The Ethics of the Iraq War - by Richard D Ryder

In the second of our two articles focusing on the war in Iraq, Richard Ryder looks at a range of possible justifications, and finds them all wanting.

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INTRODUCTION

Recent debates over the abuse of Iraqi prisoners should not distract from the more basic moral question: was the Iraq war justified in the first place?

Britain has been to war five times in the last six years and on most occasions most people have been satisfied that we were fighting on the side of the angels. But in the case of the Iraq war of 2003 there has been much disquiet about both its legality and ethics. The position of Tony Blair was compromised by this disquiet and on 5 March 2004 he sought to justify the war in a speech in his Sedgefield constituency. Much of this speech was moderately convincing political argument about the risks posed by terrorism if combined with modern weaponry, and he made justified criticisms of the efficiency and outdated constitution of the United Nations. At the ethical level, however, it was a disappointing hotchpotch. Blair blurred a good argument (the case for humanitarian intervention) with a bad argument (the alleged threat of Iraq's weapons of mass destruction) and concluded from this that pre-emptive war was and is justified both generally and in this case. He blamed faulty intelligence for getting the facts wrong. One or two strangely apocalyptic words stand out in this speech, among them his sense of 'revelation' after the 11 September outrage that we face an allegedly 'existential' threat posed by terrorists bent upon 'Armageddon', As an essay in ethics this speech was totally unconvincing, and worryingly so.

TRADITIONAL WAR ETHICS

Traditionally, recourse to war has been excused on half a dozen grounds -

- proportionality,
- right intention,
- last resort,
- legitimate authority,
- prospects of success and
- just cause.

In the case of the Iraq war just about all of these grounds (except prospects of success) look dubious. Was the war in proportion to the evil it strove to put right? (Saddam was neutralised but many were killed and thousands of children and other civilians were injured and permanently handicapped. After the war there was chaos and hardship). Was there right intention? (Or were there hidden motives such as oil?) Was it a last resort? (No, UN sanctions and weapon inspections could have continued.) Was there legitimate authority?
(The United Nations, the pope, many individual states and other organisations were essentially opposed to the war. Were, then, Blair and Bush legitimate authorities in their own right? Maybe, but large numbers of their own citizens were against them - and is such authority acceptable anyway?)

JUST CAUSE

Most important of all these 'post-Christian' traditional criteria is the argument of just cause. Basically, wars have been justified either on the grounds of self-defence or of rescuing another state from outside attack. Did either of these justifications apply in the case of Iraq in 2003? No evidence of weapons of mass destruction or of terrorist links that seriously threatened the West has yet been found. (The terrorist link argument was one of the most implausible. For years Saddam had been a bête noire for most Islamic terrorist groups. There are good reasons for seeking to contain terrorism, yet President Bush made little apparent effort before invading either Afghanistan or Iraq to control terrorism by trying to understand and reduce its causes - the most blatant of which is Israel's chronic oppression of the Palestinians.) Was there, then, evidence that Iraq was being attacked and that the Coalition was going in to protect them? No. The grounds emphasised by Tony Blair were the former - the West was threatened by weapons of mass destruction (WMD). Then how about other states with WMD such as Israel, France and India - should these be invaded also? President Bush, on the other hand, argued that an additional reason for war was 'regime change'. This was probably more persuasive, although he did not make it clear why regime change was deemed to be necessary in this case rather than in a score of other dictatorships as well. Was it solely for the benefit of the Iraqis themselves or would there be some advantage in it for the US - safer oil supplies, for example, from the Caucasus and Saudi Arabia? Blair may have privately believed that regime change was the main objective but he rarely said so publicly, before the war, maybe because he thought that either the UN or the British public would not see this reason as a justification for war. In the latter case, he was probably mistaken as, ironically, this excuse might have been far more acceptable than the one he selected. All in all, Bush and Blair were seen by some as rather casual in their attitude to war, ordering it as just another form of foreign policy. They seemed to lack the dread and horror of war that was a characteristic of the older generation of statesmen who had been alive in World War II and of some military people who have actually experienced war. In the event, the Iraq war of 2003-2004 has so far killed hundreds of young Western soldiers, some twenty thousand Iraqis and wounded tens of thousands of others. (If numbers matter.) The war was an unprovoked attack leading, as war inevitably does, to the agony and death of many innocent people. It has been said that there had been no such unprovoked war caused by Western powers since Hitler invaded Poland in 1939, and that Britain has not waged such an unprovoked war for well over a hundred years.

CHRISTIAN ETHICS

Unlike Hitler (who had his own warped ethical code), Blair and Bush are professed Christians. Yet there appears little in Christian ethics to justify their actions in this case. To the contrary, what they did has seemed to several religious leaders to be entirely antithetical to Christianity and to Jesus’ teachings of peace, love and the turning of the other cheek. So, how is this to be explained? Perhaps the two men share some special sense of mission or a special interpretation of Christian ethics? If so, they have not yet revealed it. Paranoid fantasies typically include an exaggerated fear of attack (in the absence of real evidence), together with a religiose sense of being a saviour (the messianic complex). Such thought patterns are common enough among the mentally
disturbed, but I am not for a moment suggesting that they were present among Western leaders or that there was a paranoid folie a deux before the Iraq war. However well disguised and concealed, as paranoid conditions typically are, such delusions, although claiming to be principled, are rarely supported by rational and convincing ethics. In contrast, and to be fair to Blair, he does seem to be a man concerned about moral principle, and perhaps he acted on a principled and rational moral position on this occasion. If so, what could this have been? Let us briefly review two other possibilities.

**KANT AND THE UTILITARIANS**

We have already considered and discarded both the Christian and the traditional post-Christian justifications (the 'just war' position). They simply do not justify the Iraq war of 2003. How, then, about Kant? A Kantian view of ethics includes a respect for law and a requirement to act on principle rather than pragmatism. Most importantly, Kant argued that we should treat humanity never as a means but always also as an end. This implies a strong and principled respect for individual persons. Was this apparent in the Coalition's killing and wounding of thousands of Iraqi civilians? It is hard to see that it was. We seem, then, to be left only with a Utilitarian defence of the war - the argument that the war's aggregated benefits (in terms of happiness) outweigh its aggregated pains. At the time of writing this looks uncertain - if we add up each person's (largely unknown) future benefits from being freed from Saddam's tyranny and then add up all the (actual) pains of the people wounded, bereaved, terrrified and rendered homeless or jobless in the war and its aftermath then the balance, at best, is unclear. In the longer term, perhaps, the total of benefits may one day be claimed to outweigh all the pains. However, some of the world's leading Utilitarian philosophers, such as Peter Singer, have opposed the war. Nevertheless, some sort of vague Utilitarianism appears to underlie official thinking. It was an argument that Blair seemed to use on at least one occasion; when asked on television in early 2003 how he could justify the war, Blair said that the innocent victims of his war would be far 'fewer' than the victims of Saddam's wars.

**REGIME CHANGE/HUMANITARIAN INTERVENTION**

Let us assume for a moment that Utilitarianism is sound. The position could have been put like this: 'We are attacking your country in order to free your ordinary citizens from the oppression of a cruel dictator.'

To some extent, George Bush did say this but Tony Blair gave this reason only a subordinate status at the time. Yet regime change (or 'humanitarian intervention') is, surely, a good argument. Old ideas about the so-called immunity of heads of state have taken a knock since the case of General Pinochet in 1998. Heads of state and prime ministers are nowadays, and quite rightly, regarded as especially culpable for state crimes committed against their own as well as other peoples. This is a major step in the right direction. Dictators beware. You are warned. If you resort to gross injustices, wars, oppressions or tortures of your own peoples or of others, then you will be targeted by the international community. The boundaries of a nation no longer give protection from international law and ethics. Maybe the Israeli practice of targeting the cars of leading terrorists will catch on internationally and wicked dictators will be taken out by precise missile attacks! At any rate, the old boys' club among politicians seems to be on the way out. Instead of preserving the safety of political and military leaders regardless of their behaviour (the 'we VIPs must all stick together' approach) such influential people are now being called to account by bodies such as the United Nations and the International Tribunal at the Hague; indictment, or 'naming and shaming', are increasingly being used.
as a sanction, and quite rightly. But if the war in Iraq in 2003 was solely to do with regime change, then surely this could have been done by the capture or killing of Saddam Hussein by special forces. It appears that this was actually tried but found to be impossible. Why, then, have Western politicians been so reluctant to talk about this failure publicly? The answer may be that they fear that public opinion would not yet accept such tactics. I wonder if they are correct in this surmise.

I believe that public instincts about the war in Iraq are just about right. In early 2004 polls indicated that half the population of the UK thought the war unjustified and mainly, so it seems, because of the huge burden of suffering and death it imposed upon already oppressed civilians. On the other hand, the reason most given by those who favoured the war was not the safeguarding of oil, the removal of weapons of mass destruction, nor the suppression of international terrorism, but the deposing of a cruel dictator. But the moral dilemma remains - is it right to kill and maim innocent civilians in order to save them from a dictatorship? How can we be protecting their rights by infringing them? We can recall that the NATO bombing of Serb aggressors in Kosovo and Bosnia in 1999 met with widespread public approval. Why did this receive so much more approval than the Coalition bombing of Baghdad in 2003? Some differences were that the cruelty of the Serbs towards Muslim civilians was extreme, worsening and on our television screens while Saddam's cruelty was chronic, insidious and partly concealed. (Television largely relied upon pictures of Kurdish victims gassed fifteen years ago at a time when Saddam was supported by the West. And who said, anyway, that such deaths were crueler than those of civilians killed by Coalition conventional bombing? Some gases - as used by the Russians, for example, in the Chechen Moscow Siege of 2002 - are relatively humane.) As I have said, the version of the 'just war' theory that is traditionally encapsulated in international law is that the only justification for going to war is as a defence against aggression. This takes the form either of self-defence or the defence of others. Intervening to protect weaker children from the school bully or to rescue the victim of a street mugging are generally accepted as good things to do. But can this defence be used to justify regime change? Can 'oppression' be a substitute for the word 'aggression'? I think it can. (Both cause pain.)

**PAINISM**

Much of this argument assumes that the Utilitarian position is valid. I happen not to believe that it is, and so this is where I part company with many conventional moralists. The moral difficulty with wars to depose dictators is that innocent people get hurt in the process. To say that their pains are outweighed by gains to others is a Utilitarian argument, but I do not believe it is sound, and for the following reason: you cannot add up the pleasures and sufferings of separate individuals and derive a meaningful score. Such aggregations are futile because nobody actually feels these totals. You cannot say that causing the deaths of a thousand people is worse than causing the deaths of a hundred, nor that causing agony to a million is worse than causing agony to a thousand. Each individual can only die once and can only suffer their own suffering. Nobody can directly suffer the agonies of others. It is not only Mr Blair who bases moral argument upon such Utilitarian misconceptions: people generally assume that disasters causing many casualties are worse than those causing a few and that the wickedness of wars can be measured by the numbers of casualties. I believe, however, that the wickedness of an action can be measured not by the number of its victims but by the intensity of the suffering of the individual who suffers most. So, in my opinion, causing agony to one person is worse than causing mild pain to many. This is a central tenet of the moral theory I call painism.
CONCLUSIONS

If regime change or humanitarian intervention was the justification for the war then the whole operation was similar to a police action to arrest a sadistic murderer or a school bully. But if any police force in the civilised world, in the pursuit of such a laudable aim, killed, abused and wounded innocent men, women and children in the process, then they would be strongly criticised. People would say their action was not morally justified, it was not professional, it was not worth it and it was out of all proportion. The end did not justify the means. The same should apply to armies. Of course, particularly if the United Nations agrees, take out the cruel dictators in this world, but do so only if you can do it without causing mayhem. We know that the so-called smart bombing of Baghdad tortured and maimed for life at least several Iraqi children. The bombs were simply not smart enough. Today, children are paralysed and limbless, and they are still suffering right now. They will go on suffering. Can the eventual arrest of a dishevelled dictator in a hole in the ground ever justify such cruelty? Is an innocent little child of less moral importance than a dictator? The justification of pre-emptive war is a difficult and dangerous doctrine, and the Iraq war exemplifies this. It is too easy for powerful nations to invade little nations on the grounds that they may pose some vague threat.

It seems that the Coalition went to war with Saddam Hussein not only without properly ascertaining the facts as regards weapons of mass destruction, but also without a clear moral theory. Is it too much to ask of governments that before committing to a war in future they should be absolutely clear both as regards facts and theory? Governments seem prone to proceed by whim and sentiment. Many of their policies appear to be undisciplined either by science or philosophy. No coherent moral statement was publicly uttered by government in the approach to the Iraq war of 2003. When interviewed by the media, war leaders merely mouthed a few moral slogans, snatches of post-Christian dogma jumbled with utilitarianism. Such gobbledygook would not have passed an ethics exam for ten year olds!

It is, I believe, impossible to justify the Iraq 2003 war on Christian, traditional, Kantian or painist grounds. Only an optimistic application of Utilitarian principles might suffice. Yet even leading Utilitarians were opposed to this war. If we can conclude anything, it is this: in Western democracies thousands of electors now require more of their political leaders. We need them to explain their policies rationally, giving to us not only the facts, but also a coherent moral argument.