THE RELATIONSHIP BETWEEN PEACE ETHICS, MILITARY ETHICS AND SECURITY POLICY

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Abstract

Starting with the analysis model of the "arbor porphyriana", Bernhard Koch investigates the three concepts mentioned in the title of his essay. Security policy comprises all measures that serve to protect or defend a state against external threats – though the term security covers more than territorial defense today. At the same time, he says, the existence and possible defense of security interests – especially by means of (the threat of) physical force – require ethical legitimation. This also applies to members of the armed forces who, as potentially violent actors, are not exempt from accountability. For a long time, the question of the legitimation of military force was strongly focused on legal aspects and the distinction between ius ad bellum and ius in bello. More recently, however, soldiers have been required to "ensure they are aware of the ethical reasons for their deployment".

This legitimation model is based on a human rights ethos that rests on a Christian understanding of peace. With reference to Thomas Aquinas, the author outlines this understanding as "an integral unity between man and his creator God – both within the individual human being and thus also between human beings". Even if that seems obsolete in pluralistic societies, he continues, Aquinas' assertion can still be understood. Starting with a state of affairs that transcends a mere legal definition of peace, peace ethics deals with questions of the legitimate use of force and statehood, and so in turn influences military ethical and security policy considerations. Finally, Koch argues that the importance of inner attitudes should be recognized in the didactics of ethics, and that to a significant extent peace ethics should be understood as a virtue ethics.

If the participants in a careful and serious public debate (including the audience) seek real insights and knowledge – instead of just playing a strategic game in which they try to make themselves look as good as possible – then as one requirement the discussion partners should ideally use the same terms. "The same terms" means not simply the same words or sounds, but using expressions that have the same semantic content. Although it is possible to learn from differences in meaning – consider translation processes, for example – nevertheless a stringent and precise usage of terms is more effective in a public and usually mass-media debate. This has been known ever since ancient times – hence the Aristotle commentator, Porphyry of Tyre, developed a conceptual structural model (based on Platonic *diairesis)* that distinguishes between generic terms and species terms, the latter separated by a specific difference from the generic term. Since every species term can itself become a generic term for other species, a hierarchical model emerges. In graphical form, this model has the appearance of a "trunk" of species and generic terms, while specific differences form various "branches". In the 13th century, Peter of Spain named this structural model the "Tree of Porphyry" *(arbor porphyriana)*.[1] In compound words of the German language, the generic term usually appears at the end, while the respective differences are identified in the introductory term. Thus *"Rohmilchkäse"* is a type of cheese *(Käse)* – the generic term – which is made from unpasteurized milk *(Rohmilch)* – the difference.

Security policy

Let us now turn to the three terms in the title of this essay. We can see that two share a generic term – namely "military ethics" and "peace ethics" – while the third is the odd one out. Even on the websites of institutions and organizations that have the term "security policy" in their name – the German Federal Academy for Security Policy *(Bundesakademie für Sicherheitspolitik,* BAKS), Association for Security Policy *(Gesellschaft für Sicherheitspolitik,* GSP),

Institute for Peace Research and Security Policy *(Institut für Friedensforschung und Sicherheitspolitik*, IFSH) etc. – "security policy" is not explicitly defined. There are two possible reasons for this: either the term is so self-explanatory that it seems not to require a definition, or alternatively the term is kind of vague and imprecise so it cannot be captured by any handy definition. Kersten Lahl and Johannes Varwick also skirt around the question of definition in their new book *Sicherheitspolitik verstehen.*[2] Porphyry would have a simple answer: security policy must obviously be a sub-area of policy that is concerned with security. But now the tree model shows us that such first-degree definitions are perhaps not as explanatory as we thought, since further definition questions can still be asked: What is policy? What is security?

Politike techne takes its name from the *polis,* the Greek "city-state" of antiquity. It is the "art" relating to public order in this city-state. In the ideal case of democracy (rule by the people), all of the state's subjects are involved in the constitution of this order – and in so far as this is the case, politics is a social act. By contrast, the concept of "security" is a delicate and nebulous concept. Security is a state, but what defines this state can be described almost exclusively in a negative way and in distinction to other states: the least possible danger, the least possible threat, the lowest possible risk.[3]

Security policy therefore basically consists of all policy decisions that concern security.[4] But whose security? If it were a matter of the individual's security and his protection against danger, the vast field of domestic policy would be included, as would transport policy and occupational safety. *De facto,* however, another conception has become established, in which it is assumed that the object of concern is the security of the political community as such (which in our times means: the state). In this conception, threats from outside the state again become the object of security policy in particular. Security policy today is therefore primarily located in the field of foreign and defense policy.

To elucidate these relationships and preliminary conceptual decisions is by no means as trivial as it may appear. For Plato and Aristotle, for example, internal order is primary particularly from a "security policy" perspective. A political community that is internally well ordered will also be able to assert itself externally, whereas all external protection amounts to nothing if the community itself is without values internally.[5] There are indications of a first "ethical" imperative here: from an ethical point of view, not every state is "entitled" to security policy in the same way.[6] From the perspective of political ethics, an unjust totalitarian state has no claim to "security". In such a case, security policy action is fundamentally illegitimate. The situation is similar with a term like "state interest". The *existence* of a particular interest says nothing about the *claims* one can make to fulfillment of that interest. Here the descriptive reality does not prescribe a normative reality. Only *legitimate* interests can have an entitlement to fulfillment. If states as individual parts of the world community have interests that affect other states and people outside of the state concerned, then it must be specifically shown that such interests are legitimate.

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The foreign policy focus in the current conception of security policy combines this field, which in itself is practical, with academic theories of international relations ("IR theories"). The best known of these is "political realism", which assumes that states can never stop seeking superiority and power over other states in order to safeguard their security needs and "interests". Since other states act similarly, the only way to protect oneself against their seizure of power is through one's own striving for power. However, this build-up of mutual striving for security and power leads to the "security dilemma"[7], which is seen particularly in the form of the arms race. The power advantage that A obtains through an armaments upgrade becomes worthless as soon as B attains the same or higher level. This in turn seems to force A to keep upgrading its weapons. So for practical

reasons alone, which are not yet any special ethical reasons, it seems obvious to avoid such unilateralism in security policy. Ultimately it will result in high costs for everyone, including one's own community. In this sense, today more than ever, security policy is a form of "world domestic policy". Even distant conflicts and threats can easily affect one's own political community and the territory it inhabits, as has been seen particularly in the case of global migration movements.

Thus the concept of security underlying security policy has become much more multi-layered and complex than pure, outwardly directed, territorial defense. As a result, we can distinguish a factual dimension ("Which problem area are security threats located in?"), a reference dimension ("Whose security does this concern – that of the state, of society or of individuals?"), a spatial dimension ("Which geographical area is affected?") and a danger dimension ("What vulnerabilities or risks are we talking about?").[8] All of these dimensions have protectors of security who have to *act* as individuals or institutions. Many of these actions are performed in the civil sphere by civilian actors. Yet military forces still play a special role (especially in normative considerations) because they contribute the factor of physical force – both potential and actual – which is particularly problematic for peace ethics.

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Military ethics

The threat or use of physical force is the *ultima ratio* of security policy considerations. Almost all countries of the world have signed the Charter of the United Nations, which in principle prohibits the threat or use of force in international relations (Art. 2 [4]). However, this does not affect the "inherent right" of a member of the United Nations to "individual or collective self-defence" – at least until the UN Security Council has taken action necessary to maintain or restore international peace and security (Art. 51). The Security Council can also authorize its members to use armed force in this context (Art. 42). Hence the vast majority of countries still maintain their own military forces. The profession of soldier still exists – many political scientists and security policy practitioners would add: necessarily. Since the military takes action, the question of the right course of action also has to be asked. Along with the law, here morality comes into consideration as an authority for judging actions. Ethics is philosophical reflection on morality. Hence military ethics is the form of ethics that deals with actions in the military and in the military context. It is therefore predominantly a special form of professional ethics, and in this sense it is similar to media ethics or medical ethics. As an ethics that also and in particular asks about the legitimacy of violent acts, it is related to police ethics.

Despite the fact that an army has a very strict and well-established institutional structure,[9] the individuals who belong to it – the soldiers – are not freed from the obligation to ethically examine their actions. Although it is not the soldiers themselves who decide on the deployment of the armed forces, but rather the makers of security policy (or political leaders in their role as security policymakers), this does not mean that military action is no longer in any way attributable to military personnel. Even in wars and armed conflicts, action is accountable. The law in armed conflict – referred to as *ius in bello* – plays a central role in the justification of such actions. In his book *Just and Unjust Wars*[10], which has long been treated as a standard work of military ethics, Michael Walzer clearly separates the tasks. (Security) policymakers have to decide on the deployment itself, on the *ius ad bellum*. Military personnel, however, must adhere to the "rules" of *ius in bello*. Since this applies in the same way to all parties in a conflict, all combatants (of whatever party) are morally on an equal footing – unless they commit or have committed war crimes. The central re-

quirement of *ius in bello* is that the violence of armed conflict may only be directed against military targets – including enemy combatants – but never against civilians.

Particularly in recent times, key authors have fundamentally criticized this moral division of tasks. They claim that this "logical" distinction (Walzer) between *ius ad bellum* and *ius in bello* does not exist. In a way similar to defense contexts in non-war circumstances, in armed conflicts too there is a need to pay close moral attention to the question of which party to the conflict is using force with what right. Accordingly, military personnel have a basic duty to refuse participation in any military deployment that is not morally legitimate. If they do not refuse – for which they may have exculpatory reasons such as external pressure or ignorance – then they are not on an equal footing with an enemy who is fighting with moral legitimacy. Military personnel must therefore ensure they are aware of the ethical reasons for their deployment, and cannot simply shrug off their moral responsibility as a question of command and obedience.

The analogy of civilian defense situations is used frequently in the current military ethics debate, but it also entails further consequences. In this model, it is no longer possible to sustain the strict separation of combatants who can be legitimately attacked in armed conflicts from civilians who at most are allowed to be foreseeably but in no case intentionally affected by the use of force. Combatants may have been forced into their role against their will, in which case it is either hardly or not at all morally legitimate to attack them. Conversely, large-scale illegitimate acts of violence may be committed at the behest of persons who would qualify as "civilians" under international law. Whether, in case of doubt, one should attack civilians who are responsible for the use of illegitimate force rather than many perfectly innocent combatants is a moral question that has to be answered. The problem is not just one of theoretical military ethics approaches. In asymmetric conflicts involving many violent non-state actors, whose fighters no longer even identify themselves, it has long become a practical challenge.

Anyone who offers justifications on the grounds of military ethics ultimately does so against a wider backdrop of ethical argument. The legitimation model oriented to defense situations assumes fundamental individual rights that must not be violated. One can even go so far as to say that it is based on a definable and definite human rights conceptualization. But from where can this in turn take its own legitimation basis? This question leads to the third term in our title, namely peace ethics.

Peace ethics

"Peace ethics" is not a field of sectoral ethics as the term might suggest. It is not a kind of ethics that only "applies" in peacetime. The concept of "peace" as a philosophical or theological term is not meant to single out one segment of ethics, but to present political ethics or social ethics with a *telos* – a goal or purpose. Therefore the concept of peace in peace ethics cannot simply be a "cosmic concept" (a *Weltbegriff,* in the Kantian sense), which contains only a description of an empirically verifiable state. If the concept of peace in peace ethics were an operationalizable and hence descriptively comprehensible state of the world, peace ethics would shrink to a mere instrumental consideration of the best possible way to achieve the goal. Ethics, however, is a science of reflection that must always question itself. Hence for peace ethics considerations, the question of which concept of peace is taken as a foundation cannot be regarded irrelevant in any way.[11] There is a fundamental basic distinction between a negative peace, denoting the absence of specific violence, and a positive peace of people and communities in fruitful cooperation. The most concise systematization is found in Thomas Aquinas, who distinguishes between "concord" *(concordia)*

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and "peace" *(pax)*. Concord can be achieved if everyone adheres in their actions to the prescribed norms. In this way, the regulatory function of law ensures that conflicts and confrontations are small. But this is not sufficient for positive peace, for *pax*. This requires a prior orientation toward a common good. At the same time, social peace requires individuals to be at peace with themselves. Well ordered concord consists in "one man agreeing with another in respect of something befitting to both of them" *(Summa theologiae* II-II, q. 29, a. 1, ad. 1). But *pax* means that people direct themselves toward what is truly good – for the theologian, ultimately to God. Theologically, therefore, a further distinction is necessary: "Since true peace is only about good things, as the true good is possessed in two ways, perfectly and imperfectly, so there is a twofold true peace. One is perfect peace. It consists in the perfect enjoyment of the sovereign good, and unites all one's desires by giving them rest in one object. [...] The other is imperfect peace, which may be had in this world" *(Summa theologiae* II-II, q. 29, a. 2, ad. 4).

Even the old Hebrew term shalom goes far beyond a mere non-aggression pact and emphasizes an integral unity between man and his creator God

Today, even theologians feel uneasy about introducing such a theological concept of peace into the public debate.[12] It no longer seems to be appropriate for a pluralistic society. But it is still possible to share the assertion formulated by Thomas Aquinas: agreement on the most important goods and an affirmation of the legitimate claims of others are essential for peace. Religious positions bring a different degree of understanding than secular models – this fact should not be brushed aside. After all, even the old Hebrew term *shalom* goes far beyond a mere non-aggression pact and emphasizes an integral unity between man and his creator God – both within the individual human being and thus also between human beings.[13]

Starting from an ethical concept of peace, peace ethics unfolds into various complexes of questions, in which the problem of the conditions for the legitimate use of force plays a special role. It is not so much the notion of conflict that is opposed to the concept of peace, but rather the notion of *violence*, because – as in democracy – conflict resolution processes can be orderly and peaceful. Hence it is not surprising to see many people who are particularly concerned about peace rejecting violence as a matter of principle and viewing themselves as pacifists. But we also know that situations can arise in which an ethos of non-violence is put to a harsh test, even to the point where the renunciation of violence becomes implausible from the perspective of justice and humanity. Christian peace ethics devoted to a "paradigm of just peace" also has to contemplate the possibility of using force as an *ultima ratio.*

The manner in which such questions are dealt with – including considerations of legal ethics – has direct impacts on military ethics and security policy. Roughly speaking, military ethics tends to be influenced more by peace-ethical considerations relating to *ius in bello;* the ethical requirements for security policy relate to *ius ad bellum,* which today is perhaps better termed *ius contra bellum.*

Regarding the relationship between ethics and security policy, one can say that for a just state, state security is certainly a task that, *prima facie,* has ethical weight. There are various ways of explaining the ethical significance of a state. One way is via freedom. States enable

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freedom because they protect the life, limb and property of their people through a mutual agreement. However, the area that is protected and secured must remain restricted. Unrestricted immigration into the state or violent attacks from outside make it impossible for the state to guarantee the protection and security of these goods. This applies not only to the present moment in time, but also particularly to the diachronic passage of time, so that people can make and implement plans. But if it is no longer possible to defer present consumption opportunities to the future or pass them on to other people, then individual freedom of action is enormously restricted. Therefore, it is ethically legitimate to ensure the security of the state, which guarantees these freedoms. Nevertheless, the state as a form of political institutionalization is also ambivalent, particularly when it reduces social relations to technical patterns of interaction and so to a "machine" (Nietzsche) – even if it is a "justice machine".

Teach ethics – but how?

Security policy as such is not a field of ethics and thus it isn't a field that could be dealt with in a didactics of ethics, either. But of course, security policy action, like any human action, is subject to ethical judgment. Here ethics presents a different perspective than that of security policy, and accordingly the criteria and language used are also different. From an ethical perspective, security policy has to be judged by ethical criteria that cannot be taken from security policy itself. So, for example, in ethical respects the (ethical) concept of (positive) peace is primary over that of political security. Benchmarks for justifiable security policy should be developed and reflected upon in peace ethics accordingly.

The didactics of ethics plays a particularly prominent role in professional ethics, such as military ethics. But the scope of didactics in ethics is itself a topic for ethics. If we assume that an important ethical focus of human decision-making is not simply on the "external effects" of actions "in the physical world", such that ethics could be easily modeled by technology, but instead concerns factors that are situated in the actors themselves – attitudes, beliefs, virtues – then we must recognize that education, habituation, role models and social sanctions are often "didactically" much more effective elements of teaching than lectures or study seminars. Even for military ethics, crucial prerequisites are formed in the communal life of a family, then in school and in further civil social relationships. Comradely life and interaction within the military then do the rest. The attitude of gratitude that is so fundamental for any human social relationship, for example, cannot be created merely by being taught. Recognition and understanding also presuppose a particular attitude: the sound argument in military ethics requires a sounding board on which it can first be acknowledged as an argument.

Peace ethics as virtue ethics

Peace ethics is often conceived only as legal ethics, which is already insufficient, as law is not the only normative order that can promote a (negative) peace. The fact that peace ethics to an eminent degree must be a virtue ethics only became more visible again through the recent work of Alexander Merkl.[14] Military ethics too cannot do without virtues such as bravery, since soldiers rarely fight only for themselves but instead, they act in institutional responsibility for others as well.[15] In security policy, virtues are essential if a continuous build-up of mutual threats is to be avoided. One of the most fundamental imperatives in peace ethics, which should guide both military action and, in particular, security policy, can be formulated like this: you should always consider your – real or only supposed – enemies in the situation they are in, and approach them with fundamental peaceableness[16] in all specific confrontations.[17] If the didactics of peace ethics is successful in this respect, then it will have achieved something great.

1 Cf. Baumgartner, Hans Michael (1999): "Arbor porphyriana, porphyrischer Baum." In: *Lexikon des Mittelalters (LexMA).* Stuttgart/Weimar, columns 889 f.
2 Lahl, Kersten/Varwick, Johannes (2019): *Sicherheitspolitik verstehen. Handlungsfelder, Kontroversen und Lösungsansätze.* Frankfurt am Main. Elsewhere Varwick offers this definition: "Security policy encompasses all political goals, strategies and instruments that serve to prevent war while maintaining the capacity for political self-determination." (Johannes Varwick [2009]: "Einleitung." In: by the same author (ed.): *Sicherheitspolitik. Eine Einführung.* Schwalbach am Taunus, pp. 7–14, p. 7; translated from German.) But this bypasses the concept of action, which is what makes politics accessible to ethics in the first place.
3 The list of terms against which "security" is delimited is not complete here. In everyday language these expressions are not clearly distinguished either. "Danger" tends to be based more on (natural) objective conditions, while "threat" is usually understood as the "work" of a human person that threatens. The concept of risk is usually used "when alternatives are available in a decision situation that involve probabilities of (net) damage" (Nida-Rümelin, Julian/Rath, Benjamin/Schulenburg, Johann [2012]: *Risikoethik.* Berlin/Boston, p. 7; translated from German). The reference to the actor is thus inverse to "threat".
4 Decisions are understood here to be fundamental to goals, strategies and instruments (see endnote 2), as both the policy objective and instruments are dependent on decisions.
5 Cf. e.g. Plato, *nomoi* (laws), 627a (Plato [2016]: *Laws.* Edited by M. Schofield, translated by T. Griffith. Cambridge).
6 At times, ethically speaking, even a "desecuritization" is required. Cf. Floyd, Rita (2019): *The Morality of Security. A Theory of Just Securitization.* Cambridge.
7 Herz, John H. (1975): "Technik, Ethik und internationale Beziehungen. " In: *Frankfurter Hefte. Zeitschrift für Kultur und Politik* 30/8, pp. 11–20, pp. 14 f.
8 Taken from Christopher Daase (2010): "Der erweiterte Sicherheitsbegriff. Working Paper 1/2010". http://www.sicherheitskultur.org/fileadmin/files/WorkingPapers/01-Daase.pdf (accessed September 10, 2019).
9 Institutional ethics considerations can also be considered part of military ethics. Cf. on the dimensions of ethical practice: Gutmann, Thomas / Quante, Michael (2017): Individual-, Sozial- und Institutionenethik. In: Werkner, Ines-Jacqueline/Ebeling, Klaus (eds.): *Handbuch Friedensethik.* Wiesbaden, pp. 105–114.
10 Walzer, Michael (1977; [5]2015): *Just and Unjust Wars. A Moral Argument with Historical Illustrations,* New York.
11 Cf. Koch, Bernhard (2019): "Friedensethik." In: Gießmann, Hans-Joachim/Rinke, Bernhard: *Handbuch Frieden.* 2nd, revised edition. Wiesbaden, pp. 147–162.
12 In his letter "To the Pilgrim People of God in Germany" (of June 29, 2019) Pope Francis expressly stated that "to want only to be in 'order and harmony'" (translated from German) – that which "peace through law" can achieve – is not a sufficient perspective for the Christian community. https://www.dbk.de/fileadmin/redaktion/diverse_downloads/presse_2019/2019-108a-Brief-Papst-Franziskus-an-das-pilgernde-Volk-Gottes-in-Deutschland-29.06.2019.pdf (accessed October 22, 2019).
13 Cf. Schockenhoff, Eberhard (2018): *Kein Ende der Gewalt? Friedensethik für eine globalisierte Welt.* Freiburg im Breisgau, pp. 410–412; pp. 501–514.
14 Merkl, Alexander (2015): *Si vis pacem, para virtutes. Ein tugendethischer Beitrag zu einem Ethos der Friedfertigkeit.* Münster.
15 Cf. the articles in: Koch, Bernhard (ed.) (2019): *Chivalrous Combatants? The Meaning of Military Virtue Past and Present.* Baden-Baden.
16 Cf. Overbeck, Franz-Josef (2019): *Konstruktive Konfliktkultur. Friedensethische Standortbestimmung des Katholischen Militärbischofs für die Deutsche Bundeswehr.* Freiburg im Breisgau (Herder), pp. 84–87; Koch, Bernhard (2019): "Der Raum dazwischen. Hybride Kriegsführung und die 'Revisionistische Theorie des gerechten Krieges'". In: *Wissenschaft und Frieden* 3/2019, pp. 29–32.
17 Cf. Thomas Nagel's call for directness and immediacy in all violent attacks. Nagel, Thomas [1974]: "War and Massacre." In: *War and Moral Responsibility: A Philosophy & Public Affairs Reader.* Edited by Marshall Cohen, Thomas Nagel and Thomas Scanlon. Princeton, pp. 3-24. German version: Nagel, Thomas (2008): "*Massenmord und Krieg.*" In: *Letzte Fragen.* Erweiterte Neuausgabe, edited by Michael Gebauer, pp. 83–109. Hamburg.