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Review

Michael Walzer's *Arguing about War*
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reviewed by
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Michael Walzer's new book assembles eleven articles published over the last 25 years, the latest in November 2003. The philosophical stances he devised and defended in *Just and Unjust Wars* are applied to the first Gulf War, Kosovo, the Israeli-Palestinian conflict, 9/11, the "war on terror" and the Iraq War. His consistency is, to say the least, helpful in assessing his arguments and there is no better time to do so.

Walzer, in hot pursuit of a sustainable ethical framework, is quite willing to confront different and even hostile approaches, such as the "realist" one ("The Triumph of Just War Theory (and the Dangers of Success).") His opening essay even argues that ethics already is ingrained in military and political thinking insofar as politicians and military men try to justify their actions through moral argument. Walzer suggests this is an important step, regardless of sincerity. As evident throughout his book, moral justifications for war and terror are a messy, deceptive and easily exploited business. Politicians and terrorists are prone to justify whatever actions they please. As a philosopher Walzer strives to prevent any cynical abuse of moral reasoning but his arguments, alas, are far too vague and plastic to avoid corruption.

In "Emergency Ethics" Walzer examines the use of moral theory to judge what we should do when we face terror or extreme cruelty. He contends that when we are in grave danger we can dilute or suspend ordinary moral standards: "there are moments when the rules can be and perhaps have to be overridden." (pp. 34). When? He elects as such an edifying instance the bombing of residential areas in German cities during World War II. Mass slaughter was a necessity even though it happens to violate a prior principle of war requiring that civilians be spared (and, according to a

post-war strategic bombing survey, the mass slaughter contributed little to the Nazi defeat). Emergency ethics permits such actions because extreme circumstances, as the old saying goes, demand extreme action. Do we need a Princeton University philosopher to tell us that? Isn't such a carefree stance a gift to politicians and military strategists—not to mention, our external enemies? All they need to argue is that we all are in extreme danger and therefore, anything goes.

Walzer is well aware of this rather enormous problem and cautions that we must appeal to emergency ethics only when we must (pp. 40, pp. 48). When is that? Walzer provides no clear criteria to decide when emergency ethics apply. The case of Nazism is supposed to help clarify groping intuitions; however, it does not help much in the cases of the attack on the twin towers and the pentagon or the suicide bombings in Israel. Are these horrors severe enough to justify emergency ethics – which looks like no ethics at all? They do not pose nearly the magnitude of threat that Nazism did. So does the war that Bush is fighting against terrorism really qualify as a case for emergency ethics? Even if we assume something must be done to prevent attacks, is the Patriot Act the right answer? Is it wise to deny arbitrarily defined 'enemy combatants' access to the justice system? Walzer does not offer any means to help us decide. Yet, in the event, such criteria would be absolutely crucial to prevent domestic demagogues, and foreign enemies, from exploiting a crisis. It seems to me that one cannot simply reject emergency ethics under any situation, so I accept that such a theory of justification is needed and it must be soundly formulated to prevent highly imaginable misuse.

In "After 9/11: Five Questions About Terrorism" Walzer approves of the controversial Patriot Act because: "If we can't make the case, then we have to be ready to consider modifying the constraints. It isn't a betrayal of liberal or American values to do that; it is in fact the right thing to do, because the first obligation of the state is to protect the lives of its citizens (that's what states are for), and American lives are now visibly and certainly at risk." (pp. 139). Walzer even commends the use of military courts in the war on terror. (pp. 138) "Emergency ethics" is always intuitively appealing to some people (and almost all authorities) but on closer scrutiny the notion turn out to be very dubious. The sketchy views that Walzer presents in these articles do a great disservice to the importance of these topics. His vague formulations of justification enable

anyone to exploit these “ethics” to justify their preferred course of actions, thereby making Walzer’s theory ironically counterproductive. Walzer addresses the question of how best to conduct such war. Is all fair, according to the eminent ethics professor, in love and war? Shall we blithely blackmail innocent people to infiltrate enemy organizations? Shall we bribe them? Let’s assume we know that a high ranking terrorist might be fingered by a person whose son needs a crucial operation available in only the West, should we use that leverage to force him to talk? Why not threaten to kill his loved ones too? These are, once you take the first dirty step, extraordinarily complicated questions. In a brief caveat Walzer sanely says the war on terror “must not become an excuse for indefensible policies.” (pp. 142) What then are the principles that should guide us? Walzer’s arguments are ultimately obscure, and perhaps worse than useless.

Let me address another point. Walzer suggests that the US should not change its policies in the Middle East and elsewhere because of 9/11. Such changes, he (like Bush) believes, would be a sign of weakness and so encourage rampant terrorism. (pp. 142) But is this macho ethical stance really sound? US policies in the Middle East cannot be used to justify the 9/11 attacks but once they occurred shouldn’t the US reexamine some aggravating factors that might have made the attacks more probable? Would pressure on Israel to end its occupation send the wrong message to terrorists? It might, but it will also show the Islamic world that the US is a concerned friend. One cannot go on as if nothing happened.

Walzer’s position is, at core, inconsistent. On the one hand, he claims new tough policies should be implemented in light of new threats (military courts, constraints on civil liberties), but on the other hand he suggests that policies in the Middle East should not change. Why the double standard? Walzer’s explicit reflections on the war in Iraq are five pieces written between September 2002 and November 2003. He regards the war in Iraq as unjust because there were numerous other courses of action to achieve the goal of disarming Iraq (assuming there were WMDs). Moreover, the Bush administration never offered sufficient evidence to prove that Iraq was a threat, or would become one. It is not enough to assert that someone is developing weapons, indeed most countries develop weapons, to justify a preemptive or a preventive war, we must show that such development would highly likely endanger “us.” (pp. 146-147)

Walzer argued that the war in Iraq cannot be justified on the grounds that the Bush administration proposed. Since then the justification that officials invoke is liberating the Iraqi people or else crushing Saddam's ability to produce dangerous weapons. This shift in justification, Walzer agrees, is an illegitimate one. Citizens through their representatives approved the invasion on specific grounds and if these grounds were wrong then in order to restore legitimacy the administration must either withdraw the military forces or ask for another authorization based on this new argument. This point is worth stressing. Legitimacy of government actions is of utmost importance. The funds that Congress authorizes should fulfill the aims for which they were intended. For example, it would be illegitimate for the government to use funds earmarked to fight particular kinds of crime for other purposes (as noble as they might be). Only new legislation could make such a reallocation. In the same way, the funds allocated to Iraq should be reauthorized.

Yet Walzer argues that the US should do everything to win the war and that the victors are obliged to reconstruct Iraq. (pp. 164) To justify this view Walzer introduces a new turn in his ethical theory of war, namely postwar justice. (pp. 18-22, pp. 162-168) That is, in some cases the winning side has an obligation to help the loser rebuild itself, construct legitimate institutions and secure stability. Not every war requires it. Walzer argues that World War II required it and so does this war. An obligation to help the losing country could be more valid when unjust wars are concerned. The aggressor, one might argue, should enhance the well-being of those who suffered from its actions. Yet, the notion of postwar justice is more vexing than Walzer suggests. In the case of World War II the winners had no legal or moral obligation to reconstruct Germany and Japan. Those nations were responsible for their actions and should accept the consequences. It was probably very wise to help rebuild them but the ethical obligation was weak. The wars of Israel, with exception to the occupation of the West Bank and Gaza, would similarly have no obligation of postwar justice (another exception would be the obligation to return conquered lands, i.e., the Golan Heights, Sinai). The Iraq case is different mostly because it is an unjust war and the losing nation could not be held responsible for the consequences of the war. This notion of postwar justice is important yet it requires much far more detail than Walzer devotes to it.

Contrary to Walzer, it may well be that “postwar justice” in Iraq does not entail that US forces remain. Indeed, it could be the case that a quick withdrawal would be more conducive to postwar justice. The US occupation of Iraq is causing more instability than would presumably obtain if these forces left. They are, after all, the focus of all the fighting. It is possible that once that US forces leave a period of violent instability would persist but such a period could well be shorter and less bloody than if the US “sticks it out.” Once the occupation ends the different factions would likely have to sit down and negotiate. The presence of an occupying force is no help. This does not mean that the US should not help rebuild Iraq, rather the contrary; it has an obligation to do so. Yet, to do that it must first withdraw from Iraq.

To conclude, Walzer’s book examines a wide variety of pertinent issues. It is especially helpful in covering the main moral arguments about how war can or cannot be justified, the “proper” conduct of warfare, and its aftermath. Walzer addresses the big ethical issues regarding the fight against terror. However, his book in most cases presents very sketchy and dubious arguments. In light of the stature of Walzer as a major moral philosopher such sketchiness can do more harm than good since his arguments could be exploited by those who he would probably be first to regard as enemies of justice, democracy and freedom.

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