Lecture #9: Morality & War II: Pacifism

Four Central Questions about Morality & War
1. Is war subject to moral evaluation? (Nihilism vs. Moralism)
2. Is going to war always morally wrong? (Pacifism vs. Just-War Theory)
3. Under what conditions is going to war justified? (Jus ad bellum vs. Raison d’état)
4. Is it permissible to kill non-combatants in war? (Jus in bello vs. Raison de guerre)

I. The Definition of Pacifism

• There are several varieties of pacifism
  – Typically, pacifism is a version of absolutism. It asserts that some kinds of act are always wrong, regardless of their consequences, but what kinds exactly?
    • The strongest version of pacifism holds that Killing is always wrong.
      – This would include capital punishment, law enforcement, self-defense, &c.
    • A weaker (i.e., less demanding) form holds that Killing in war is always wrong.
      – This would require an argument that there is something different about war.
    • There are also non-absolutist versions of pacifism.
      • One non-absolutist version of pacifism—"just-war pacifism"—will be considered later.
    • A presumptive argument for pacifism might reason (vaguely) as follows:
      – Non-maleficence is ordinarily more weighty than beneficence.
      – Non-maleficence becomes stronger as the harm proposed is stronger & very strong when the harm proposed is death.
      – So, war cannot be justified on the basis of beneficence overriding non-maleficence.

Utilitarian Arguments For & Against Pacifism

• Pro
  1. Any act that promotes the greatest happiness, &c. of people more than any alternative is morally right. [the utility principle]
  2. No acts of killing other people [or wars] promote the greatest happiness, &c.
  3. So, no acts of killing other people [or wars] are morally right.
• Contra
  1. [Same major premise]
  2. Some acts of killing other people [or wars] promote the greatest happiness, &c.
  3. So, some acts of killing other people [or wars] are morally right.

The Controversy within Utilitarianism:
– Over the minor premise: what are the consequences of war?

A. A. Milne’s Argument for Pacifism

The Controversy within Utilitarianism:
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Utilitarian Case against Pacifism (defense of Contra-2)

• 3rd Figure syllogism—using a counterexample to refute a universal claim (Pro-2)
  1. Allied military operations against Hitler promoted the greatest happiness, &c.
  2. Allied military operations against Hitler constituted a war.
  3. So, some wars promoted the greatest happiness, &c.
• or 1st Figure syllogism
  1. Any act that removes a tyrannical dictator by killing less people than leaving him in place would do promotes the greatest happiness, &c.
  2. Some wars remove tyrannical dictators by killing less people than leaving him in place would do.
    • This would best be defended by example—3rd figure syllogism again.
  3. So, some wars promoted the greatest happiness.
– The utilitarian case for pacifism

• The probably works better as a rule-utilitarian defense
  1. Any moral rule that promotes the greatest happiness, &c. is morally correct.
  2. Pacifism (the rule that all wars are wrong) promotes the greatest happiness, &c.
  3. So, Pacifism is morally correct.
Lecture #8: Pacifism

Questions

• What is Milne’s argument for pacifism?
  – Reconstruct the argument with attention to its logical form.
  – What are its theological foundations?
  – Can those theological foundations be replaced with philosophical ones?
• How might a non-pacifist object to that argument?
• Which argument is stronger?
  – Why?

Milne’s Second Thoughts

• Your conscience thinks that war should cease
  But finds no fault with German peace,…
  It minds not who seduces whom
  If, safe within its narrow room,
  It still can hug itself and say
  ‘We took no part in war today’;
  It will not mind who lost, who won,
  So long as you have fired no gun.

C. S. Lewis’ Argument Against Pacifism

Outline of “Why I am Not a Pacifist”

I. How we decide questions of morals (pp. 33–38)
A. Deciding by conscience? (pp. 32–33)
  i. conscience as pressure
  ii. conscience as conclusion (i.e., product of reasoning) (see B)
B. Moral reasoning
  i. “three elements” (p. 34–35)
    a. “reception of facts”
    b. “intuition” (or “self-evident truth”)
    c. “proof” (or “the art of arranging …”)
  [ii. two checks on reasoning—mentioned unsystematically here (p. 35), but more systematically later (p. 39 & 45–53)
    a. passion
    b. authority]

II. Deciding the question of pacifism (pp. 38–53)
A. Pacifism cannot be accepted [or rejected] on the basis of intuition alone (p. 38)
B. The moral argument about pacifism
  i. “First, as to the facts” … (pp. 39–41)
  ii. “I turn next to the intuition …” (p. 41)
  iii. [Arrangement]: “We have next to consider whether reasoning …” (pp. 41–45)
  iv. “I turn next to authority …” (pp. 45–51)
  v. “It remains to inquire [about] … the secret influence of any passion” (pp. 51–53)
**The Nature of Conscience**

- Conscience is not an "autonomous faculty" (like the senses).
  - The operation of senses & of the conscience:
    - We "just see" that something is red.
    - We do not "just see" that something is wrong.
  - An argument for the difference:
    - Autonomous faculties (like the senses) cannot be argued with.
    - Conscience can be argued with.
    - So, conscience is not an autonomous faculties (like the senses).
- "Conscience" can mean either of two things:
  - The pressure one feels upon his will to do what is right
    - in this sense, conscience is always to be followed.
  - One’s judgment as to the content of right & wrong. In this sense:
    - Conscience is the product of reasoning.
    - Conscience can be wrong.

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**St. Thomas on Conscience**

Question 79

Article 13

Whether conscience be a power?

Properly speaking, conscience is not a power, but an act. … For conscience, according to the very nature of the word, implies the relation of knowledge to something: for conscience may be resolved into 'cum alio scientia,' i.e. knowledge applied to an individual case. But the application of knowledge to something is done by some act. Wherefore from this explanation of the name it is clear that conscience is an act.

… But since habit is a principle of act, sometimes the name conscience is given to the first natural habit—namely, synderesis: thus Jerome calls synderesis conscience (Gloss. Eschikel 1:6); Basil [Hom. in princ. Proverb.], the 'natural power of judgment,' and Damascene [De Fide Orth. iv. 22] says that it is the 'law of our intellect.' For it is customary for causes and effects to be called after one another.

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**Jiminy Cricket**

Dialogue 1:

The Blue Fairy: You must learn to choose between right and wrong.

Pinocchio: Right and wrong! But how will I learn? Jiminy Cricket: [whispering] How he'll learn?

The Blue Fairy: [to Pinocchio] Your conscience will tell you.

Pinocchio: What's a conscience?

Jiminy Cricket: What a conscience! I'll tell ya! A conscience is that still small voice that people won't listen to. That's just the trouble with the world today…

Pinocchio: Are you my conscience? Jiminy Cricket: Who, me?

Dialogue 2:

Lampwick: [picks up Jiminy] Hey, what's the matter?

Pinocchio: He's my conscience. He tells me what's right and wrong.

Lampwick: What? You mean to tell me you take orders from a Grasshopper?

Jiminy Cricket: Grasshopper? Look here, you— you impudent young pup! It wouldn't hurt you to take orders from your Grasshopper— or, your conscience, if you have one!

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**Pope Francis on Guardian Angels**


"Crediamo oggi al Signore la grazia di questa dote, di ascoltare la voce di questo compagno, di questo ambasciatore di Dio che è accanto a noi nel nome Suo, che siamo sorretti dal suo aiuto. Sempre in cammino… E anche in questa Messa, con la quale noi lodiamo il Signore, ricordiamo quanto buono è il Signore che ci ha abbandonato. E anche in questa Messa, con la quale noi lodiamo il Signore, ricordiamo quanto buono è il Signore che ci ha abbandonato."

"Our guardian angel is always with us. He is always a reality. He is an ambassador from God. And the Lord advises us: 'Have respect for his presence!' And when we, for example, do something wrong and think that we are alone: no, he is there. Have respect for his presence. Listen to his voice because he is advising us. When we hear that inspiration: 'Do this… This is better… That shouldn't be done…'. Listen! Don't rebel…"

"Today we ask the Lord for the grace of this docility—to hear the voice of this companion…"
Lewis' Moral Reasoning about War (cont’d.):
More Arrangement

- In the situation of an attack …
  - There is a duty to help
  - There is a duty to help the victim
  - It is at least permissible to help the victim by harming (doing violence to) the attacker
    - why?
      - since it might be necessary to fulfilling the duty to help
      - it might be a duty to harm if the duty to help is strong enough
  - It is permissible to help the victim by killing the attacker
    - why the argument can go this far
      - killing is sometimes the only effective means of restraint
  - It is permissible to help the victim by waging war against the attacker
    - why the argument can go this far
      - it is even clearer that war is sometimes the only effective means of restraint

Another Version of a Presumptivist Argument for Self-Defense

- Facts (in a possible situation)
  - An attacker is threatening to kill a victim
  - The attacker can only be stopped by killing him
- Intuitions
  - [Ross’ seven duties]
  - Strengtheners & weakeners of duties
    - N.B.: The general challenge for presumptivist analysis of moral problems is explaining why one *prima facie* duty outweighs another.
    - Lewis’ insight: beneficence is strengthened by considering the beneficiary
      - The duty of beneficence must be specified — Helping whom?
      - A supplementary insight: non-maleficence can be weakened when considering the person to be harmed in the case of
        - harms necessary to helping the victim
        - harms that are not significantly greater than the harm that the malefactor is inflicting
      - Why?
        - The attacker is the one who has created the conflict of duties by creating a situation in which someone will be hurt.
        - He alone can dissolve the conflict (end the situation in a way which leaves no one hurt).
        - So if someone has to be hurt, it should be him, not his victim.
- Relevance of other duties: Justice reinforces Beneficence, since harming the attacker to save the victim provides a more just distribution of goods & harms.

Lewis’ Two Checks on Moral Reasoning

- Authority
  - “We ought to attend to the undemonstrated sayings and opinions of experienced and older people or of people of practical wisdom not less than to demonstrations; for because experience has given them an eye they see aright.” — Aristotle, *Ethics* vi.11
- Passions
  - Knowledge that our passions point us in the direction of our conclusion should make us extra cautious about the soundness of our reasoning.

Arguing by Analogy Against Pacifism

Analogy Extension from Individual Defense to Law Enforcement & War

- Case #2: From Individual Self-defense to Law Enforcement
  - A private person’s killing an attacker to protect a victim is morally permissible.
  - The use of lethal force by the police (in specifiable circumstances) is like a private person killing an attacker.
  - So, the use of lethal force by the police (in specifiable circumstances) is in morally permissible.
- Case #3: From Law Enforcement to War
  - The use of lethal force by the police (in specifiable circumstances) is in morally permissible.
  - Resort to war (in specifiable circumstances) is like the use of lethal force by the police.
  - So, resort to war is morally permissible.

Calvin on War

“...If kings have been entrusted with the power to preserve the tranquility of their own territories... and if they justly punish those robbers, whose injuries have only extended to a few persons, shall they suffer a whole district to be plundered and devastated with impunity? For there is no difference, whether he who in a hostile manner invades, disturbs and plunders the territory of another to which he has no right, be a king, or one of the meanest of mankind: all persons of this description are equally to be considered as robbers and are to be punished as such.”

War & Law Enforcement: 
Points of Analogy & Disanalogy

• The point of similarity is that
  – the duty to do justice causes beneficence to trump non-maleficence, despite the generally greater strength of perfect duties. (See next slide.)

• The points of disanalogy are …
  – for personal defense & law enforcement
    • Aquinas argues that only the state has the right to intend the death of the wrongdoer, though Locke disagrees.
    • Still, this would make war easier to justify on this point.
  – for use of law enforcement & war
    • The soldier may kill unless the enemy manifests an intent to surrender.
    • The policeman may not kill unless the suspect manifests an intent to injure & cannot be stopped by non-lethal force.
    – See the use-of-force scale
    • This weakens the analogy, but the difference between enemy soldiers & criminals explains their different treatment.
  – for both other cases & war
    • The level of violence is much greater in war.
    • This weakens the analogy, but of course the goods sought in war can be much greater than those sought in law enforcement.

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Police Use-of-Force Continuum

<table>
<thead>
<tr>
<th>Confronting a person who is …</th>
<th>The police may use this technique:</th>
<th>For example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliant</td>
<td>Officer Presence</td>
<td></td>
</tr>
<tr>
<td>Passively Resistant</td>
<td>Verbal Commands</td>
<td></td>
</tr>
<tr>
<td>Actively Resistant</td>
<td>Soft Techniques</td>
<td>use of holds, choke points, chemical &amp; conducted-energy devices</td>
</tr>
<tr>
<td>Assultive (threatening injury)</td>
<td>Hard Techniques</td>
<td>blows, kicks, use of impact weapons</td>
</tr>
<tr>
<td>Assultive (threatening serious injury or death)</td>
<td>Lethal Force</td>
<td>Firearms</td>
</tr>
</tbody>
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