

## **What does it mean to win a war?**

The 13th International Law and Ethics Conference Series (ILECS)

International Scientific Conference

Institute for Philosophy and Social Theory, University of Belgrade

June 25–27 2014, Belgrade

EDITORS: Petar Bojanić, Jovan Babić,  
Jelena Vasiljević

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## **What does it mean to win a war?**

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**Conference organizers:**

Petar Bojanić  
Director of Institute for Philosophy and Social Theory,  
University of Belgrade  
Centre for Ethics, Law and Applied Philosophy  
Email: p.bojanic@law.bbk.ac.uk

Jelena Vasiljević  
Institute for Philosophy and Social Theory,  
University of Belgrade  
E-mail: jvasiljevic@instifdt.bg.ac.rs

Jovan Babić  
Professor of Moral Philosophy  
University of Belgrade  
E-mail: jbabac@sezampro.rs

**Conference organization:**

Institute for Philosophy and Social Theory, University of Belgrade

Serbian Philosophical Society

Tel Aviv University, Israel

Center for Ethics, Law and Applied Philosophy (CELAP)

## **What does it mean to win a war?**

The meaning, value and normative status of victory in war are seemingly well-defined terms. Also, the status of the prospect of some foreseeable success, or chance of victory, is a part of Just War Theory. There are other issues within this theory regarding victory – when victory is deserved and what is the status of the fact of being deserving (or not deserving) a victory? What is the connection of deserving to win with the concept of defense? In close connection with this are the issues of proper or “just” terms of capitulation, and the role of the capitulation in establishing the fact of victory as an institutional and social fact: can we have a victory without (official, or at least in some way recognized) capitulation? Finally, is the capitulation the last resort of defense?

The normative pair of victory and defeat might be seen as a constitutive rule of the institution of war, which opens the issue of legitimacy of starting a war: is there a similar condition for a war to be established as there is for it to be ended? What is the relation between these two points?

Has the victory become obsolete, perhaps by some (disguised or overt) world control where everything can be determined in advance? For example, what does it mean to win in Iraq or Afghanistan, or “win the war on terror”? Could we think that we might have such a vision of legitimate inequality, making the issues of war, and for that matter also victory, unnecessary and “overcome”?

In the now long tradition of ILECS (International Law and Ethics Conference Series) we think these might be enticing and provocative questions, and we wish to gather leading scholars from all over the world to discuss these issues.

**Conference participants:**

Angelo Corlett (San Diego State University)

Asa Kasher (Tel Aviv University)

Jovan Babić (University of Belgrade)

David Rodin (Oxford Institute for Ethics, Law and Armed Conflict)

Uwe Steinhoff (HKU, Hong Kong)

David Whetham (Kings College, London)

Jovana Davidovic (University of Iowa)

Boris Kashnikov (Moscow Higher School of Economics)

Nick Fotion (Emory University)

Borislav Grozdić (Military Academy, Belgrade)

Aleksandar Fatić (Institute for Philosophy and Social Theory, Belgrade University)

Paul Viminiz (University of Lethbridge)

Aleksandar Pavković (Macquarie University)

Ned Dobos (UNSW Canberra)

Phil Rossi (Marquette University)

Jan Narveson (University of Waterloo, Canada)

**International Scientific committee:**

Angelo Corlett (San Diego State University)

Asa Kasher (Tel Aviv University)

Aleksandar Fatić (Institute for Philosophy and Social Theory, Belgrade University)

David Rodin (Oxford Institute for Ethics, Law and Armed Conflict)

Nick Fotion (Emory University)

Uwe Steinhoff (HKU, Hong Kong)

# Programme

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## Conference Program

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**Venue:** Institute for Philosophy and Social Theory [IFDT], Kraljice  
Natalije St. 45, 1<sup>st</sup> floor

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Wednesday, June 25<sup>th</sup>

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### 1<sup>st</sup> Session:

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9:00-9:15 Registration

9:15-9:30 Opening Addresses

9:30-10:20 Angelo Corlett (San Diego State University), "Who Wins in Wars?"

10:20-11:10 Asa Kasher (Tel Aviv University), "The role of victory in new wars"

Coffee break

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11:25-12:15 Jovan Babić (University of Belgrade), „Victory and/or success“

12:15-13:05 Uwe Steinhoff (HKU, Hong Kong), "War, Victory, and Prospects of Success"

Lunch

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### 2<sup>nd</sup> Session:

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15:30-16:20 David Rodin (Oxford), „Jus terminatio: the ethics of ending war“

16:20-17:10 David Whetham (Kings College, London), "Remote Killing and the Remoteness of Winning"

Coffee break

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17:25-18:15 Jovana Davidovic (University of Iowa), "Changing Character of Wars and Revisionist Theories"

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Thursday, June 26<sup>th</sup>

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3<sup>rd</sup> Session:

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9:30-10:20 Boris Kashnikov (Moscow Higher School of Economics), "Is it Possible to Win the Just War?"

10:20-11:10 Nick Fotion (Emory University), "On 'Victory'"

Coffee break

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11:25-12:15 Grozdić et al. (Military Academy, Belgrade), "Ortodox view at victory and defeat in war"

12:15-13:05 Aleksandar Fatić (Institute for Philosophy and Social Sciences, Belgrade University), "The value narrative in the moral justification of international intervention"

Lunch

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4<sup>th</sup> Session:

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15:30-16:20 Paul Viminitz (University of Lethbridge), "Synecdoche Errors in Popular Discourse about Victory and Defeat"

16:20-17:10 Aleksandar Pavković (Macquarie University), "The secessionist wars: the last vestiges of legitimate conquest?"

Coffee break

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17:25-18:15 Ned Dobos (UNSW Canberra), "Success at an Acceptable Cost: Wars vs. Interventions"

Friday, June 27<sup>th</sup>

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5<sup>th</sup> Session:

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9:30-10:20 Phil Rossi (Marquette University), "Peacemaking and Victory: Lessons from Kant's Cosmopolitanism"

10:20-11:10 Jan Narveson (University of Waterloo, Canada), "On liberal wars in contemporary times: 'winning' is not the object"

11:30-12:30 Closing Session: General Debate & Farewell

biographies  
& abstracts

**Jovan Babić**, University of Belgrade

Jovan Babić is Professor of Ethics at Belgrade University, Serbia, and Visiting Professor at Portland State University. He has published two books, *Kant and Scheler* (1986), and *Morality and Our Time* (1998, 2nd ed. 2005), both in Serbian, and over sixty academic articles (among which are: "Justifying Forgiveness", *Peace Review*, Vol 12. No. 1, 2000; "Die Pflicht nicht zu lügen - eine vollkommene, jedoch nicht auch juristische Pflicht", *Kant-Studien*, Vol 91, 2000; "Foreign armed Intervention: Between Justified Aid and Illegal Violence", *Humanitarian Intervention: Moral and Philosophical Issues*, ed by A. Jokic, Broadview Press, Calgary 2003; and "Toleration vs. Doctrinal Evil in Our Time", *The Journal of Ethics*, Vol. 8, 2004).

### *Victory and/or success*

Victory functions as a rule of war, either as a constitutive rule (a decision-making rule in disputes which must be solved, but cannot be solved in any other way; in which case it has to be accompanied by a capitulation enacting recognition of defeat), or a regulative rule (as factual establishment of a state of affairs by which a war ended). This conception, especially in its constitutive version, has some advantages and some implications, the main advantage being clear determination of what the victory is, and implications being, among others, the reciprocity of opposing warring sides, the mutual respect of enemies (not treating them like criminals for the very fact they are fighting on the other side), *prima facie* moral equality of combatants, rather clear demarcation line between *ius ad bellum* and *ius in bello*, many kinds of immunity coming from there, etc. The concept of capitulation is especially important in this context. However, lately, in context of asymmetric warfare, a new concept of "victory" emerged: "winning the hearts and minds" (of the opposing side, or at least of the attacked side, distorting heavily the concept of defense, or self-defense). Another aspect of asymmetric warfare, both in theory and attitude of those who are supposed to be stronger in this asymmetry, is the problem of how to articulate the apriority and stringency of rules (this might be the reason behind many critiques of the *ius ad bellum/ius in bello* distinction). This implies the thesis that the stronger side has the right to break rules, based partly on the assumption that the weaker party cannot have a chance to win

by sticking to the rules, and partly on another assumption that “good guys” have to win, i. e. cannot be defeated. This is visible in theorizing about (and in widespread practice of) military interventions – they look very much like police actions where the reciprocity between opposing parties is entirely lost. There is not much sense in saying that the police “won” (as it, normatively, cannot be “defeated”), while it is quite proper talking of its “success” (or “failure”). If the differences between army and police disappear, so would the difference between “victory” (which can be rather different from any sensible success) and “success”, and victory becomes redundant and obsolete. There wouldn’t be any need to talk of victory any longer (as is visible in the prevailing jargon in the West). However, in this case the success gets in trouble as well. Reduced to bottom line it implies what might be the characteristic of contemporary asymmetric warfare: the situation in which two police, or police-like, forces (one or both of which could be, regarding the modality of their representation, *ad hoc* self-defensive forces, “militias”) fight, treating each other as criminals (as terrorists, usurpers, aggressors, crusaders, etc.). No victory there, only imperialistic paternalism, on one side, and survival or annihilation on the other side.



**J. Angelo Corlett**, San Diego State University

J. Angelo Corlett, PhD, is Professor of Philosophy & Ethics at San Diego State University and author of more than 100 books and articles in philosophy, including articles in such journals as *Analysis*; *American Philosophical Quarterly*; *The Classical Quarterly*; *International Journal for Philosophy of Religion*; *Journal of Medicine and Philosophy*; *Journal of Social Philosophy*; and *Philosophy*. His books include *Analyzing Social Knowledge* (1996); *Terrorism: A Philosophical Analysis* (2003); *Race, Racism, and Reparations* (2003); *Interpreting Plato's Dialogues* (2005); *Race, Rights, and Justice* (2009); *Heirs of Oppression* (2010); *The Errors of Atheism* (2010); and *Responsibility and Punishment* (2014). He is the author of the forthcoming book, *Interpreting Plato Socratically: Socrates and Justice*, and is currently completing a book on social knowledge. He is the Editor-in-Chief of *The Journal of Ethics: An International Philosophical Review*.

*Who Wins in Wars?*

This paper provides a partial answer to the question of who or what wins in wars by directing its primary attention to the moral and economic senses of winning wars.



**Jovana Davidovic**, University of Iowa

Jovana Davidovic is Assistant Professor at the Philosophy Department, University of Iowa. Her areas of specialization are military ethics, moral and political philosophy, applied ethics and philosophy of law.

*Changing Character of Wars and Reductionist Accounts of War*

War has changed so much that it barely resembles the paradigmatic cases of armed conflict that just war theory and international humanitarian law seemed to have had in mind even a few decades ago. The changing character of war includes not only the use of new technology and drones, but probably more problematically the changing temporal and spatial scope of war, and the changing character of actors in war. Parallel to these changes in the way wars are fought, there has been a shift in theories dealing with war, resulting in numerous attempts at revision. One prominent recent revision of just war theory- the reductionist theory- starts from the claim that ordinary morality analyses of, for example, self- and other-defense can inform our answers to difficult moral questions that arise in war; questions like who can be killed or when is a war justified. While reductionist approaches have been quite useful in answering many of the difficult moral dilemmas arising in war, they have also been criticized both with respect to their ability to capture an essential commitment of *jus ad bellum*- namely a right to national self-defense and with respect to consequences of the approach for *jus in bello*, namely for questions of proportionality and necessity in war. In this paper, I develop an argument that the changing character of war is all the more reason to take seriously the revisionist accounts of war of the reductionist kind.



**Ned Dobos**, UNSW Canberra

Ned Dobos is Lecturer in International and Political Studies at the University of New South Wales, Australia, and an adjunct researcher with the Centre for Applied Philosophy and Public Ethics. He has held visiting fellowships at the Oxford Uehiro Centre for Practical Ethics, and at the MacMillan Centre for International Studies at Yale University. Dr. Dobos is the author of *Insurrection and Intervention: the Two Faces of Sovereignty* (Cambridge University Press 2012), co-author of *The New Pacifism: Just War in the Real World* (Oxford University Press, forthcoming), and co-editor of *Global Financial Crisis: the Ethical Issues* (Palgrave).

*Idealism, Realism, and Success in Armed Humanitarian Intervention*

The 2001 report of the ICISS, *The Responsibility to Protect*, sets out a list of conditions that must be satisfied before armed intervention becomes a morally acceptable option. There must be large scale loss of life or ethnic cleansing; the intervention must be a proportional last resort; and of course there must be a reasonable prospect of success. These are put forward as threshold criteria; requirements whose fulfilment is necessary for intervention to be justified. But in addition to this, the ICISS report mentions two features of intervention which, though not morally necessary, enhance its moral credentials: to wit, *disinterestedness* and *international authorisation*. The report states that ideally, AHI should be motivated purely by altruistic concern; ulterior economic or geopolitical motives should be absent. And ideally, intervention should be carried out under the auspices of the UN Security Council. Unilateralism and self-interest are not always sufficient to delegitimize an intervention, but a purely motivated, UN sanctioned intervention is always morally preferable. This paper explores the relationship between these ideals and the threshold requirement of a reasonable prospect of success.



**Aleksandar Fatić**, Institute for Philosophy and Social Theory,  
University of Belgrade

Aleksandar Fatić is Research Professor at the Institute for Philosophy and Social Theory, University of Belgrade. His main interests lie in practical philosophy, specifically in political philosophy, philosophical practice and applied ethics. He is the author of *Reconciliation via the War Crimes Tribunal?* (2000), *Freedom and Heteronomy: An Essay on the Liberal Society* (2009) and, with Klaus Bachmann, of *The UN International Criminal Tribunals: Transition without Justice* (2015, forthcoming), along with many other titles.

*The value narrative in the moral justification  
of international intervention*

The paper discusses the foundations of the moral evaluation of international military interventions in the context of the narrative theory of identity. The narrative theory portrays the collective identities and value systems of both the interveners and those against whom the intervention is launched in terms of 'narratives' of 'life stories' of the communities. The author argues that the narrative theory provides the most useful tools to develop models of moral evaluation of particular interventions. He suggests that, unlike the deontological moral theories, which operate in terms such as 'moral obligation' or 'duty' to intervene, the narrative theory does not aspire to universality, but is capable of integrating empirical evaluations and comparisons, thus allowing the establishment of credibility or lack of credibility to intervene, superiority of the interveners' narrative, and a number of other factors. This allows the narrative theory to discriminate between particular interventions, without drawing generalized conclusions as to whether international interventions are morally justified or unjustified. The theory allows easy incorporation in the existing political institutions and practice, and promises to enhance the profile of moral evaluations within them. Finally, the theory allows for an empirically informed moral critique of military interventions based on the qualities of the value systems constitutive of the collective identities of the interveners, as well as those which the interveners attempt to address in the intervening



**Borislav Grozdić, Ilija Kajtez, Dragan Gostović**, Military Academy,  
University of Defence in Belgrade

Borislav Grozdić is a colonel, associate professor at the Military Academy, University of Defence in Belgrade. Born in 1959. After graduation at the Military Academy in Belgrade, he held numerous assignments in the Armed Forces and Ministry of Defence of Serbia. He reached a PhD degree at the Faculty of Political Science, University of Belgrade. Since 2007, he has been a lecturer at the Military Academy in the subject of Military Ethics. Published books: *Orthodoxy and War* (2001); *Fight for Belief and Fatherland* (2003); Collection of Papers *The Military and Belief* (2001); Reader *Military Ethics* (2009); *Holy Warriors* (2013).

Ilija Kajtez is a colonel, associate professor at the Military Academy, University of Defence in Belgrade. Born in 1961. He graduated from the Air Force Academy in Zadar, as well as from the Faculty of Philosophy (Department of Philosophy and Sociology) in Zadar. He completed his doctoral degree studies in Political Sociology and was granted a PhD degree at the Faculty of Political Science, University of Belgrade. Since 1991, he has been a lecturer at the Military Academy in the subjects of Sociology and Philosophy. Currently, he is the head of the Department of Social Sciences. He was also lecturing at the Faculty of Security Studies, University of Belgrade, in the field of Non-Violence Studies. He was declared to be the best lecturer at the Military Academy in 2012. Published books: *The Sense and Trace* (1999); *Revolutionary Violence - the Anthem to Freedom or Apology of Evil* (2009); *The Wisdom and Sword - Philosophers on Secrets of Peace and War* (2012).

Dragan Gostović is a colonel (retired), associate professor at the Military Academy, University of Defence in Belgrade. Born in 1956. After graduation at the Military Academy in Belgrade as the best cadet, he held numerous assignments in the Armed Forces and Ministry of Defence of Serbia. He reached a PhD degree at the Faculty of Political Science, University of Belgrade, in the field of political systems. Retired in 2009. At present, he is a part-time lecturer at the Military Academy in Belgrade. Published books: *Political Representation and Elections* (1999);



**Asa Kasher**, Tel Aviv University

Asa Kasher is Laura Schwarz-Kipp Professor Emeritus of Professional Ethics and Philosophy of Practice, and Professor Emeritus of Philosophy, Tel-Aviv University. He is also professor of Philosophy, Shalem College, Jerusalem and member of European Academy of Science and Humanities. He held visiting positions in many universities, including UCLA, Oxford, Amsterdam, Berlin, Brussels, Calgary and Torino. Wrote more than 250 papers and ethics documents as well as several books in various areas of philosophy, including: *Military Ethics*, a book that won the national prize for military literature. He wrote the first Code of Ethics of the IDF; an IDF document on the Military Ethics of Fighting Terror (written together with Maj. Gen. Amos Yadlin now ret.); and an IDF document on Ethics of Disengagement (with Maj. Gen (now ret.) Eyal Ben Reuven), as well as codes of ethics for major divisions of the IDF. Has worked (with others) on the Code of Ethics of the Knesset, the parliament of Israel, in a committee appointed by the speaker of the Knesset, and (with others) on the Code of Ethics of the Ministers, in a committee appointed by the Prime Minister. He was a member of a three member team appointed by the Minister of Defense to set principles for negotiating release of abducted citizens, particularly ones in military uniform. For his contributions to Philosophy, he won the **Prize of Israel**, the highest national prize, 2000.

### *The role of victory in new wars*

In the tradition of military forces, especially in democracies, there is a value that soldiers are instructed and educated to try to embody the pursuit of victory. The pursuit of victory was apt for classical, regular war, such as WWII (victory at all costs, despite of all terror). The question is whether this model of victory is applicable to additional areas of violent conflicts such as war on terrorism, cyber warfare, irregular war etc.



## **Boris Kashnikov, Moscow Higher School of Economics**

Dr. Boris Kashnikov is a professor of philosophy at National Research University - Higher School of Economics, Moscow. He was a Director of the Moscow office of the International Crisis Group in 2003 - 2004. One year in 1993-1994 he worked for the UN mission in the former Yugoslavia during the war and in 1989 he worked in Nagorny Karabakh during the separatism conflict in this Caucasian Republic. He is a three times Fulbright professor in the USA (George Mason University 2010-2011, Emory University 1999-2000 and the Mershon Center of the Ohio State University 1996 -1997). Two times DAAD visiting professor at Ruhr University, Germany at the center of International Law of Peace and Military conflict (2013-2014 and 2004-2005).

Professor Kashnikov has been consulted as an expert advisor for the International Committee of the Red Cross, Central Asia. For a number of years he was a member of the board of the Journal of Military Ethics, Norway. On many occasions he has given guest lectures for the Woodrow Wilson Center in Washington, D.C., the Alson and Margaret Johnson Foundation in Helsinki, the International Criminal Law Network at The Hague, Renmin University in China and other research centers and universities. His publications in English include "Terrorism. The New World Disorder", London: Continuum, 2007 and several chapters in "Moral Constraints on War", Lexington Books, 2008 (In coauthorship). In Russian he has published a monograph "Liberal Theories of Justice and the Russian Political Practice".

### *Is it possible to win the just war?*

Victory is a result of a happy marriage of what is truly a *success* to what is *truly a war*. Only a defensive war may be truly a success and thus make a true victory. Any other justification of war even is self deceptive. At the same time War must be distinguished from other forms of massive violence such as police operation, rape, terror, ethnic cleansing and torture. These are the forms of violence, which always go alongside a war, but they are not a truly war. War is truly a war if and only if it is:



1. More or less fair. War is supposed to be a competition of near equals.
2. Imply some risk of life. The pilots of strategic bombers, much less the operators of drones are usually despised as not really soldiers.
3. Presuppose at least some respect for an enemy; we are waging a war on.
4. Proportional and discriminative at least to a certain minimum. The war of extermination is not truly a war.

The laws of language reserve Victory for war only. There can be no victorious genocide, terrorism or torture, although they may be successful in a way. The problem of the contemporary war is the merging of a war in a proper sense with other forms of massive violence, like police operation or terror. The major problem of the contemporary warfare is simply the lack of war in a proper sense. War disappears, it ceases to exist. The contemporary war is an asymmetric one, it does not imply much risk for the strongest side and the contemporary weapons are by and large disproportional and indiscriminative. To make bad things worse, the so called Just War Theory is actively reviving the idea of the Holy war under the guise of Jus ad Bellum principles. The war for abstract values does not presuppose any respect for an enemy. The enmity becomes absolute, war dissolves in the totality of massive violence, and politics becomes the continuation of war by other means. These wars may be successful in some limited sense, but they never end the cycle of violence and thus an exercise in futility in the long run. The recent wars (Iraq, Kosovo, Afghanistan, Ukraine) are a perfect demonstration of this dangerous tendency.



**Jan Narveson**, University of Waterloo

Jan Narveson is Distinguished Professor Emeritus of the University of Waterloo in Ontario, Canada, and President of the Kitchener-Waterloo Chamber Music Society. He is also President of the Institute for Liberal Studies.

*On liberal wars in contemporary times: "winning" is not the object*

In the past, anyway, the idea, at least, was that somebody attacks and somebody else defends. The attackers either succeed in acquiring the territory previously belonging to the enemy, in which case they win, or the defenders succeed in warding them off, in which case *they* win. On occasion the defenders are more successful than that, and become the attackers in turn, and so on. Meanwhile, a great many people on both sides are killed or wounded, and virtually everybody makes a lot of involuntary contributions, financial and otherwise, to the whole thing. Looked at from the point of view of individuals, one might suggest that in reality, nobody wins. That was perhaps not true long ago, when war was a sort of wholesale effort at larceny, as with the Vikings. But for decent nations, that's out of the question. We do not aim at "conquest"; we aim, rather, at a just peace, which is essentially one in which our lives and ways of life are not subject to the sort of dangers, or heavy coercion, that we would be if the people we're trying to defeat have their way. So far as military adventurism, imperialism, and so on are concerned, we can dismiss them as both immoral and stupid. Immoral, obviously, because of our liberal outlooks. And stupid, because modern wars are extremely expensive, and one could never gain from them in comparison with peaceable trading activity.

Of course the concept of winning in war is not confined to liberals. For others, there are objectives and these can be attained, or frustrated. But the question of what it does or could amount to is especially serious for the rest of us - for the liberal states. The point is that liberal states are absolutely committed to refraining from strictly aggressive wars. They are not absolutely committed to refraining from wars designed to protect



the citizens of foreign states from oppression by their own governments, nor of course from operations designed to root out genuine threats, as of terrorism. But military operations for such purposes are, as bitter recent experience dramatically demonstrates, virtually incapable of achieving their objects in any thoroughgoing way. We can't speak of victory but only of progress, or lack of it, and at how much cost.

It is difficult to see how any precise philosophical program can solve this kind of problem. If we abstain from all kinds of military intervention, in modern circumstances we simply throw the door open to the worst kind of government. If we don't abstain, we are into the foregoing problem. It is hard to see that any precise philosophical progress is here possible. We must maintain the distinction between those activities of others, however foreign to us, which are interpersonally harmless and entitle its practitioners to whatever possible protections there are, and those activities that are genuine threats to others, and therefore to peace. Peace is our fundamental proper goal, always. What precisely its pursuit means in a great range of all-too-possible circumstances is another matter.



## **Aleksandar Pavkovic, Macquarie University**

Dr. Aleksandar Pavković is an Associate Professor, Department of Government, University of Macau, teaching political theory and comparative politics. His university education was primarily in philosophy which he first taught at Belgrade University and the University of Melbourne. He later taught Serbian and European Studies as well as political theory at Macquarie University, Sydney. He is currently coordinator of the Master of European Studies program at the University of Macau. His research interests are Theory and practice of secession, nationalism and nationalist movements. He read DrSci Belgrade University and obtained Bachelor of Philosophy in philosophy. University of Oxford, BA (magna cum laude, Phi Beta Kappa), MA in philosophy, Yale University. He taught in various universities in Europe, Australia and Asia.

### *The secessionist wars: the last vestiges of legitimate conquest?*

In secessionist conflicts, secessionists attempt to remove the host-state (or the opposing) military forces from the territory they claim for their future state. Only by removing these opposing forces, can they achieve military and political control of that territory. In short, in order to establish their state and seek international recognition, they need to conquer the contested territory. But in most - although not all - cases they are not capable to achieving this without the military intervention from outside states: these states then conquer the disputed territory by force and hand it over to the secessionists. The two recent examples of this kind of action are Kosovo in 1999 and Bangladesh in 1971. Under the UN Charter this kind of territorial conquest of one state by another would be considered illegal and illegitimate, yet in the case of secessionist conflict it is not so regarded. In this paper, we shall examine a few normative justifications of this kind of conquest. Whatever justification one may offer for it, the victory of the secessionists in a secessionist war is still a rather old-fashioned victory: it involves the expulsion of the opposing forces from the disputed territory and its take-over by military force.



**Philip J. Rossi**, Marquette University, Milwaukee

Philip J. Rossi, S.J. (Ph.D., University of Texas [1975]), was appointed to the faculty of Theology at Marquette University Milwaukee, Wisconsin in 1975, where he currently serves as Professor of Theology. He specializes in philosophy of religion, moral philosophy, and Christian ethics; he has published extensively on the theological import of the work of Immanuel Kant. He has been visiting professor at Sogang University, Seoul, Korea (1985), the Ateneo de Manila University, Philippines (1998), and Arrupe College, Harare, Zimbabwe (2014), a research fellow at the Institute for Advanced Studies in the Humanities, University of Edinburgh (1992, 1999), and visiting scholar (1979-80) and visiting fellow (2004-05) at the Woodstock Theological Center, Washington, DC. He served as Interim Dean of the Helen Way Klingler College of Arts and Sciences from 2010-2013, Associate Dean for Graduate Affairs from 2005-2008, and ten years as Chair of the Theology Department. He is author of *The Social Authority of Reason: Kant's Critique, Radical Evil and the Destiny of Humankind*, (State University of New York Press, 2005), *Together Toward Hope: A Journey to Moral Theology* (University of Notre Dame Press, 1983), editor of *God, Grace, and Creation* (Orbis, 2010), co-editor (with Michael J. Wreen) of *Kant's Philosophy of Religion Reconsidered* (Indiana University Press, 1992) and co-editor (with Paul Soukup, S. J.) of *Mass Media and the Moral Imagination* (Sheed and Ward, 1994). He has presented papers at meetings of the American Philosophical Association, the American Academy of Religion, the Catholic Theological Society of America, the College Theology Society, the Society of Christian Ethics, the Russian Kant Society, six International Kant Congresses, and The Parliament of the Worlds' Religions in Barcelona (2004) and Melbourne (2009). He has published more than fifty articles in books and professional journals, was editor of *Philosophy & Theology* (1993-2000) and served on the board of editorial consultants for *Theological Studies* (1991-98). He was a member of the Board of Trustees of Creighton University (Omaha) from 1985-2013. He was the Executive Director of National Conventions for the College Theology Society (2005-09) and served two terms as a member of its Board of Directors. His current research focuses on Kant's anthropology as a resource for a post-modern theology of grace,



the theological appropriation of the work of the Canadian philosopher Charles Taylor, and the theological warrants for human rights discourse and for just war theory in a globalized, post-modern culture.

*Peacemaking and Victory: Lessons from Kant's Cosmopolitanism*

In the various texts in which Immanuel Kant discusses the principles that should govern relations among nations—including those texts that explicitly deal with the sources that lead states to engage one another in armed conflict and the circumstances that enable its cessation—he does not directly engage the question “What constitutes victory in war?” This should not be all that surprising given the mordant irony that pervades much of Kant’s treatment of war and of the “principles” by which “moralizing politicians” justify the use of force as an instrument of policy in an international order that they view as Hobbes’s “state of nature” writ large. The substance and the tone of Kant’s dismissal of the *Realpolitik* that guides “moralizing politicians” indicate that the key dynamic in his thinking about war arises from his account of the principles of human moral self-governance (i.e., autonomy) that are operative in the practical use of reason. Kant will thus argue that “a cosmopolitan perspective,” which the practical (moral) exercise of our reason enables us to take upon the role of human moral action in history, provides the basis from which we may justifiably hope in the effectiveness of the efforts we take to establish conditions for lasting peace. In consequence, it thus becomes possible to offer a definitive Kantian answer to the question “What constitutes victory in war?” by framing it in reference to this cosmopolitan hope for the establishment of an international order for securing enduring peace.



**Uwe Steinhoff, HKU, Hong Kong**

Uwe Steinhoff is Associate Professor at the Department of Politics and Public Administration of the University of Hong Kong and Senior Research Associate in the Oxford University Programme on the Changing Character of War. He has published numerous articles in such journals as *Journal of Ethics*, *Philosophical Quarterly*, *Philosophical Forum*, *Ethical Theory and Moral Practice*, *Journal of Military Ethics* and the *Journal of Political Philosophy*. He is also the author of *On the Ethics of War and Terrorism* (Oxford University Press, 2007), *The Philosophy of Jürgen Habermas* (Oxford University Press, 2009) and *On the Ethics of Torture* (State University of New York Press, 2013).

*War, Victory, and Prospects of Success*

A boxer can win a fight without getting what he fought for (for example, the prize money). And he can lose and still be rewarded. Likewise, a party can win a war (that is, militarily overcome the enemy) yet fail to get what it fought for; or it can lose and get (part of) what it fought for. Thus, winning wars is overestimated, as it were; and it should be clear that the just war criterion of “prospects of success” is not a valid criterion if supposed to refer to winning wars. But many argue that what justifies a war is its being a (necessary and proportionate) response to a rights violation with the aim of defending against, rectifying, or punishing said rights violation. Thus, isn’t “prospects of success” a valid criterion if it refers to these aims? I shall explain why this is not necessarily the case.



**Paul Viminitz**, University of Lethbridge

Paul Viminitz, Professor of Philosophy at the University of Lethbridge since 1997, specializes in the Philosophy of Religion, Social and Political Philosophy, Philosophy of War, and Game Theory.

*Synecdoche Errors in Popular Discourse about Victory and Defeat*

It has now become almost banal to speak of Pyrrhic victories as tantamount to defeat. And we know that there are OTHER autonomous effects of victory that are tantamount to defeat. So I want to address a less rehearsed issue. I want to note that both during and at the end of a war we talk about the winning 'side' and the losing 'side'. But such talk obscures - indeed it is often DESIGNED to obscure - that there are always many sides within a 'side'. For example, in 2003 what for some Iraqis was an occupation for others was a liberation. So which 'side' shall we say won that war? So in this paper I proffer a taxonomy of 'sides' which I hope is neither too fine-grained nor too course-grained to encourage a more sophisticated public discourse about victory and defeat.



## **David Whetham, King's College London**

Dr David Whetham is based at the Joint Services Command and Staff College at the UK Defence Academy, and provides academic support for, amongst others, the Intermediate, Advanced and Higher Staff Courses for British and international officers, across all the services, from the rank of Major up to full Colonel or equivalent. Before joining King's as a permanent member of staff in 2003, David worked as a BBC researcher and with the OSCE in Kosovo, supporting the 2001 and 2002 elections. David's main research interests are focused on the ethical dimensions of warfare, the development of the laws of war and how these ideas are best communicated within professional military education. In 2009, David was a Visiting Fellow with the Centre for Defence Leadership and Ethics at the Australian Defence College in Canberra, and is a visiting lecturer in military ethics at the Baltic Defence College, the Military Academy in Belgrade and for the Royal Brunei Armed Forces. In Spring 2011, David was Resident Fellow at the Stockdale Center for Ethical Leadership at the US Naval Academy, Annapolis. David is Vice President of Euro ISME (the European Chapter of the International Society for Military Ethics) who convene an annual conference for practitioners, academics and policy makers, and is an editorial advisor to the Journal of Military Ethics. David has been heavily involved with curriculum design, and during his time at King's has been MA Course Director for 280 students (2005-2006), Chaired the Defence Studies and International Studies MA Exam Boards (2007-2009) and currently chairs King's Research Ethics Committee covering the all of the research from the Schools of Social Science and Public Policy, Humanities and Law. As well as broad ranging administrative, teaching and research responsibilities, David is the subject matter expert for the ethical dimensions of war, writing, coordinating or delivering material in this area for over 3000 military students every year. David is married with two children, and in his spare time, he is a Magistrate on the Wiltshire bench, plays the trombone and fences with the medieval longsword and épée.



## *Remote Killing and the Remoteness of Winning*

The use of drones and stand-off weapons has increased exponentially in recent years, causing a mounting wave of concern amongst the media and public about the implications of using unmanned systems – often misunderstood in their nature – above all in terms of accountability, legitimacy and ‘fairness’. This paper explores several facets of this question, in order to see how a reliance on remote war fighting may affect the type of wars we choose to fight and the possibility of achieving victory in those wars.



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