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Ethics and Ethicality in Military Context

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There is a long tradition of military ethics which is closely connected to the general ethics. Military contexts are of extreme complexity which entails that ethical questions becomes conceptually and theoretically rich. So, military ethics is a very important and interesting special research area. Nearby all the central notions characterizing war are troublesome. For example, the distinction between just and unjust war is extremely difficult. How to characterize ethically justified war? However, in the ethical evaluation of acts of individual soldier cannot be based on the distinction of just and unjust war. So, the ethical evaluation of war supposes that we could evaluate wars as whole (jus ad bellum) and acts of individual soldiers in war (jus in bello) and then to combine these together. (McMahan 2006; Lazar 2017.)

The complexity of military contexts makes the causal architecture of the context so complex that it is extremely difficult to specify the consequences of acts and non-acts of individuals within a battlefield and outside it. However, this make it nearby impossible to apply any ethical theory in evaluation of the actions. The consequences are not known even in the short hand and ethical rules cannot be applied because of the complexity.

Ethicality refers to personal ethical responsibility, i.e., ethical commitment to the good of human. The commitment is based on ethical deliberation. Unfortunately, there is no general agreement what the good of human is. However, even if this problem should be solved, the ethical responsibility of actions (and non-actions) is not easy to specify. Each singular act has infinite numbers of consequences and each singular act has infinite number of possible alternative acts, as Moore (1903) emphasizes. This difficulty does not annihilate the ethical responsibility. An agent may feel guilt even if the consequences are not foreseeable. (See Haji 2003.)

In military context the moral deliberation is often substituted by the duty. However, as Moore (1903, §106a) emphasizes the identification of good with duty is extremely problematic. Obviously, duties are of various character. Some of them are only formal and, hence, outside of the scope of ethics. Some of them are ethic-laden and some properly ethical. Hence, the ethicality cannot be identified with duty-bound action. According to Moore (1903) the identification can be understood as an example of naturalistic fallacy.

To formulate a firm ground for ethicality we might look at reasons for human action. However, there are several different kinds of reasons for human actions. Some of them are even unknown to the agent. Especially military actions take place within complex and unpredictable situations in which everyday intuitive reasons does not work well. In fact, the everyday reason does not work in everyday situation either. Hence, they cannot be a firm ground we are looking for. It might be that there is no such a firm ground, but we must accept at least modified relativism. (Blackburn 2001; von Wright 1963.)

The foundation of ethicality may be searched form different directions: In consequentialism the foundation is seen to be in factual consequences and in deontology the foundation is in respect of the moral law. However, these have own restrictions. Consequentialism may lead to cold calculations which hardly can be understood as ethical; the Formula of Humanity is very hard to be applied in military contexts. The mediating approach might be contractarianism which also has its restrictions. (Blackburn 2001.)

However, even if there is no firm basis for ethics and ethicality. We must continue to search for the foundation of ethics and ethicality. We have to train our intuitive understanding and to formulate and reformulate tentative formulations of ethical rules which both are subsumed under critical study. So, the only way is open dialogue in which different opinions and approaches are welcome. Together step by step it is possible to achieve better understanding of ethicality and ethics. In international law there is no authority over and above (independent) states which entails that the international law cannot be judgmental. Hence, the argumentation in the paper can be understood as undirect justification why the logic of international law should be understood as dialogical. (Heiskanen 2017)

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