



News - Opinion

## **A just cause for war does not excuse indiscriminate killing**

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There is a difference between soldiers' deaths and those of civilians.

THE recent death of Paul Tibbets, who piloted Enola Gay to deliver the world's first nuclear bomb on the city of Hiroshima - destroying the city utterly and killing about 100,000 people - raised once again crucial questions about the morality of warfare.

The questions were answered starkly by the unrepentant Tibbets, who said: "People get killed in wars. That is too bad. But there's no morality in warfare and I have never tried to equate it to morality." He went on to justify the slaughter and his undisturbed sleeping patterns ("I sleep good every night") by claiming that the bombing had helped end the war and made the world "a better place".

Tibbets may not have thought that this justification was a moral claim, but it appeals to the idea that some great good can justify what would otherwise be a moral evil, and so contradicts his declaration that there is no morality in war. Indeed, over the centuries, even the most tough-minded thinkers about war have allowed that morality has something to say about the conduct of war even when they have disagreed about how much it says.

The 17th-century English philosopher Thomas Hobbes, for instance, notoriously remarked that "force and fraud are in war the two cardinal virtues". Yet Hobbes also thought that, even in war, the laws of nature prohibited unnecessary killing and injury and warriors could be guilty of dishonourable conduct. Other philosophers, theologians and lawyers argue that there are stronger moral limits upon how wars should be conducted. These are transgressed in what ordinary moral thinking characterises as "atrocities".

Principal among these limits, and central to the just war tradition, is a prohibition upon intentionally attacking non-combatants. The point of this is that if you are justified in going to war at all, your just cause requires you to direct violence only at those who are prosecuting the evil that morally licenses your armed resistance. The bare fact that people are members of an enemy nation is not enough to make them legitimate targets. The atomic bombing of Hiroshima and Nagasaki made no attempt to discriminate in any way between combatants and non-combatants, and was, if anything, principally aimed at non-combatants. On the face of it, it was a horrendous moral crime.

Tibbets blurs this with his remark that people die in war, but the issue is whether those who die are legitimately killed. Although there were some genuine military targets in Hiroshima, the atomic bomb was not needed to destroy them. If we think of terrorism as the deliberate killing of the innocent, then the bombing was an act of terrorism far greater than any single act of terrorism perpetrated since by non-state agents.

There are those who deny the significance of the distinction between combatants and non-combatants. They think modern war is "total war", whole nations or peoples against each other. There can be no philosophical justification for this, and it has the consequence that there can be no moral distinction between killing an invading enemy soldier out to kill you and bayoneting the children in an enemy kindergarten or intentionally bombing a civilian hospital. This position might suit Osama bin Laden, but it should be anathema to those who oppose him.

Others more plausibly argue that the distinction is problematic because many combatants are just as innocent as non-combatants. This is because some combatants are either coerced to fight by conscription or other pressures or are too ignorant to know whether their cause is just or not. This reply raises interesting questions about the responsibility of soldiers, but whatever we say about that, there remains an important moral distinction between killing armed warriors bent upon attacking and killing such innocents as babies, small children, hospital patients, and enemy pacifists or opponents of the war, not to mention the bulk of the enemy's ordinary civilians. There is a moral case for targeting armed soldiers, however they got to be fighting, where there really is none for attacking palpable non-combatants.

This is the message of the just war tradition that occupies a central place in thinking about the relations of war and morality, and has influenced the formulation of international legal thinking about the conduct of war. Against this, Tibbets echoes a different mode of moral thinking when he cites the role of the atomic bombing in ending the war and making the world "a better place". This mode is captured in the philosophical theory of utilitarianism and its near relations.

The idea is that beneficial outcomes are sometimes sufficient to allow for the violation of the deep moral prohibitions of common morality. So the ending of the war with consequent saving of numerous lives was said by many to justify the killing of so many innocents. In the case of Hiroshima and Nagasaki, there has been continued dispute about whether the bombings were really required for ending the war, and the calculations about outcomes also have to factor in the way this resort to nuclear terror has contributed to our present problems with nuclear proliferation, including the prospect of sub-state terrorists acquiring and using weapons of mass destruction.

But utilitarianism has many defects as a moral theory since its cost-benefit calculations pose tremendous difficulties of detail, are open to multiple interpretations and the possibility of abuse, and cut against the grain of entrenched moral insights such as the prohibitions on rape, torture and murder. The atomic bombings of Hiroshima and Nagasaki, like the city bombings of London, Hamburg, Dresden and Tokyo, are moral crimes, and those responsible should never have slept peacefully.

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