

> The combination of the two tendencies may trigger an array of very special and unpredictable normative developments of the military policy in Germany. The further movement alongside the idea of *jus ad bellum* may provoke specific national perceptions of the justice of the war, which may merge the idea of just war with traditional German realism if not militarism. This tendency may lure Germany into a trap of, what we term, 'human rights militarism.' To what extent the trap is viable depends on the normative constitution of the key elements of *Sonderweg*.[69]

The authors describe, explore, analyze these key elements in much more details in the rest of this rich and highly challenging text.

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Bernhard Koch, in his interesting and intriguing paper, raises some fundamental questions indicated already in the enticing title of his work: "Anger and Reconciliation."[70] We are living now in the age of anger, and reconciliation is only but a very rare exception. Anger is intimately connected to revenge and reconciliation with forgiveness, and this scheme is demanding, politically and morally:

> anger is ambivalent emotion which on the one hand evokes conflict, but on the other hand is also an expression of a sense of justice. Anger can be soothed by forgiveness; forgiveness can lead to reconciliation.[71]

The issue relevant for ethics of war is that justice itself is vindictive and in conflict with forgiveness and reconciliation. "Reconciliation [...] repre-

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[67] It is a question, of course, if this scheme can work differently but "to stick" to some real set of interests (in the absence of the "supreme commander of the world" it may seem that such "sticking" is unavoidable).

[68] Ibid., abstract.

[69] Ibid.

[70] Bernhard Koch, "Anger and Reconciliation," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 279-298.

[71] Ibid., abstract.

sents an overcoming of anger."[72]At some point justice must be revoked to open room to reconciliation. Sometimes even negotiations are not possible if justice is too aggressive. The demarcation line between permissibility and impermissibility defines the space of tolerance, which is the essence of peace. If the whole space is occupied by intolerance, peace would not be possible. Tolerance requires forgiveness, "which is not the same as excusing,"[73] to abstain from perfection and accept that peace is the final place. "Despite the diversity of approaches to just war, it is always a question of overcoming war and transforming it into peace."

It might be obvious on the level of individual relations. Certainly, it is "easier to explain [it] in individual ethics than in political contexts, where collectives have to be considered as actors."[74] But for any peace to be valid and sustainable, collectives must be taken seriously and responsibly, which is not always easy. Koch shows this in his critique of Marta Nussbaum's analysis of shortcomings of both anger and forgiveness, concluding that her "'perfect' reaction to injustice suffered is unconditional love, which demands nothing and does not exalt itself. But Nussbaum seems to demand this unconditional love primarily for inter-individual relationships,"[75] but peace of which we talk discussing the war is more collective tenet and endeavour (as it should provide long-term constitutional and institutional predictability, which the structure of the reality of inter-individual relations, in all their vast and rich settings, cannot provide).

<p align="center">***</p>

Sergey Kucherenko starts his provocative and intriguing paper by referring to what's one of the most obtuse issues in contemporary international relations, which is "criminalization" of war [his quotation marks], which entails that "every war should be presented as a self-defence to avoid immediate international backlash."[76] Yet, Kucherenko finds this "right to self-defence" to be "too narrow for real politics."[77] Then he proceeds:

> Waiting for real aggression to enable this right is often an unaffordable luxury, therefore, one often needs a reason to

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[72] Ibid., 290.

[73] Ibid., 289.

[74] Ibid., abstract.

[75] Ibid., 293.

[76] Sergey Kucherenko, "Existential Threat as a Casus Belli," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 299.

[77] Ibid.

strike pre-emptively. Here the concept of "existential threat" comes a useful tool.[78]

A "threat to someone's very existence easily allows the use of the last resort."[79] It is rather obvious that the (real or proclaimed) existential threat "may also serve as a nice *just cause* for those who employ Just War Theory."[80]

Kucherenko then analyses, in a series of interesting and well-articulated arguments, the concepts of "just cause" and "justice," finding that they are rather vague and uncertain for an efficient practical usage,[81] focusing in the last and most demanding part of his essay to the issue the analysis of the phrase "existential threat" and its meaning. What is the existence that is threatened? Does it exist at all? Kucherenko thinks that states are not

> *per se* [...] a thing that can be truly destroyed. For state is not a thing, but a myriad of social interactions, interpreted via a political project. The discourse of "existential threat" as a cause for war is almost meaningless if we look closer to a state.[82]

So "existential threat to a state is not a valid just cause for war. The state cannot cease to exist because it does not really exist in a first place,"[83] because it is meaningless to say that a state "exists" in the sense in which it implies the possibility of destruction. What is state then? It is "a set of norms and values, a project pursued by someone?"[84] Unlike Stefanovski and Čavoški, also Thucydides, who think that "partocrathy" is one of the most sinister causes for a civil war, Kucherenko believes that the state is a matter of agreement of different groups who, at least in principle can, through political negotiations always reach an agreement which renders war as unnecessary. Kucherenko concludes:

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[78] Ibid., 300.

[79] Ibid., 304.

[80] Ibid., 300.

[81] He quotes President Obama who saw that Syria is a threat to US security saying at the same time "the USA will be 100% secure while fighting for their security," which renders to practical contradiction as it implies the absence of real threat. Ibid., 300.

[82] Ibid., 310.

[83] Ibid.

[84] Ibid.

> It will help to keep in mind that the state is not a single unit, but a complex system, where different groups compete to realize their political projects. Thorough evaluation of potential gains and losses of different groups will make military decisions less hasty, while more proportional and prudent.[85]

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In their instructive article,[86] devoted in full to *ius in bello,* Ioanna K. Lekea, George K. Lekeas, and Pavlos Topalnakos, depict and explore an elaborated experiment

> conducted at the War Games Lab of the Hellenic Air Force Academy, which seeks to probe the potential of moral enhancement […] in fostering effective decision-making during extreme conditions.[87]

In their description of the simulation of decision-making process they focus on two "key principles [under the rules of the JWT and the framework of IHL] guide ethical and legitimate conduct: the principle of discrimination/distinction and the principle of proportionality."[88]

To apply these two principles of guide of ethical and legitimate conduct, however, does not come by itself; it demands education and training. In the hard situations of a battle, burdened by many difficult constraints, decision-making may be very difficult. Decisions must be made fast, with a shortage of information, in the context of uncertainty. "Making decisions within the context of a military operation poses exceptional challenges."[89] In this demanding process it is important to be able to rely on stable and valid resources. Education and training are necessary and important preparatory phases: decisions should be well prepared. What to rely on?

> [W]ere does trust lie: in the insights of a comrade, a commanding officer, or the guidance provided by sophisticated algorithms and Artificial Intelligence (AI) systems? Could AI

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[85] Ibid., 311.

[86] Ioanna Lekea, George K. Lekeas, and P. Topalnakos, "Exploring Enhanced Military Ethics and Legal Compliance through Automated Insights: An Experiment on Military Decision-making in Extremis," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 345-372.

[87] Ibid., 346.

[88] Ibid., 352.

[89] Ibid., abstract.

potentially outperform human guidance when it comes to elevating the ethical and legal discernment of military personnel amid the intensity of combat situations?[90]

Lekea et al. offer a thorough analysis of the options. After analysing three methods of learning (they say two, the two first in the following list, but then they add a third one): War literature, Moral philosophy, and Situational Training Exercise (STX – in experiments simulating the battlefield). There is a clear difference between the first two (belonging to the sphere of *education*),[91] and the third, which is *training,* they are still parts of the same process. This also applies to the argumentation of the authors of this article: it is the effort to prepare decision makers to make good decisions. The authors raise then the following question: Can artificial intelligence (AI) help here? It seems that their experiment shows clearly that it can. Their findings confirm that the vast majority of cadets, future officers (pilots) are open to both legal advisory and the help of AI, which might be a sign of their maturity in the relation to the issue of obedience: their loyalty should be corroborated by relying on firm data on both of two levels, normative (legal) and factual (reliability of the facts upon which they make their decisions). That does not imply blind following "AI recommendations without thorough consideration,"[92] but certainly there are concerns regarding such possibility.

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In his contribution Florian Ladurner deals with a very important topic, mainly neglected in the ethical literature on war – international economic sanctions.[93] He is pursuing this topic elaborately and in many details on many paths. His main focus is to see if sanctions can be morally justified, after being proclaimed to be "legal."[94] Legality of sanctions is an interesting issue, but what we can safely say is that they certainly can have far-reaching implications and consequences (we may recollect US sanctions against Japan 1941, perhaps producing, but certainly contributing to, the war between two countries which changed, permanently, the political geography of Far East). There are several important points of significance to be mentioned

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[90] Ibid.

[91] David Whetham distinguishes *education* from *training*. Cf. Whetham, bellow.

[92] Ibid., 364.

[93] Florian Ladurner, "An Ethics of Sanctions? Attempt and Critique of the Moral Justification of Economic Sanctions," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 313-343.

[94] Ibid., 317: "sanctions are viewed from a legal perspective as measures designed to ensure compliance with specific legal norms."

regarding their alleged legality. It is a kind of normative contradiction: they are not, and normatively cannot, imply *consent,* something that all legitimate laws must have (to be based in freedom, and not be mere violence). So, their legality does not include their possible legitimacy. Sanctions are imposed by the stronger to those who are, or supposedly are, weaker, without their consent. In their form sanctions look more like a siege, i. e. a form of warfare. They are perceived so by both victims and imposers, so their "legality" is more a mode of speech than anyone's real understanding of some juridical reality. As far as content is concerned sanctions might be described as justified in different ways (from the moral point of view boycotts fare better in that sense). Ladurner does that *in extenso* on two tracks: through the Doctrine of Double Effect (good intentions, bad consequences)[95] and the just war principles (vindictive justice).[96] On both tracks the result is mixed, partly because both doctrines lack clear moral relevance – first doctrine (DDE) by conveniently justifying too much, second one (JWT) because of being biased through its black and white Manichean approach. One of the essential features of war is the (temporary) suspension of normal civil laws and of many established expectations, present in times of peace. In times of war, or latent war, the rules are different. Sanctions are the example – their legality is akin to the laws of occupiers, laws that, independently of their other possible feasibility, are imposed norms without consent. Of course, they can be called "law," but in the same sense in which racial or slavery laws were/are laws – norms not freely consented to. Ladurner is right that sanctions, as well as war, have the whole specter of other, unintended consequences, political, social, mental, etc., directly on targeted populace but also on the populace of the side that imposes sanctions. These consequences are not easy to predict or assess. They may change the calculation of war in an unexpected way (for example the feeling of being sieged, produced by sanctions, might boost the cohesion and defensive capacity of sanctioned sides). In the absence of world government, the plausibility of talking of the legality of "international sanctions" is dubious, leaving two other parameters to be perceived as working in their functioning, interests (economic and other) and fear. The humiliation of the sanctioned side may produce a kind of servile feelings among sanctioned and a feeling of arrogance and entitlement on the other side. Anyway, the output might be unpredictable and disproportional, and the final impact is not calculable in advance. That might be the main, or one of the main, conclusion(s) of Ladurner's complex and rich analysis.

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[95] Ibid., 322.

[96] Ibid., 315.

Marsili's paper is the only one dealing with in our time still fashionable phenomenon of terrorism.[97] His topic is counterterrorism. As he says,[98] definitions vary, and vary very much (from the original revolutionary terror in French revolution to suicide bombers of today). It seems that it is not easy to give a content-wise definition. The more promising path might be to offer some characteristics, although there are two risks there: contesting those characteristics as specific and relevant, and openness of the list, as, taking that the reality is in(de)finitely complex and non-exhaustible, we may always add new such characteristics. One of the possibilities would be to say that terrorism is absurd and futile attack without any prospect to succeed, which seems to be intuitively correct. Does it mean that at the moment of acquiring a prospect to succeed terrorism would lose its defining feature (and become what: a warring party?). But Marsili is more concerned with the response to terrorism and analysing the structure and ways of functioning of a viable such response.

Marsili lists and analyses the entire spectrum of definitions of terrorism up to the one that defines terrorism as overly subjective concept that can best be described by the claim "one man's terrorist is another man's freedom fighter," and that, under such circumstances, "the search for a universal definition of terrorism becomes impossible,"[99] implying that one "who supports a just cause will call oneself a freedom fighter, the other who is on the other side will see terrorism."[100] Even "[t]he UN, also, does not have a universal position on the definition of terrorism."[101] Marsili concludes that "a strictly legal approach proves inadequate, due to the status of unlawful/unprivileged combatants under IHL. An action may be unjust, but not unlawful; it may be just, although unlawful."[102]

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In her timely and abundant in content contribution, Tamar Meisels gives an array of arguments regarding the significance of environmental aspect

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[97] Marco Marsili, "Morals and Ethics in Counterterrorism," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 373-398.

[98] Ibid., 375ff.

[99] Ibid., 378.

[100] Ibid.: "The most cited example of this dichotomy is the American Revolutionary War, where the U.S. used tactics that some call terrorist activities, while the UK used the regular military to suppress rebellion."

[101] Ibid., 378.

[102] Ibid., 392.

of war.[103] War is very bad for the environment,[104] and it is strange how little attention this receives in public eyes, especially in context of hot debates of other environmental discussions. The magnitude of contemporary wars is huge, and their disastrous effects are more than comparable to floods, fires, and other natural disasters. The adverse "effects wildlife through use of mines, bombs, and chemicals"[105] is, or was, a part experience of many of us (birds, for example, stop singing during bombing, not only for an hour or two but for years).

The question Meisels, in context of our topic, raises in her paper is "whether environmental harm can form a new justification for war, presumably in the context of war's *prima facie* unjustifiability."[106] Is the use of force, even military force, a justifiable and suitable means to prevent environmental risks, e. g., as a "response to military aggression against the natural environment, as with any other armed attack?"[107] How define the notion of "aggression against environment"? One of the roles of armies everywhere in the world is to *help* in natural catastrophes and alleviate their bad consequences.

> [C]an environmental harm provide a *casus-belli*, at what point, under what conditions and on whose authorization? Are there any analogues with humanitarian intervention? How does the environment figure into the proportionality of the war itself as distinct from the *jus in bello* requirement to minimize collateral damage. Could preventive or pre-emptive environmental war be justified [in this context]?[108]

These are serious questions. Not only when "[e]nvironmental destruction is often part-and-parcel of an ongoing aggressive attack on state sovereignty and its members' basic rights."[109] Can such a defence of environment, depending on the scale of (possible?) risk and danger, be justified even if "a state's territory has not been invaded and where no basic rights

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[103] Tamar Meisels, "Environmental Ethics of War: Jus ad Bellum, Jus in Bello, and the Natural Environment," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 399-429.

[104] Ibid., 422.

[105] Ibid., 400.

[106] Ibid., 401.

[107] Ibid.

[108] Ibid., 410.

[109] Ibid., 411.

have been directly infringed?"[110] Meisels mentions even "pinpointed air strikes with drones as well as non-kinetic tactics,"[111] without a recourse to full scale war,[112] as a conceivable option in some cases. It is interesting, as it would be devised as a heightened level of responsibility for environmental protection (and it is not inconceivable to encounter such scenarios in the future).

Meisels covers a lot of literature in dealing with this important issue. One interesting point in her discussion was that the environmental problems are bigger now than ever. That's something that many of us think (having in mind widely scattered mines, poisonous chemicals, radiation, etc.). This might be true, but not in the sense that previous environmental damages were *much smaller*. What might come to our mind is *deforestation*, a process that occurred also without wars – but peaceful deforestation might have been done much more carefully and environmentally responsibly than in war. We may recollect huge deforestations described in Josephus Flavius' book *The Jewish War*, describing deforestation during sieges of Jerusalem or Masada, and many others. Or we can see in Thucydides' *The Peloponnesian War* how admiral Laches, on his later suspended naval expedition to Mytilene, "destroyed anything that was growing back in the part of Attica they had previously *deforested* [italics J. B.] and anything that had overlooked in the their invasions."[113] Those deforestations made a permanent change on the surface of the planet.

<p style="text-align:center">***</p>

The focus of Davit Mosinyan's paper is *peace*.[114] With some interesting insights from Heidegger, Mosinyan describes what he finds the novel situation in this area, not so much regarding the definition of peace, as what are the means for its attainment. He starts by claiming that "[t]he dynamics of warfare have undergone significant transformations, necessitating a comprehensive reevaluation of the study of wars,"[115] because of which "a broader perspective is required."[116] Mosinyan thinks that "Postcolonial research has shed light on the changing forms of warfare that emerged

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[110] Ibid., 413.

[111] Ibid., 419.

[112] "Full scale conflict always involves grave risks and hazards, unpredictable and all-to-often catastrophic consequences," ibid.

[113] Thucydides, 3:26.

[114] Davit Mosinyan, "In Quest of Peace and its Subject," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 431-444.

[115] Ibid., abstract.

[116] Ibid.

after the era of military colonialism" demanding new research methods to grasp the new, complicated reality defined by "emergence of informational and hybrid warfare, which blurs the traditional boundaries between states of war and peace."[117] That's the starting point. Most of his effort is devoted to demarcating the states of war and peace, and Mosinyan's focus is the concept of *violence*. He accepts John Galtung's definition of peace as *the absence of violence*. He also explores the concepts of "enemy," "divine violence," "peace treaties," "international law," and such. Mosinyan concludes

> Achieving lasting peace requires a comprehensive approach that not only addresses visible conflicts but also acknowledges and mitigates the invisible and multidimensional challenges posed by hybrid warfare. Furthermore, a thorough evaluation of the roles and responsibilities of the involved subjects is vital in effectively navigating the complexities of peace processes.[118]

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Narveson paper[119] is a strange combination of strong analytical style of writing and personal statements. At the same time, it is a clear example of main-stream ideologically and politically correct western thinking, advocating an interesting virtue of "partiality"[120] (as distinct and opposed from the vice of impartiality). The methodology, simplistic as it can be,[121] doesn't require digging into causes for explanations and understanding of complex and unclear but often tragic events; on the contrary it seems that taking a side, in addition to accepting prevailing public views, resolves all

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[117] Ibid.

[118] Ibid., 442.

[119] Jan Narveson, "War: Its Morality and Significance," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 445-456.

[120] "We humans, though, are just not very impartial." Ibid., 450.

[121] As Michael Walzer said, "we can't change reality by changing the way we talk about it" [Michael Walzer, *Arguing about War* (New Haven and London: Yale University Press, 2005), XII-XIV], we can only participate in a battle of narratives that way. One might ask what explanatory capacity and justificatory function may have, for example, usage, in a pejorative way, of proper names like "Mr Putin" or "Mr Xi" in a responsible analytical text of a serious theme? If, for example, someone, being a witness of barbaric and brutal bombing aggression of NATO against Yugoslavia 1999, was talking of "Mr Clinton's" alleged war crimes, what explanatory function such talk would have? Not much. Using sentences containing phrases like "Mr Clinton" or "Mr Putin" would be only an expression of someone's private feelings and expression of her contempt and disgust. But the damage to the plausibility and epistemological worth of such talk might be significant.

issues (causes come from the past, and the past should be taken as irrel-evant). Taking sides has a very precious and attractive, perhaps also irre-sistible role in opening up room for enjoying in blaming, which sometimes looks as a replacement for all other efforts requiring distancing, objectiv-ity, and plausibility. It shows another interesting and very important but unexplored feature of ruling attitudes: that sincerity and anger easily go together. Overall, the text is very illustrative and, in a way, "topical." It doesn't sound as an exercise in political correctness but rather as giving up to the (irresistible?) impulse to enjoy in anger and blaming.

<div align="center">***</div>

Nikolaos Psarros has written an elegant and insightful article on the issue of defining war and peace. He starts from the classical definition of war as "a violent conflict between sovereigns,"[122] which implies that war cannot be outlawed as there is no higher authority to authorize that (except in the case of an world state with just one single sovereign). Claiming that violence is "not constitutive characteristic of war, but conceptual,"[123] Psarros offers an alternative definition by listing a set of features which should be taken as essential characteristics of what is referred by "war." However, it seems that the listing he offers is not only not complete, but also that it *cannot* be completed "in any meaningful way,"[124] concluding that perhaps the best way to define war is to say that it is "the absence of peace." This seem to be a good definition of war, despite being incomplete. The specificity of war is intimately connected with the specificity of peace, so the description and definition of peace seems to be highly relevant here. At first there is an offer to define peace as a specific "state of mind," but that is too vague. "State of resolved conflicts and mutual respect" is more promising, but, I think, requires to much: war is a kind of conflict on which both sides consented (with an aim, or hope, to resolve the conflict at stake), but what is meant by "resolved?"

There are two possibilities there: that it is resolved in a definitive and final way (as if war is a kind of litigation in court, but war is something *prior* to any court), *or,* on the other side, that some resolution was *accepted* (from those who ought to accept it), i. e. some *compromise* which has its own conditions and limits. For example, annihilation of one side is not the kind of "resolution" we are seeking for. There are various conditions of intersubjec-tivity making conflicts possible as kind of the process of resolving conflicts,

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[122] Nikolaos Psarros, "The Nature of War," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 457-475.

[123] Ibid., 458.

[124] Ibid., 460.

peace being a solution defined as a specific articulation of the distribution of power, social and other: that's my own definition of peace implying the necessity of the possibility of *honourable defeat* (which has been accepted in advance as a condition for any "resolution" to be consensually acceptable by all).[125]

"Mutual respect" Psarros introduces here as a kind of solution, is then understood as an essential condition for intersubjectivity in functioning whatever is accepted articulation of the distribution of social power (fairness and decency are implied by the fact of acceptance) implying that the laws of peace are, unlike the laws during the time of war, consensual and formally based in freedom. Psarros says "Persons living in social and political peace live under the *rule of law*."[126] Laws of war, or during the war, are different: in war laws do not fulfill those conditions of free acceptance. Peace is based in acceptance of some rules, taken then to be "law," and *acceptance* and *consent* seem to be prior and imply mutual respect as a consequence.

This might be one of the essential differences between war and peace: the state of affairs in which the consent and acceptance of the "rules of law" is taken for granted (in peace) or not (in war) – two different articulations of the (same) freedom. However, having in mind an essential feature of freedom, the capacity to change one's mind in what is acceptable, the issue if peace must retain a dimension of being just a truce – or "mere truce," as Psarros puts it in the most difficult context of international relations[127]: "international peace is not just a situation of mere truce" seems to be of the utmost relevance – peace is logically prior to war – from which perhaps follows it's essential feature to function *sub specie aeternitatis, as if it will be for ever, with a clear pretension to overcome temporariness which is a definitional dimension of "war": wars should/must end while peace should last in(de)finitely, i. e. as long as the consent to accept it lasts. Peace, as well as war, is based in freedom as the capacity to make a change in what's real (or a lack of such capacity).*

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In his short, intriguing paper,[128] Ashley Roden-Bow gives an interesting philosophical stance based on the views of the German philosopher Mar-

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[125] Cf. my articles "Structure of Peace" and "Freedom and Responsibility – the Ethics of Surrender."

[126] Psarros, 464.

[127] Ibid.

[128] Ashley Roden-Bow, "Killer Robots and Inauthenticity: A Heideggerian Response to the Ethical Challenge Posed by Lethal Autonomous Weapons Systems," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 477-486.

tin Heidegger. The use of lethal autonomous weapons system "create ethical problems because of the lack of moral agency in an autonomous system, and the inauthentic nature of the deaths caused by such a system."[129] Indeed, there is not much sense in saying that machines at any point "die" (except in metaphorical sense), which is just one of the signs uncovering the essence of the reality we face here. Roden-Bow gives some fine arguments in this line. Two positions may be discerned

> from the Heideggerian standpoint: firstly, because artificial intelligence – despite appearances – is incapable of reaching the status of moral agency, and secondly, because the kind of warfare conducted with lethal autonomous weapons systems would be inauthentic and thus unethical.[130]

The human position in the world is exceptional.

> [E]ven in the context of a "self-learning" system, the initial algorithms or instructions programmed into the weapon act as a technological "first cause." This first cause is not biological or theological – at least not directly. It is the action of human agents.[131]

Roden-Bow concludes his exposition by proposing, or joining to the proposition, to ban, internationally, the usage of robots in war:

> The response to these conclusions, must be to act to prohibit the use of lethal autonomous weapons systems and to treat their use in much the same way as we do chemical weapons and other inhuman acts of war.[132]

<p style="text-align:center">***</p>

The paper of Rupčić-Kelam raises important and timely issues. Child labor is a chronic problem in many parts of the world, and this paper discusses another case of child abuse, child soldiering. "Vulnerable, innocent, passive victims of war,"[133] as Rupčić-Kelam describes them, they are abused

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[129] Ibid., abstract.

[130] Ibid., 479.

[131] Ibid., 481.

[132] Ibid., 485.

[133] Darija Rupčić Kelam, "Militarization of Everyday Life: Girls in Armed Conflicts," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 487-519.

regardless of the question if they are having riffles in their hands or being exploited, used for whichever inhuman purpose, raped, killed, etc.

Within this broader topic Rupčić-Kelam is paying a special attention to the position of girls, young women, or female children in the context of war.[134] While young men are very visible in contemporary migrations, girls are mostly invisible. The obvious asymmetry is very much relevant and certainly worth to be explored in more details. This endeavour has been done in this article, with a keen insight and with a due sensitivity. The issue is complex, but the author captures it in depth. The abuse of children in a radically changing world might not be perceived as the most important issue, but it is a part of the deepest problem nowadays, deserving more than just a mapping of the problem. Child soldiers, the phenomenon of our time (perhaps more than other times) is one of the clearest cases of this abuse, not entirely explainable, or justified by cultural differences, or by life necessities. As children often are the cheapest workforce, they easily become the most expendable and easy to manipulate instruments in wars.

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In his brilliant article Cheyney Ryan deals with the most fundamental issues regarding *ius ad bellum:* the nature of war as such.[135] Said in one sentence it would be: War is not just a battle. It is (much) more than that. This determines then everything: what the war is, who are warrying parties, even what should be and is taken to be the right way of engagement in war, *ius in bello.* It gives a proper path to describe soldiers (who are not private persons that are accidentally at the battle field – if they were, the wisest move would be to run away), and put in their right place all the fashionable tenets like JWT or "domestic analogy": war is in essence a political issue, more than a military one.

Ryan opens this story by describing the so called "Operation Torch," a massive Anglo-American offensive in North Africa in November 1942. By military commanders the operation was meaningless and wrong because it had no military purpose and value at all. President Roosvelt "did not dis-

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[134] Ibid., 503: "During armed conflicts, girls are particularly susceptible and subjected to various systematic forms of violence and violations of their rights that have mental, psychological, physical, spiritual, emotional and material consequences. These forms of violence are forced kidnapping, forced imprisonment, human trafficking, various tortures, violence, and other forms of inhumane treatment, amputation and mutilation, forced recruitment, conversion into sex slaves, rape, sexual exploitation, increased exposure to sexually transmitted diseases and HIV infection/AIDS, forced prostitution, forced marriage and forced pregnancy or forced abortion. Armed conflicts impose unimaginable suffering and consequences on the lives of girls."

[135] Ryan, supra n. 1.

agree,"[136] but his concerns were something else: the state of mind of the American domestic public, which should be persuaded that the military is not staying idle but "doing something – anything."[137] That was *more important* than *the (ius in bello) principle of necessity,* that should justify any military move (from the military perspective). It was more important even than the *(ius ad bellum)* basic war requirement, "to weaken the military capacity of the enemy."[138] President's concern was "to bolster political support back home."[139] Rephrased, his concern was not to facilitate *military effort,* but to enhance *war effort*. He was not so much interested in winning a battle, his concern was winning the war.

Everything follows from this. It corroborates Carl von Clausewitz's claim that war is the "continuation of politics by other means." Battles, although most visible and impressive, are not always the most decisive part of war, nor have necessarily the strongest causal power (despite their high symbolic value). It is possible to win all the battles and still lose the war, as many experienced (e. g., Napoleon from our cover painting, or Americans in Vietnam). It's not my task here to go deeper into important logic of how wars are constitutively *collective* in their nature, how they function by bending the *collective will* of the adversary (for which is, sometimes urgently, needed to bolster the spirits on domestic side),[140] or how soldiers are, according Ryan, "as embodiers of threats"[141] as the main instrument of war. Ryan offers much of the highest quality argumentation of the essence of war, accepting Clausewitz's thesis that, in answering the most important question "what is meant by war," the "single greatest error in thinking about war was confusing *war* with *battle*."[142]

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The paper[143] of Armen Sargsyan has three layers. There is an exposition of some Russian religious thinkers[144] (Tolstoy, Illyn, Berdjaev) of war

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[136] Ibid., 522.

[137] Ibid.

[138] Ibid., 523.

[139] Ibid.

[140] Cf. Charlie Dunbar Broad, "Ought We to Fight for Our Country in the Next War?" *The Hibbert Journal* 34 (1936): 357-367.

[141] Ryan, 535.

[142] Ibid., 525; Clausewitz, 75.

[143] Armen Sargsyan, "The Problem of the Legitimacy of War in the Context of Ethical Concepts: The Example of the 44-day War," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 545-563.

[144] Ibid., 547.

and its possible justifiability. Then there is a partial and incomplete analysis of so called "44-days war" of 2020, which might be perceived as a kind of introduction to Azerbajani's total victory of 2023 and subsequent ethnic cleansing of Nagorno Karabah. The third layer, which is the most interesting because it is vividly ilustrative of a frequent way to write or speak of war and other crises and catastrophes – lamentation because the reality is diferrent from what it should be. The frequency of this approach, often even in serious literature, along taking sides and preaching, is interesting and not enough explored terrain (despite being widespread). Very often there are unjustified, and also uncorroborated, expectations that "ethics" would do what it allegedly should: to prevent wrongs to occur. What that might mean? That "ethics" should have prevented the defeat in Vietnalm? The "fall of Kabul?" Or to prevent American intervention(s) in someone's else's country and someone's else's lives? How? Is that *the task* of ethics, to prevent "wrong?"

It goes without saying that the second and the third layer in Sargsyan' paper are overlapping and mixed. Sargsyan says "It is obvious from the above that the unleashing of the 44-day war by Azerbaijan did not at all follow the principles of *jus ad bellum*."[145] Would it be "better" if such developments of event was a result of some purely natural causes, for example earthquake, or flood? We face here a tragic borderline point at which instead of freedom, which, containing human fallibility and vulnerability, both implying some kind of initial equality,[146] we face something very different: the necessity, in the crudest form of established past. Past is necessary (if it was not, it would not happen), which means that freedom is located in the future driven points of the present. If we want to change the past we would see that it is literary impossible, except to create a *new* future articulated on the insight into past injustice. But to do that we must first discern what was/is necessary and what is (still) possible. It may be that one of the sources of attractive power of JWT is that it offers to be capable to "overcome" this distinction. The hope of help in the face of injustice then seems to be tragic, as it were with the Melians.[147] False beliefs, in the same vein as false hopes,[148] are of no help there, on the contrary. As Cheyney Ryan says in his contribution to this volume, "the deepest problem of war is not its injustice but is inhumanity."

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[145] Ibid., 558.

[146] Cf. Thucydides, 5:89.

[147] Ibid., 5:84ff.

[148] Ibid., 5:103.

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In her enticing, enjoyable, and seductive article Nancy Sherman asks, "whether Stoicism leaves any room for grief and distress?"[149] Her answer is seemingly simple: "I argue that it does and that consolation comes not from a retreat to some inner citadel, but from the support and sustenance of social connections."[150] She quotes Marcus Aurelius who, in his *Meditations* wrote:

> We are parts of a larger whole, a shared humanity in an ordered cosmos that unites humans and the gods. Our fulfilment, as individual selves, depends on that collaboration. We have to work together.[151]

Of course, this is what is at our disposal, if it is. Certainly, this wouldn't make our impulses, nor decisions "fail-proof,"[152] and the stoic "powerful set of lessons"[153] cannot spare us from the fragility in life, which might become tragic and absurd. Our *fallibility*, epistemological and other, which is the basic characteristic of human condition in the universe and implies *vulnerability*, as the guarantor of basic equality in the course of life in the flow of time, cannot be escaped or overcome, not even in that cardinal and desperate jump to renounce all desires, hoping so to avoid pain of fear (at the price of renouncing joy too). Future is *unpredictable,* especially in times defined as such, like wars, of which unpredictability is one of their *essential features.*

Sherman is skilfully dissecting Stoic exercises to avoid the perils of uncertainty contained in the cardinal nature of unpredictability, in what looks like agonizing attempt to accommodate to what is at the same time necessary and unknown, by showing the complex web of possibilities devised by the Stoics. Zeno of Citium, Cleanthes, and Chrysippus, and the later Stoics, both Greek and Roman, such as Epictetus, Seneca, and Marcus Aurelius, all of them are there, even Diogenes,[154] the cosmopolite, who perhaps was more emancipated from "indifferents" of all of them, but, as Herodotus would say, none could know if they are/

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[149] Nancy Sherman, "Stoic Consolations," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 565-587.

[150] Ibid., abstract.

[151] Ibid., 583.

[152] Ibid., 577.

[153] Ibid.

[154] Ibid., 583.

were happy before they die. Of course, to know that my child is mortal[155] is a deeper insight than to know one's own mortality, in the same sense in which in war pain of enduring some sacrifices which might look big might become pale while encountering something seemingly much smaller but intimately dear and of special importance. How any management to "build resilience through a robust re-education of ordinary emotions and routine practice in psychological risk management techniques," pre-rehearsal or other, can accomplish the task "of Stoicism as a practical philosophy [...] to teach us to endure the loss and manage risk"[156] can avoid finding all that as unsuccessful and redundant? It seems that the characterization of Stoicism as "practical philosophy" hides the problem: the risk *must* be taken *in any decision* to start action based on that decision, and if the decision is cardinal and hard, *the knowledge* about the world and how it functions *might* help. *Might,* with some luck. But not necessarily. There is no room for such a hope. However – how to avoid that hope? Is it possible, at all?

<p style="text-align:center">***</p>

In his comprehensive, systematic, and precise contribution,[157] Michael Skerker explores and "articulates a framework for normatively assessing influence operations undertaken by national security institutions."[158] The "vast field of possible types of influence operations," or "operations in the information environment"[159] are intriguing and attractive for an inquisitive mind. Its subject, "the vast field of possible types of influence operations according to the communication's content, its attribution, the rights of the target audience, the communication's purpose, and its secondary effects,"[160] is obviously a relevant and legitimate subject for ethical inquiry. Skerker offers a number of enticing historical examples, and evaluates them from the moral point of view. He explores the range of targeted audiences, and examines when it is legitimate and when not to aim "influence operations" toward them, the issues of proportionality, and the vocabulary used to designate them (information operations, information warfare, cognitive warfare, political warfare, psychological operations, propaganda). The

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[155] Ibid., 573.

[156] Ibid., 566f.

[157] Michael Skerker, "The Ethics of Military Influence Operations," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 589-612.

[158] Ibid., 590.

[159] Ibid., 590, n. 1.

[160] Ibid.

main conclusions of his presenting "an instrument for assessing the morality of influence operations for national security purposes" might be that

> [d]eceptive communications and communications triggering anti-social emotions are fraught and deserve special scrutiny. Such operations usually should not be targeted at non-liable groups. Rare exceptions are where the reasons for engaging in deception can be justified to the target audience. No communication, deceptive or accurate, should be undertaken for unjust purposes.[161]

There is not much to discuss here but to recommend it to the readers. It is highly relevant, with very interesting and timely illustrations. Certainly, an honest stand from the American point of view.

<p style="text-align:center">***</p>

In a very fine and elegant but cruelly sharp and precise way performs Dragan Stanar his forceful "attack" on Just War Theory (JWT) in his paper.[162] JWT is stirring for some time, going from the (Manichean) extreme further to a kind of totalitarian standpoint (like in time of Crusades), justifying too much but prohibiting and condemning even more. Pretension to monopolize the matter of "just cause" and the entitlement to reduce it to a narrow from before (or from "above," as it was so, logically correctly, in times when the God was the supreme commander) terrain of *licencing* war (neglecting entirely that wars usually come from despair and defect in established order) as if wars are court trials (and judges always the same, even in their own matters).

JWT is the "dominant perspective of modern-day ethics of war,"[163] offering a list of conditions for a war to be "just," implying to be "legal" and *allowed* (as, supposedly, to be *justified,* as if being justified entails being just). As justice is the single and sole justifier of wars, the basic and first tenet in the justificatory list, the one upon which all others rest, is *just cause.* It is always a property of one side (the one which fights for justice, so other reasons do not have a real justificatory force in evaluating a war), and it always belongs to one from prior known side. That position is obviously very comfortable and gives a unified, ready to be used, tool to designate and distinguish *just* from *unjust* wars. Jus-

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[161] Ibid., 608-609.

[162] Dragan Stanar, "A 'Just Cause' or 'Just A Cause': Perils of the Zero-sum Model of Moral Responsibility for War," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 613-628.

[163] Ibid., abstract.

tice suffices as both explanation and justification. Stanar indicates a very strange implication following, or being assumed as following, from this position – that "every attempt to further analyze and investigate deeper causes of war is automatically perceived through the zero-sum lens, as an attempt to justify or excuse the unjust side in war."[164]

Once claimed that a war is "unjust," evaluation is established as a social fact and further examination would look like searching for excuses for the "unjust" side. The responsibility must reside exclusively on one, unjust, side, while just side is completely innocent and entitled (and obliged) to require justice. "[E]very effort to allocate at least some responsibility to that particular side would result in reducing and diminishing moral responsibility for war to the unjust side,"[165] "as if [...] simple identification of causes and/or reasons for decisions suggest[s] justifying or excusing them."[166] Beside disrespecting a basic methodological axiom that requires understanding *before* evaluation, this leads to zero-sum game logic,

> in which there is a total and finite quantity (sum) of something, meaning that this "something," whatever it is, can only be distributed to parties ("players" in the game) in such a way that 'one's gain is always the other's loss.' Adding a certain quantity of "something" to one party necessarily means subtracting the same amount from the other; what one gains is quantitatively identical to what the other one loses.[167]

This means that

> [f]ollowing the logic of the zero-sum model, every attempt to attribute any type or any quantity of responsibility to one side would necessarily imply that the other side immediately becomes equally "less responsible" for war.[168]

Any distribution of responsibility or, for that matter, any other attribution of responsibility to "just" (i. e. stronger, the one which believes to be stronger) implies abandonment and renouncement of justice. This

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[164] Ibid., abstract.

[165] Ibid., 618.

[166] Ibid., 620.

[167] Ibid., 618.

[168] Ibid.

"Manichean, dogmatic, and solipsistic approach"[169] contained "in Just War Theory prevents us from fully understanding war,"[170] says Stanar quoting McMahan that "even the acknowledged experts – the theorists of the just war – disagree among themselves about the justice of virtually every war."[171] On the other side, it is undeniable that all sides in war deeply believe that it is precisely them who have a just cause for war, that all belligerent sides, regardless of the nature of war, "will always believe, often sincerely, that their own cause is just."[172]

Stanar's conclusion is elegant and well-reasoned: Why cannot "a just *cause*" be "just *a* cause," one out of many causes of war, when evaluating it morally? Indeed, while justice certainly is an important parameter both to produce motivation to war and to give reasons to qualify it after it has started, why we take it to be the *single and sole* explanation for its moral status? It is even humiliating to presume that all but one side in (every?) war are stupid (ignorant of the fact that good must prevail) and evil (motivated by no rational reason but the wrong ones)?

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In their article Stefanovski and Čavoški give a very interesting and thought provoking insight in Thucydides' description and analysis of two horrible event described in his *History of the Peloponnesian War.*[173] Those are the plague in Athens (430-426 BC) and the civil war in Kerkyra (427).

The similarities are striking, the logic of how they function, the description of their horrors, the articulation of course of their occurrence and development, the consequence and their nature and appearance, everything there is indicating important analogies worth to be shown and analysed. Thucydides' description of plague is strong. It was

> worse than it can be verbally expressed, and it pervaded and tormented the ill totally, that it almost exceeded human powers; even birds and quadruped animals, which bit the dead bodies, would die. Getting over the malign disease and watching the others suffering, [Thucydides] describes the unbearable heat and

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[169] Ibid.

[170] Ibid., abstract.

[171] Ibid., 624; Jeff McMahan, *Killing in War* (Oxford: Clarendon Press, 2009), 120.

[172] Stanar, 617, n. 17. Cf. also Jovan Babić, "Non-culpable Ignorance and Just War Theory," *Filozofija i drustvo* 18, no. 3 (2007): 59-68.

[173] Mirjana Stefanovski and Kosta Čavoški, "Polis, Loimos, Stasis: Thucydides about Disintegration of the Political System," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 629-656.

insatiable thirst which made the ill tear apart their clothing, and many, who were not taken care of, jumped into wells.[174]

Desperation and hopelessness[175] were overwhelming. Thucydides "precisely writes down other symptoms as well, from the redness and swelling of the eyes, throat and tongue and chest pain to visceral abscessation and visible furuncles over the body."[176] It was a total catastrophe and nothing could be done to ameliorate it, no medicines nor prayers, and nobody was spared. The result was total breakdown of established values and normalcy of life.

The other such description of a breakdown of the normalcy of life in Thucydides refers to civil war in Kerkyra. It was a war between aristocrats who, following their origin from Corinth and Sparta, were opting against Athens with whom they had an alliance that, like in Mytilene, was felt as oppressive, and democrats relying on Athens. Democrats won, and made a slaughter of their adversaries, but at a point of time the lines between them became very blurred and often absent, as usually happens in civil wars. The description of that war was very similar to the description of the plague in Athens. The conflict was so deep that it destroyed all the morality in public and even in private life.

> In fanatical party conflicts ruthless insolence is more appreciated than common sense, aggressive behaviour is met with trust and skill in making plots and intrigues with respect, whereas plotting of misdeeds and instigation to evil are being praised. The close cousin is more alien than the follower from the same party and people do not join the parties to promote the common good but out of love for power. Mutual trust is not inspired by divine law, but it is based on common violation of laws. Solemn oaths are worthless, and revenge is as sweeter as trust is more betrayed. This moral breakdown destroyed the very bases of every society: family ties, mutual trust of the citizens and sense of belonging to the same social community, to the same *polis*.[177]

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[174] Ibid., 636.

[175] Ibid.

[176] Ibid.

[177] Ibid., 649.

Such "entrenchment of a zealous partisanships"[178] manifests in "fanatical partisan disorganization which breaks the family and social ties, rejects all conventions and moral scruples, and does not stop at crime."[179]

Stasis, as is Thucydides' term for this aspect of civil war in Kerkyra, showed similar features as the plague. And, although plague leads to complete apolitical attitude and apathy, which causes the abandoning of the public life and all care is dedicated exclusively to oneself... for both cases the egoism is characteristic, either it is the personal egotism which in enormous fear from plague makes persons abandon their beloved who are left alone to die, or bare egoism of the exclusive party interest which is greedy for revenge and power.[180] In the case of plague the "enemy" was invisible, in civil war the enemies are our neighbours, "[t]he only question is who will be the first to attack and who will suffer the defeat and revenge." In a situation of such "party egotism and radical politization" nobody was spared, as it was not in plague: "those [...] who shunned political parties were destroyed by both [parties] either because they did not join them or from sheer malice."[181]

A sad claim we can say here is that Thucydides' description of the plague might not be applicable today – but, it seems, we cannot say the same for civil wars. Perhaps not only for civil wars, but also for latent disagreements and often fanatical dogmatism characterized for many of our divisions, political and other, waiting to be triggered in wars that are latently waiting to be triggered. Anyone who is reading Thucydides' *History of the Peloponnesian War*, and that is what Stefanovski and Čavoški raised in their rich article, cannot avoid the feeling of vivid contemporaneity of his book.

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In her short paper Justina Šumilova is dissecting the myth of Narcissus in the vast virtual sphere of the internet following her reading texts of Maurice Blanchot.[182]

> We usually understand war as an active and brutal conflict that happens in physical life. Our eyes are now on the world-wide conflicts and wars happening in many parts of the world, focusing on advanced technologies used to destroy

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[178] Ibid.

[179] Ibid., 652.

[180] Ibid.

[181] Ibid.

[182] Justina Šumilova, "Discussion on Social Media Aesthetic War: Maurice Blanchot and the Establishment of Ethics," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 657-665.

the enemy. However, one silent and aesthetic mode of war has been going on for a long period of time, but there is not much attention given to it.[183]

It is silent in a context of noise and obsessive desperate attempting to penetrate through and beyond "the glass" mirroring images without recognition and reality. The gaze directed to the glass, desperate or only eager for recognition, is the gaze of Narcissus.

"The gaze of Narcissus is the gaze of war, obsession, and destruction,"[184] "the dark and obscure gaze of the Narcissus which required vulnerability."[185] This might be the crux of the matter: there is no recognition (and respect of others) without vulnerability (which is a guarantor of moral equality, as well as of universal ground for everything). Vulnerability is intimately intertwined with the need and necessity of recognition of others as a condition of self-respect and selfhood, in mirroring realities offering plenty room for hiding. "Vulnerability is the ability to show oneself instead of hiding under the icons and images."[186] The "way to be respectful of the enemy is to talk with them,"[187] stop to hide and start to listen, to be able to accept openness of the universal vulnerability and reject and overcome arrogant and narcissistic obsession with the illusion of "the glass."

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While Ryan's article is dealing directly with issues of *ius ad bellum,* the contribution of Syse and Cook is more devoted to *ius in bello* – but with clear implications to *ius ad bellum* as well.[188] It is a complex, subtle and deep text with far-reaching insights, relevant both for the regulation of warfare (within the general issue of regulating the whole area of new life changed and determined by new technologies) and for the very meanings of new realities and their actual values and prospects. The world is in a process of fundamental change, due mostly (but perhaps not only) to big and fast progress in technology. So big and so fast that there is an obvious deficit of understanding, even no vocabulary to describe what is happening. We witness "a battle between those

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[183] Ibid., 658.

[184] Ibid., 662.

[185] Ibid., 663.

[186] Ibid.

[187] Ibid., 664.

[188] Syse and Cook.

who are certain this new technology will save the world and those who believe it will destroy it."[189] We are living in a changing world, and change is cardinal, more than merely radical. The context of reality, if I may say so, has changed, and our access to reality and our grasping and comprehension of what's important has often lost its ground. Our main tool of access to reality is the language, the words that we know how to use. But "[w]e employ the terms, but we have lost the knowledge and the context that once gave them meaning. Hence, morality and its language become increasingly meaningless."[190] This might be dangerous, and gravely so. In the "fierce reality of fear and competition"[191] we face "loss or denigration of the core value[s]" of such basic and constitutive social norms such as "honour and the accompanying virtue of courage."[192] What *honourable* or *courageous* mean now? Do we have to teach "old dogs new trumpets?" It means that we cannot employ old words for new practices, but to construe a new grammar to talk *and think*. War, characterized anyway by unpredictability of cardinal kind, "belongs within the realm of the constantly changing and the constantly uncertain."[193] But the basic distinction, between machines and humans, remains:

> [M]achines have nothing to fear, but they also have nothing to be proud or ashamed of. Honour, conscience, the willingness to take risks, the courage required to put one's life on the line: all of these may be lost at the altar of technology, or so it is claimed. Arguably, however, that is not true for the humans who develop, deploy, and operate such machines. *They* will still have fear, feel shame, or experience honor.[194]

Taking extreme uncertainties combined with extreme options available war seems to be more important than ever before.

That's why they think that we need a new approach to how we *talk* and *teach* about things, by creating a new (but perhaps not so old?) pedagogy distinguishing clearly what should be taken as important from what shouldn't – or shouldn't urgently – and may be left for

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[189] Ibid., 675.

[190] Ibid., 668.

[191] Ibid., 669.

[192] Ibid., 670.

[193] Ibid., 673.

[194] Ibid., 670.

future refining. We need to venture beyond the nomenclature of the virtues that are traditionally understood as important for the military sphere – and for military ethics – and propose an added virtue, built on what we just said about prudence: that of the skilled narrator, of the good and well-informed storyteller, who constantly, alongside the developers and the entrepreneurs – and in the military setting: the soldiers, commanders, and specialists – helps us translate the technology into understandable concepts and narratives and thereby assists us in understanding what we are doing, and where we may be going.[195] To be able

> to tell us what the new technology implies, where we are heading, what we are actually doing, what will *now* [italic J. B.] be possible, and not least what the alternatives are. Maybe every high-technology weapons manufacturer should be obliged to have a CSTO: a chief storytelling officer.[196]

We need

> to study, rethink, and maybe even understand anew several of our traditional moral and intellectual virtues as we face an ever more digitalized world – and ever more digitalized conflict. What role can and do those virtues play as we increasingly work with and delegate tasks to intelligent, self-learning machines? And secondly, we may have to device *new* virtues – or at least variants of the old ones – to fit with the challenges we face, not least in a military setting, from brain-computer interfaces employed by soldiers to virtual cyberwar and AI-enabled weapons. Are there virtues that we urgently need to formulate and emphasize?[197]

To face the fear of losing any meaningful human control over what we only vaguely know we need a CSTO: a chief storytelling officer. "[P]rudent pedagogy and truthful and accurate storytelling"[198] seems to be the only, and certainly is the most promising, way to face "fear of losing

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195 Ibid., 674.

196 Ibid., 675.

197 Ibid., 669.

198 Ibid., 675.

meaningful human control"[199] and to avoid facing "points of no return" (but firstly we should, and must, *define* what and where such points are).

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In his excellent paper[200] Spyridon Tegos, relying on the work of Machiavelli and Tocqueville, gives a fine and subtle analysis of internal logic of conquering and importance of what he calls "intermediary power," a social stratum between the highest layers of social and political power and the populace for a quality of social cohesion and defensive capacity. He corroborates his analysis by historical examples,[201] but directs it to issues of modern democracies.[202] In this rich text with deep analysis, we find the articulation of the internal structure, both of societies[203] and armies.[204] The focus is, as Tegos says regarding Tocqueville, on "the connection between war and politics regarding unprecedented latent civil conflicts in democracies,"[205] or the importance of nobility [i. e. elite of some kind, J. B.] to boost resistance toward a conqueror and the impact of its lack thereof, or rather on the connection between the specific articulation of social and political cohesion and the structure and war as not only a means in their function, but also as expression of their nature. This rich text is not only of high academic merit, but also of timely practical relevance.

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[199] Ibid., 670.

[200] Spyridon Tegos, "Machiavelli and Tocqueville on War and Armies," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 681-701.

[201] Ibid., 682: "[T]he ease with which Alexander held on to the region of Asia, or by the problems others encountered in preserving the territory they acquired, such as Pyrrhus and many others. This is not caused by the greater or lesser virtue of the conqueror, but rather by the different characteristics of the conquered territories."

[202] Ibid., 698: "In democratic social state, ambition liberated from aristocratic social immobility turns toward wealth-getting and private glory; yet war presents an excellent occasion for the transfiguration of private ambition into monstrous military ambition of rapid conquest of power and rapid social ascent."

[203] Ibid., 683: "[T]he question whether liberty is better preserved if confided to the nobles or the people but also who jeopardize liberty more those who wish to acquire more power, that is the nobles or those who desire to acquire more authority to conserve their liberty from oppression, that is the people?"

[204] Ibid., 694: "[...] a more egalitarian army often demonstrates a more efficient and well interiorized military discipline, far from rituals and empty formalities that sometimes plague aristocratic army. Greek and Roman republican armies have conquered the world with the soldiers addressing officers and generals on an equal footing. In modern democracies officers are totally disconnected from the body politic and their interests are distinct from the rest of his country."

[205] Compare: "a democratic people have a great deal of difficulty to begin and to end a war" and [t]he risk loving nature of modern democracies takes advantages of war." Ibid., 695.

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In his scholarly well-articulated and very interesting article[206] Elias Vavouras is dissecting what at first is Machiavelli's standpoint regarding empires as the best political structures, but deeper down it is a corroboration what in an open and direct way expose Egbekpalu, Oguno, and Alozie in their paper[207] – a specific view on human nature and human condition determined by nature. "Expansion of state to empire is inevitable,"[208] a claim from the very first sentence in the paper, is the necessary result of the fact that "[h]uman affairs are characterized by constant movement and change, and expansion is the necessary stage of a state moving towards its prosperity."[209] The other factor in this scheme is "natural tendency [of humans] towards greed, towards increasing the material goods they own at the expense of others."[210] There is no optimum that humans, according their nature, might be satisfied with (and produce, for example, cultures and civilizations capable to last long without cardinal change in their shape and way of life). What impels humans to action is "greedful individualism with a materialistic orientation as a structural characteristic of human nature."[211] Taking into account the sarcity of natural resources – "while human greed and expansion are inexhaustible, the state's reserves are not"[212] – the expansion seems to be vitally important. Therefore "only prospect of satisfying human nature within the political community is empire."[213] To corroborate this Vavouras thoroughly analyses the differences between Sparta and Rome, how a simple city can transform into an empire, and how "glory" relates to power. Particularly interesting and important in this context is Vavouras' subtle analysis of the relation between the meanings of terms of "hegemony" and "empire." I find his analysis both academically valuable and timely in terms of contemporary world situation.

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[206] Elias Vavouras, "Machiavelli's Ethics on Expansion and Empire," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 703-723.

[207] See Egbekpalu, Oguno, and Alozie.

[208] Vavouras, 712.

[209] Ibid. There are "historical examples of states that tried to stand stable for centuries [sometimes in very difficult environment, e. g. Armenia, Dubrovnik, and many others. Vavouras, in context of his exposition, analyses the case of Sparta] and resist movement and expansion, but ultimately failed, because they were not prepared to grow by themselves or to deal with the growth of their enemies."

[210] Ibid., 705.

[211] Ibid., 704.

[212] Ibid., 708.

[213] Ibid.

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In his somewhat exotic but philosophically refreshing article Keneth Westphall engages in a quite different venture to show some of the basic issues of what he calls *precarities of reasoning publically*.[214] His main effort is directed to show that "the enlightenment project," first, is not the cause and source of the impasse that humankind might have been in for a while, and second, that that project has not failed, despite the appearance of such possibility observed by some. Both of these efforts deserve a keen attention.

Reasoning publically remains precarious, not because – as often alleged – the 'Enlightenment project' has failed. It has not failed, it has been thwarted, and in our public responsibilities we have too often failed "the public education required for enlightened, responsible citizenship."[215]

His opening is strong, and the rest resides in deep philosophical dissecting relying on great philosophical figures, Kant[216] and Hegel, in decomposition of modern European history and its betrayed promises.

> The First World War was supposed to end all wars, though soon followed WWII. Since 1945 wars continued to abound; now we confront a real prospect of a third world war. [...] It is historically and culturally naïve to suppose that peace is normal, and war an aberration; war, preparations for war and threats of war belong to 'normal' human life.[217]

Optimistic beliefs in progress and prosperity contained in the enlightenment project didn't succeed to overcome difficulties going so far in the past as far as, as Westphall shows in his deep, intricate and engaging decomposition of the intellectual position of modern age, ancient problems of the very foundations of rational judgement. Rational judgement, which is inwardly self-critical and inherently social and communicable, cannot evade problems of rational justification like the ones classically formulated already by Sextus Empiricus.[218] In addition, "[r]ational judg-

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[214] Keneth Westphall, "Autonomy, Enlightenment, Justice, Peace – and the Precarities of Reasoning Publically," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 725-758.

[215] Ibid., 740.

[216] Ibid., 737: In his article "What is Enlightenment?" Kant "notes that his own 'age of enlightenment' is not itself an enlightened age.

[217] Westphall, 726.

[218] Ibid., 728: Petitio principii and problems of rational justification and the dilemma of the criterion and regress ad infinitum contained in it: "since demonstration requires a demonstrated criterion, while the criterion requires an approved demonstration, they are forced into circular reasoning."

ment is inherently *normative*,"[219] all descriptions contain ascriptions, which, among other things, implies a need to recognize our own *fallibility*. In an age where swearing in justice was an object of hope, we face Westphall's concluding remark: "How if at all can we identify and distinguish whatever *is* just from mere appearances of or pretenses to justice?"[220]

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In his fine paper[221] on educational importance of military ethics David Whetham makes some important distinctions. First, there is a distinction between *education* and *training*. Military ethics, which is a part of regular curricula in many military academies in the world, is not the same as "ethics of war." Military ethics, which is a part of applied ethics is much broader, it is dealing with the regulation of military life, virtues (and vices) contained in that life,

> concerning not with conceptual or even existential questions about what ethics is, what the terms "right" or "wrong" mean or what grounds our understanding of morality (if anything), but rather with what the right thing to do is in a particular context.[222]

The "core idea of military ethics is professionalism,"[223] says Whetham. Professionalism is the unifying factor tying the subject of military ethics together "in one single subject" – "common core of *professional* military values that do not change from place to place, demonstrating that even when some values conflict, many more will still be shared."[224] This is important, as it refers to some *universal* values grounding military virtues in a unique way in the whole world:

> Any professional military force, anywhere in the world, sees itself as distinct from a 'mere' group of mercenaries or long-term contractors, and that self-identity is based on more

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[219] Ibid., 731.

[220] Ibid., 732.

[221] David Whetham, "Military Ethics Education – What Is It, How Should It Be Done, and Why Is It Important," *Conatus – Journal of Philosophy* 8, no. 2 (2023): 759-774.

[222] Ibid., 759.

[223] Ibid., abstract.

[224] Ibid., 761.

than simply being a recognised servant of the state, author-
ised to employ violence as and when required.[225]

The integrity Whetham is referring to here implies intensive sentiment of
loyalty to what Michael Walzer designates as a "set of articulated norms,
customs, professional codes, legal precepts, religious and philosophical
principles, and reciprocal arrangements that shape our judgments of mil-
itary conduct."[226] The ethical point here is that this loyalty surpasses
legal obligations, on the one side, but also implies that at some points
the proper attitude will be *disobedience*. This is important:

> That means that there are also some orders that must nev-
> er obeyed regardless of how important the person issuing
> the order is. "I was only following orders" is not a defence
> against being found guilty[227] of committing a war crime, and
> there is a positive duty in law as well as a professional obli-
> gation to refuse such an order,[228]

concludes Whetham.

III. Concluding remarks

When Evangelos Protopapadakis asked me to compose a "special issue" on
war for *Conatus – Journal of Philosophy* we were thinking of a volume of
seven to ten, maybe twelve papers. We ended with a thematic issue of *Co-
natus* containing thirty-three papers. Of course, war is an important part of
our reality, it has always been, but certainly this number is an indicator of
increased interest in this theme. As I said above, the content of this volume
is vast and diverse. It might look untidy, and its ordering unsystematic. Cer-
tainly, there are many parts of the field that are not covered. But it might be
seen as a work in progress, which actually it is. It cannot, and should not, be
finished. It might be understood as a provocation and a call for further dis-
cussion, in more detail and at many places in more depth, and if that comes
as a consequence, we might be proud and claim to have accomplished our

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[225] Ibid., 763.

[226] Ibid., 764. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustra-
tions* (New York: Basic Books, 2000), 44. Cf. also my article "Obedience and Disobedience in
the Context of Whistleblowing: An Attempt at Conceptual Clarification," *Russian Journal of
Philosophical Sciences* 64, no. 6 (2021): 9-32.

[227] Cf. Boutlas.

[228] Whetham, 763.

task. But the main task is to contribute to the understanding of some of the most important issues regarding war, a theme which is, again, so intensely present among us.

Finally, I wish to thank Evangelos Protopapadakis for inviting me to be the Guest Editor of this special issue "War Ethics" of *Conatus* and for his much-appreciated help during the whole process. Thanks are also due to layout editor Achilleas Kleisouras. Special thanks go to the managing editor, Despina Vertzagia, who was present to help at all times, and without whom I probably would be lost at many points during these last months.

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