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Military Ethics as Part of a General System of Ethics

1. The Notion of Philosophy

Starting point for our reflections should be the notion of “philosophy” itself. What does it mean? Contrary to the sophists, the philosophers are in search of truth and wisdom, but they do not pretend to own them already. The philosophers do know that they are not yet in possession of these notions. What kind of truths, of wisdom do philosophers search? Is this further-leading knowledge of physical or medical or astronomical knowledge? No. To research on these topics and kind of specialized questions is the task of the Exact Sciences, like physics, medicine or astronomy.

What does a philosopher therefore want to know? Following the famous Trias of Kant, the philosopher only asks three questions (and tries to answer them): What can I know? What shall I do? What may I hope? He does not question the function of objects, but the possibility of having objects at all. He does not question the efficiency of an act, but wants orientation in the sense of motivation: what can I take responsibility for? How can I argue my decisions and actions? He does not discuss details of the revelation or other holy texts, but he asks how a religion and its orders can be understood in the face of the weak and imperfect human creature? So philosophy is always asking the questions lying beyond the reasoning of specialized sciences, however, taking their basic notions into account.

2. The Metaphysical Dimension of Philosophy

Starting with the first question, the philosopher wants to know how to explain the fact that we are able to recognize, to perceive something. How does the idea, the picture of something different from us come into our consciousness? The three logical possibilities are:

(1) We are absolutely passive and the pictures are entering our blank conscience (“tabula rasa”) like a stamp. This is the way David Hume is seeing the human consciousness in a typical empiricist approach. The human consciousness taken as absolutely passive, like a slate or a blackboard to be written on by... the “world of objects” – whose character therefore must be one of substance, that means of auto-movement and initiative, of life.

(2) But we can also think of a completely opposite position of reflection. How about the consciousness being absolute active, producing these pictures by itself, and the rest of the world being only an act of imagination, as George Berkeley puts it? From him – a kind of empiricist idealist (if such a thing is at all possible) – the world is nothing more than an empiricist imagination. So the human being is absolutely active, the human being is the sole substance, the rest of the world is not reality, but “exists” only by being perceived – here we have a kind of conscious materialism, which only seems to be idealism.

(3) Both approaches are linear and one-sided. They propose absolute positions without being able to mediate the inner world with the outside. The human being is either absolutely passive or absolutely active – but both are not adequate ways to describe the human being. Plato (in his *Sophistes* dialogue) called these two positions (which are by no means “modern”) either materialistic or idealistic¹. Both are trying to use the “Verstand” (instrumental mind), which is a tool for fixing objects as something perceivable, but it is not the adequate tool for realizing ideas.

¹ We have to bear in mind that being an “idealist” in this context means an abstract idealism, which takes the ideas like invisible (only thinkable) objects. This leads through misunderstanding to the broad road of tradition, which is called “Two-World-Platonism”, which talks about transcendence, but not about transcendentalism. I will mark that kind of “idealism” with a “*”. For Hegel, e.g., the Idea is the living unity of Notion and Reality. Therefore the German Idealism is not at all such a single sided concept, but stands for a dialectical approach.

For that purpose we need to use “Vernunft” (abstract reason). But there exists a third position: the transcendental approach. Here you are neither a materialist nor an idealist*, but you try to solve the problem in a dialectical way. You explain the phenomenon of the recognition of objects as a process of both influence and imagination. The matter is given as influence, but the form is a product of the conscience, because it gives the “perros” of *idea* to the “apeiron” of *matter* and therefore it makes reality comprehensible for us. Here is neither the place nor the time to deepen these considerations. Why I found it necessary to mention these basics of theoretical philosophy is easily explained: these positions have a direct influence on the relevance of corresponding practical positions. How could a materialistic empiricist like Hume (or Locke) ever find an adequate notion of liberty at all? Or how could an idealist* like Berkeley ever find a notion of responsibility in a world of bare imagination? Only from a transcendental point of view one has all the prerequisites necessary in order to proceed to an adequate notion of liberty being structured both by arbitrary and border, by will and responsibility.

3. The Ethical Dimension of Philosophy

This leads to the second Kantian question: What shall I do? This question is answered by ethics. Based upon Kant’s insights into the act of perceiving, a completely revolutionary approach towards liberty and responsibility is now open to Kant himself and the tradition of the German Idealists. If one describes the human being and its conscience as a rare product of outside influences, there is no way out to the notion of liberty and self-responsibility; the human individual merely being a consequence of naturalistic programming, like genetics. From that point of view, neither guilt nor liberty is logically thinkable. Either the human being is of substance or only of accidental character. We cannot be purely passive in knowing, but active in acting. Where does the dialectical solution lie? *In perceiving as acting*. The human being is not a product of heteronomy, but a product of its own “positioning” (Setzung), both in realizing as in acting, because realizing is a kind of acting, and acting is a kind of realizing. We need to act in order to be able to realize², and we need to realize in order to have a sphere for acting (to find a reality for our will). Notions without experience are blind, experiences without notions are empty (so the Kantian saying). Will without reality is dreaming, reality without will is fate.

Again in the field of ethics we face the phenomenon of two different approaches:

(1) In analogy to the above mentioned “materialists” the human being is far from being “free”, he is nothing more than the product of social formation and coining. The person is said to be as free as a compass-needle, being invisibly forced to show always up to the north. This is the liberty-conception of Socialism, which leads to the impression of humanity, being nothing without the collective, which makes out of me what I am.

(2) The same is true with the analogy to the above-mentioned abstract “idealists”* , who see the idea as transcendent picture with the consequence that they see no binding at all to the here and now. The arbitrary will be seen as the essence of liberty. In this context the human being is due to nothing else but to his own interests and preferences. This seems to be the highest grade in liberty available. But the mistake lies within the metaphysical basics of this approach towards liberty. The will is in reality not at all unboundly free. But for this kind of reflection you have no room within this theory of abstract idealism, which lies in the background of the liberal tradition of the natural state and the Social Contract, where human beings are being taken as atomistic quantities, which are completely independent vis-à-vis the other individuals in the society.

(3) As above, the truth lies in-between the two positions of absolute determination and absolute arbitrariness. Here better than in the metaphysical part of the text, we can see that the “materialist” and “idealist”* traditions have one thing in common: they are unable to think the contradiction. In

² This serves to find a bridge between “world” and “self” since the Modern-Times-Cartesian gap between *res cogitans* and *res extensa*.

reality, the human being is both free and responsible. Abstract liberty as abstract binding is not adequate to show the truth of humanity. The complex truth again lies in a transcendental approach, understanding the human being as being free and as being bound. Liberty implies, since Kant, *autonomy*, that means concrete and therefore real auto-positioning of *perros* in the *apeiron* of abstract possibility. Liberty is a social phenomenon and means mutual recognition of the possibility of liberty of all other members of society.

4. The Religious Dimension of Philosophy

(1) In the thinking of religion, too, we can see a materialistic approach seeing God living in all and everything, so that there is no difference between the goods and the human beings. Material and its law (e.g. gravity) is the true substance, and the human being is nothing more than accident of this material substance... so liberty is not at all possible.

(2) The other possibility lies in an abstract vision of God understanding him as a direct personification, as a real person to be found as a concrete object. This God is anthropologized and therefore made from our own picture and not the other way round. This God has his will and arbitrary and he can forgive us, or punish us, or forget us... this God of abstract idealism* is a transcendent personality.

(3) Within true religion in the transcendental sense we can complete our reflection, because now the missing link between autonomy and heteronomy lies in the notion of “law”, which is a central notion of well-understood Christianity. The “Commandments of God” are the ultimate proof that the human being has to be understood as autonomous. He has the possibility – even towards the most powerful and final instance – to decide by himself on how to behave towards God, in either obeying his orders and laws or not. But together with this liberty, we do find also the idea of the judgment of the Last Day, which will bring justice and represents the final dimension of responsibility. Responsibility is however not possible without liberty, autonomy. *Credo ut intelligam*.

5. The System of Ethics

What makes the difference between truth and ideology? Ideology always tries to put a mere element as a full moment, a mere part as the whole. Both ideologies are right and wrong in the same moment. As all ideologies do: they address aspects of liberty, which one has dialectically *aufzuheben*, which means lifting up/abolishing. The part taken for the whole is ideology, the part taken as part is the truth. So we do have to take our own observations seriously now. The transcendental approach towards ethics has therefore two moments. The first one deals with the basis of ethics, the individual human being and his or her personal behavior within society. But this society is not different or strange towards the individual, it is its dialectical sphere of reality. Therefore the other relevant moment for the notion of liberty as autonomy is the social dimension, which does not “produce us” like goods, but which gives us the framework for being truly human, and opens us into becoming real human beings as “*zoon politikon*” (Aristotle). It is the community. We cannot have liberty without community, nor can we have community without liberty.

(1) On the one hand, the socialist tradition of essential collectivity cannot explain the normative situation of the human being. Starting from the point that materialism is the comprehensive paradigm in order to explain all aspects of life and being; this argument also reappears in the ethical discourse. The human being as only the outcome of social structures and forces leaves aside the notion of liberty as a result of continuous recognition on a mutual basis. From the collectivistic point of view, the human being cannot be held responsible for anything, because he or she is the mere product of circumstances, of society or of matter. Therefore we cannot think this collectivistic human being as a responsible and autonomous being, simply because it is understood only as an essential part of society, but not as something of his or her own.

(2) On the other hand, the responsible and autonomous human being needs the community in order to fulfill his or her vocation of being free in a transcendental way that means by mutual recognition through acting. This mutual recognition by acting has one precondition: the liberty of the members of society. Otherwise this recognition of the other's liberty as of mine in return cannot take place. Therefore, an isolated human being is not able to become a free and responsible human being when seen only as an atomistic entity; as such an isolated natural human being cannot have fundamental rights – a problem for the Social Contract theory, the, so to say, holy starting point for modern state theory.

(3) In transcendental truth, Man is already a social being before he enters the Social Contract mechanism. This latter theory is therefore assuming all the hard facts, which it pretends to show or to prove as a theory. And that means that the Social Contract theory is not adequate to describe the normative structure of individuality and community. It is talking about an abstract liberty as something to deal with complete arbitrary. To understand the human being, we have therefore to accept his substance as a free being getting necessarily into contact with all the others in order to give and receive recognition on a mutual basis, recognition of liberty. Consequently, we need liberty of the individuals in order to be able to speak adequately of “community” and we need a community in order to be able to speak of truly “free individuals”. This is a dialectical approach towards ethics.

6. Military Ethics within this System of Ethics

Military ethics is basically dealing with two aspects of military behavior: on the one hand, military ethics deals with individual dimensions of soldier Dom, on the other hand military ethics asks the question of the role or significance of the Military in the context of the structure of a society. In this sense, military ethics is dealing with both dimensions of human existence. It addresses the problem of personal behavior under existential circumstances.

The central question is: Can the killing of a human being ever be ethically acceptable? This critical question arises only from a dialectical point of view (even if the protagonists in general refuse this kind of argumentation), because it implies the possibility of refusing the killing and the dimension of responsibility. From an abstract materialistic point of view, the human being has no problem, because he or she is a socially or genetically conditioned killer – and that is it. From the abstract idealistic, and that means moralistic point of view, when God tells us (in our interpretation) that killing others is for good, than the question doesn't arise either. But in the situation of the autonomous free being within his or her responsibility, the question becomes a real dilemma and one not easy to solve. The problem of military ethics proves that one is following the true conception of ethics – even if in affairs of civil life one thinks that a more materialistic or idealistic approach would fit better. But war and the final questions show up the really relevant conception of ethics. As Kant once said that the critical notion of liberty as autonomy does not intend to invent a new morality, but makes clear how the true structure of the moral argument looks like.

Military ethics also addresses the question of the role and position of the military as a social body within the civil society. Here again we can learn something from the questions asked by the military. The central and structurally relevant question is that of military order. How can we argue the existence of such an authoritarian structure within our liberal societies? Again the question shows that we have a more developed conscience for ethical questions than the two ideological conceptions seem to permit. For the materialistic point of view, society is a mechanical construction, which has only one central dimension of excellence, the functioning, and the working together of parts. From the mechanistic point of view, one cannot come into the position to question the military as something special, because for the materialists the military is an example for how society should work – *militarization* of the society is the motto.

From the point of view of arbitrariness, the military has – without the faintest question and without hesitation – to be destroyed as a distinctly structured organization, and more “civil”

procedures are to be introduced, such as free choice to obey or not, to comment on all and everything, and to have personal interest go first. This perspective sees the military as a mere instrument of social welfare, for instance to carry out disaster relief, but nothing more. For this ideology, therefore, legitimating an organization of “order” within our society is not a question, but only a totalitarian reminiscence of older times. The motto here is to *civilianize* the military.

These two ideologies do not address the problem of society and military properly. The question is whether one can really speak about a society, when optimal functioning is the only criterion of excellence? On the other hand, can we really build up an appropriate society only on free choice and without order, structures and obedience (as the Public Choice theory seems to do it)? Both theories point out something relevant to the theory of society, but they cannot explain it in its complexity. There are of course moments of free choice in a free society based on free individuals and providing the framework for mutual recognition. And there is of course the momentum of the functioning of a society as a system, providing the citizens with the basic infrastructure for their living as the basis for their liberty. But functioning alone does not explain society, and neither does only arbitrary choice between egoism and fun. The problem is to combine these two moments, namely to have the possibility of responsible choice in view of the functioning of society. We can go back to Plato, Aristotle and Machiavelli in order to learn that the best institution to fit a society into this complex task is the military – as a sphere of explicit order, but also responsibility. This also demonstrates the difference between authority and tyranny. Tyrannical orders are given without responsibility, authoritarian orders know the dimension of responsibility, be it towards the receiver of the concrete order, or be it towards the source of a particular authority. In a warlike situation, the circumstances for functioning are the most problematic ones in life, and the way the military is organized seems to be most effective in combination with this double chain of responsibility.

Only when authority is combined with responsibility in an adequate way can the social organization consist of autonomous individuals.

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