



AN INTRODUCTION
TO INTERNATIONAL
PERSPECTIVES

COMPARATIVE JUST WAR THEORY

EDITED BY LUIS CORDEIRO-RODRIGUES
AND DANNY SINGH

Comparative Just War Theory

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and Danny Singh

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Chapter Eight

An African Theory of Just Causes for War

Thaddeus Metz

INTRODUCING AFRICAN VALUES

It is literally in the past few years that theoretical discussions of violence, with some clear reference to military conflict, in the light of characteristically African norms have begun to sprout.¹ Substantial texts in African philosophy originated only in the post-independence era of the 1960s, with the rise of literacy and the demise of colonialism, which means that some debates that have been long-standing in other global traditions have yet to receive much attention in this one. Just war theory is one such debate, having received virtually no analysis by professional philosophers working in the African tradition until quite recently.² As one scholar has remarked, “The literature on political theory and moral philosophy in Africa offers very little resources on the subject matter of the morality of war. This situation is paradoxical, given the almost incessant occurrence of war in the continent.”³ In this chapter, I aim to develop African just war theory by reflecting on some topics that have yet to be considered and by advancing perspectives different from what have been suggested so far.

About the only thing concerning African values that philosophers and related theorists beyond the continent are likely to know is that they are characteristically communitarian. As I indicate below, that is true, but the form the communitarianism takes, at least in a fairly distinct and attractive form, is relational. That is, communal or harmonious relationships are what tend to be prized, in contrast to both a corporate ascription of value to a group and an individualist ascription of it to autonomy or rationality as per much of the modern Western moral tradition.

My approach in this chapter is to spell out a foundational African ethic, according to which one must treat people's capacity to relate communally (or harmoniously) with respect, derive some principles from it to understand the just causes for war,⁴ and compare and contrast their implications with other recent African views and some prominent accounts in contemporary Anglo-American philosophy. Just causes for war are considerations that in principle can justify initiating military (and similar kinds of) conflict, with common Western accounts of them including rebutting aggression, punishing the guilty, and protecting certain human rights. Drawing on African values, I argue that respectfully treating people's capacity for communion grounds the principles that a large degree of discord (i.e., the antisocial opposite of communion) is justified, insofar as it is directed toward those who have been initially discordant and the discord is the least amount essential and expected to rebut a no greater discord on their part; otherwise, substantial discord is usually⁵ unjust.

Although this approach will be broadly familiar to readers in the Western tradition, its ethical foundation is distinct, and I work to highlight contours of it that differentiate it in some plausible ways from the views of thinkers such as Thomas Hurka, David Luban, Larry May, Jeff McMahan, and Michael Walzer. For example, I argue that the Afro-communal approach is naturally understood to entail that some forms of military conflict could be justified to protect a people's culture from being suppressed or, perhaps most radically different, even for the sake of the *aggressors*. In addition, I argue that it forbids going to war to punish aggressors for the purposes of either retribution or general deterrence, and also rules out doing so merely to protect territory from incursion.

As for the African credentials of my approach, this is not a work of intellectual or sociological history; it does not empirically recount the nature of sub-Saharan cultures in general or military practices in particular. I ground the ethic on the remarks of contemporary African philosophers and illustrate its implications for warfare by applying it to familiar armed conflicts in southern Africa and appealing to the ideas of some African military leaders, including King Moshoeshoe I, Kenneth Kaunda, and Amilcar Cabral. However, this work is constructive and normative and not so much representative; I draw on ideas salient in African philosophical thought to advance a novel and promising theory of just cause, setting aside descriptive issues such as what the indigenous worldviews informing contemporary African philosophy are like and whether Africans have tended to accept the theory's prescriptions in respect of military and related forms of conflict.

In the following text, I begin by sketching an ethic of communion (or harmony) informed by the African tradition and then derive from it principles about when, why, and how much to be antisocial (discordant) and illustrate them by applying them to two African conflicts that are particularly

known to a global audience. One is the guerrilla war that was waged against the apartheid regime in South Africa, and the other is the forcible ejection of white farmers from Zimbabwe (which, while not having become full-blown warfare, did involve a recent deployment of systematic violence). Then, I apply the Afro-communal approach to a variety of issues regarding the just causes for war and similar sorts of deadly force, highlighting respects in which its implications merit consideration as rivals to views that others working in the African tradition have recently suggested and some salient Western views. I conclude by noting topics that pertain to *jus in bello* and *jus post bellum*, which African reflection on just war has yet to address thoroughly, and suggesting some argumentative strategies in respect of them.

AN AFRICAN ETHIC⁶

Of the various philosophical interpretations of sub-Saharan moral thought, I appeal to a fundamentally relational one,⁷ spelling it out here but applying it to military conflict in the following section. Instead of conceiving of morally right action in terms of what honors or promotes a good intrinsic to a person, such as her welfare, autonomy, or life, my favored ethic places a certain way of relating between individuals at the ground of how to treat others. The following comments by scholars of African ethics, from places as diverse as Uganda, South Africa, Zimbabwe, and Kenya, suggest such a relational approach to morality:

[I]n African societies, immorality is the word or deed which undermines fellowship.⁸

Social harmony is for us [Africans] the *summum bonum*—the greatest good. Anything that subverts or undermines this sought-after good is to be avoided like the plague.⁹

[O]ne should always live and behave in a way that maximises harmonious existence at present as well as in the future.¹⁰

A life of cohesion, or positive integration with others, becomes a goal, one that people design modalities for achieving. Let us call this goal communalism, or, as other people have called it, communitarianism. In light of this goal, the virtues . . . become desirable.¹¹

I do not take these comments about fellowship, harmony, and communalism at face value because doing so has counterintuitive implications regarding human rights. As they stand, they variously suggest that certain (harmonious or communal) relationships are good for their own sake, that it is always wrong to undermine them, and that one should promote them as much as

possible. However, if existing relationships alone were finally valuable and ethically relevant, then a person not in the relevant relationship with an agent, such as a stranger in a foreign land, would seem to lack moral standing relative to her and to be legitimately attacked for selfish gain. If it were always wrong to act in ways that undermine the relevant relationship, then threats, violence, and other forms of force would be categorically impermissible, even when directed against aggressors to protect innocents. Moreover, if one were supposed to maximize the relevant relationships, then it would be permissible to use any means whatsoever, including intentionally harming innocents in severe ways whenever doing so would promote harmony in the long run.

To avoid these implications while retaining a relational approach, I advance a principle according to which individuals have a dignity in virtue of their communal nature, or capacity for harmony, that demands respect. By “communion” or “harmony,” I mean the combination of two logically distinct relationships that are often implicit in African characterizations of how to live well.¹² Consider these quotations from another group of philosophers, theologians, and related theorists from Nigeria, Ghana, and South Africa:

Every member is expected to consider him/herself an integral part of the whole and to play an appropriate role towards achieving the good of all.¹³

[H]armony is achieved through close and sympathetic social relations within the group.¹⁴

The fundamental meaning of community is the sharing of an overall way of life, inspired by the notion of the common good.¹⁵

[T]he purpose of our life is community-service and community-belongingness.¹⁶

If you asked *ubuntu* [the Nguni catchword for African morality] advocates and philosophers: What principles inform and organise your life? What do you live for? . . . the answers would express commitment to the good of the community in which their identities were formed, and a need to experience their lives as bound up in that of their community.¹⁷

Notice that, in these characterizations of how to commune, or harmonize, two logically distinct relationships are repeatedly mentioned. First, there is considering oneself part of the whole, being close, sharing a way of life, belonging, and experiencing oneself as bound up with others, which I label “identifying with” or “sharing a way of life with” others. Second, there is achieving the good of all, being sympathetic, acting for the common good, serving the community, and being committed to the good of one’s society, which is labeled “exhibiting solidarity with” or “caring for” others. Note how

they are different ways of relating; one could cooperate with others on projects that are not good for them, and, conversely, one could act in ways that are good for others but do not include participating with them evenhandedly.

For the purposes of this chapter, it will be enough to work with the following representation of communion or harmony shown in Figure 8.1.

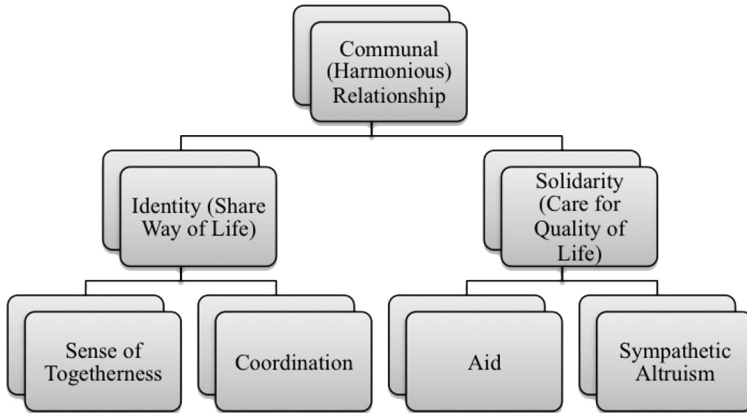


Figure 8.1. Schematic Representation of Harmony

By the ethic advanced here, it is not this communal *relationship* that has a basic moral value, but rather an individual's natural *capacity* for it. Typical human beings, for example, have a dignity insofar as they are in principle *able* to be communed with and to commune. The highest moral status accrues to us, beings that by nature can be both *objects* of a harmonious relationship (i.e., able to be identified with and cared for by others) and *subjects* of it (i.e., able to identify with and care for others).

Turning from moral status to normative theory, I propose that an act is right insofar as it respects others by virtue of their natural capacity to relate harmoniously; otherwise, an act is wrong. Equivalently, an act is wrong if and only if it degrades others who can in principle be party to relationships of identity and solidarity, especially insofar as (roughly) it treats innocent parties in extremely antisocial or discordant ways, with enmity. Discord consists of the opposites of identity and solidarity whereby, instead of togetherness and coordination, there is distance and subordination (together constituting division) and, instead of altruism and aid, there is cruelty and harm (ill will) (see Figure 8.2).

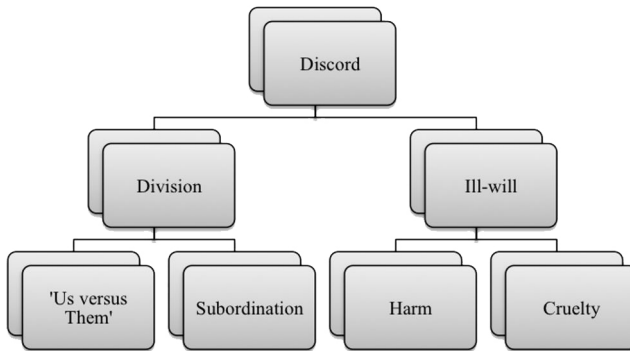


Figure 8.2. Schematic Representation of Discord

From this perspective, what typically makes actions such as lying, promise breaking, abusing, and kidnapping immoral is that they treat innocent parties discordantly and thereby disrespect their capacity to be harmonized with and to harmonize. That explanation of why these acts are wrong is, I submit, *prima facie* plausible and differs from the characteristically Western ideas that these acts are wrong because they are degradations of autonomy, or failures to maximize well-being in the long run, or forbidden by what parties would agree to in a social contract.

In other work, I have argued that this moral–theoretic interpretation of the sub-Saharan value of communion/harmony entails and well explains a variety of salient practices among indigenous sub-Saharan peoples, ones that have some intuitive moral pull even for those outside the African tradition. For example, the idea that people merit moral consideration in virtue of their capacity for relationships of identity and solidarity makes good sense of the frequent search among African peoples for reconciliation in the face of wrongdoing; if our relational nature is what is important about us, then the priority should be to repair broken relationships.¹⁸ For another example, African peoples are well known for resolving political conflicts by seeking consensus, which is also well explained by a drive to foster a sense of togetherness, to interact on a cooperative basis, and to do what is expected to be good enough for everyone.¹⁹

In prescribing that we treat with respect persons who have the capacity to be party to communal/harmonious relationships, consequentialism is rejected, and in at least two respects. For one, a person should not aim to promote harmony wherever she can to the maximum degree that she can but, instead, should give priority to those with whom she has already enjoyed a harmonious relationship. Although the relational ethic includes an impartial

dimension, according to which everyone with the ability to relate harmoniously has a dignity, it also has a partial dimension, according to which there is extra reason for an agent to harmonize with those already tied to her. The longer and stronger the harmonious relationship, the more reason there is to continue it, even if, from a more neutral perspective, greater harmony could be produced otherwise. This account of partiality is a philosophical reconstruction of the traditional African practice of according priority to blood relations.²⁰

For another respect in which the ethic is deontological and not consequentialist, the way in which harmony is promoted matters morally in itself. An agent may not use any means whatsoever to maximize the net amount of harmony in the world. As I explain in the next section, it would normally be wrong to treat innocent parties discordantly, even if a greater long-term harmony would result from treating them that way. In addition, it would often be right to treat guilty parties discordantly, even if doing so would prevent a greater long-term harmony.

DERIVING PRINCIPLES TO GOVERN WARFARE

In the previous section, I advanced a foundational ethic with a sub-Saharan pedigree according to which one must respect others in virtue of their ability to be party to communal or harmonious relationships. Although what is special about us, by this moral theory, is our capacity for harmony, it does not follow that we may never act in opposite, discordant ways. In this section, I explain why respect for the capacity for harmony in fact sometimes justifies discordant behavior, spell out how the ethic's prescription of discord grounds normative principles to regulate military and related forms of conflict, and illustrate the principles by applying them to two cases of social upheaval in sub-Saharan Africa. It is only in the following sections that I show how their implications differ from recent statements by others working in the African tradition and by those who hold more characteristically Western perspectives.

Wrong acts by the present ethic are those failing to treat people as special in virtue of their capacity for harmonious relationships. Often, then, indifference and isolation are immoral while worse are discordant actions involving subordination consistent with an "us versus them" attitude and harm consistent with a selfish motivation. However, it does *not* follow that discordant actions are *always* wrong. They are instead wrong only when they fail to express respect for the dignity of people's communal nature, which they need not do.

It is one thing to act discordantly toward someone who has not herself acted that way. If someone has not initially acted in a discordant way and

instead has related harmoniously with others (who themselves have not been discordant, let us suppose), then she counts as “innocent” and is liable for only harmonious treatment. Were one to treat an innocent person in a severely discordant way, most often one thereby would be violating her human rights, even if in the long run more harmony would be fostered in society. What killing, torture, slavery, rape, human trafficking, apartheid, and other gross infringements of civil liberties and equal opportunities arguably have in common is that they are instances of substantial discord directed to those who have not acted this way themselves, thereby denigrating their special capacity to be party to relationships of identity and solidarity.

Concretely, one who engages in such practices treats a person who has herself been harmonious with great discord (enmity) and does so along all four major dimensions of it. The actor treats the other as separate and inferior, instead of in ways that express a sense of togetherness. He undermines the other’s ends, as opposed to engaging in mutually supportive projects with her. He harms the other for his own sake or for an ideology, as opposed to doing what is likely to make her better off in either welfarist or perfectionist terms. Finally, he acts in ways that evince negative attitudes toward the other’s good, rather than acting out of a sympathetic reaction to it. By the African ethic advanced here, acting discordantly in respect of an innocent party is *pro tanto* degrading and wrongful, even if one would promote more long-term harmony by doing so. This account of what constitutes a human rights violation plausibly rivals utilitarian and Kantian rationales.

However, severe discord can be justified at least when it is essential to rebut another’s initial and, hence, wrongful discord.²¹ Consider an analogy with Kantianism. If the point of infringing a person’s wrongful employment of autonomy is to sustain another’s autonomy, then there need not be degradation of autonomy nor any treatment of it merely as a means or otherwise as less than a superlative final value. Similar remarks apply to harmony: if the only way to rebut disrespectful treatment of a person’s harmonious nature in the form of discord is to use discord, then harmony is not necessarily degraded.

Suppose that someone has initially acted in a discordant manner (including threatening to subordinate and harm or having authorized others to do so) and therefore counts as “guilty” or an “aggressor” in respect of an innocent party. Suppose further that only the use of discord would rebut his discord, by which I mean that only subordination and harm of him would serve functions such as incapacitating him from subordinating or harming his victim, deterring him from doing so, getting him to compensate his victims, or reforming his character so that he would not act similarly again. In that event, treating him with comparable discord would not degrade his capacity for harmony, which he has wrongfully failed to employ.

Furthermore, directing discord against a discordant party to protect or compensate his victims is well understood as expressing respect for them. Indeed, if one could, at little cost to oneself, direct discord against an aggressor and thereby protect innocents from or compensate them for severe discord, respect would seem to obligate one to do so. By the respect-based African ethic, the innocent should be protected from or compensated for severe discord even if more harmony would be promoted in the long run by not doing so. For example, if one had to gravely wound three aggressors seeking to abuse an innocent woman, which would mean somewhat less long-term harmony in the world upon considering the former's families, one should nonetheless do so to save the latter; otherwise, one would be failing to treat her as having dignity, viewing her interests as relevant only insofar as they promote good outcomes.

Putting these ideas together, I propose the following principles to regulate force that is large (e.g., loss of life, limb, or mind at both the individual and collective levels). First, substantial discord directed toward a party is justified if it is the least amount necessary and likely to rebut a comparable initial discord on his part; equivalently, one may significantly subordinate or harm another if that is essential and expected to prevent or compensate for a similar or greater degree of subordination and harm that he initiated.²² While that principle governs how to treat aggressors, this second one deals with innocents: if a person has not acted in a substantially discordant way or been responsible for such,²³ she is not liable to be treated in a substantially discordant way; equivalently, it is a *pro tanto* grave wrong to subordinate or harm another person significantly if she has not herself acted similarly, been responsible for others doing so, and the like.²⁴

The reader will notice that the first principle posits merely sufficient conditions for the use of compulsion, violence, and threats of such. The reason I do not consider them to be necessary conditions is that I believe that severe punishment of the guilty can be justified but not merely on grounds of defensive force. Although I maintain that punishment should do some good, in the form of labor that serves to compensate victims and reform offenders, I deny that punishment has to be necessary to bring about these goods in order to be justified.²⁵ Instead, as long as punishment is sufficient to pay back victims and rehabilitate those who are guilty, it is justified not merely as one way to bring those conditions about but also for expressing that an offender acted in wrongful ways abjured by the political community as well as that a victim should have been treated otherwise.

Although punishment can be justified even when it is unnecessary to produce desirable outcomes, war is different. The degree of mayhem that accompanies military conflict, and especially the grave risks to nondiscordant parties (but also the risks of disproportionately great subordination of

and harm to certain aggressors), means the substantial discord of that nature must be necessary, not merely sufficient, to bring about desirable outcomes.

Beyond following from a *prima facie* plausible moral theory with an African pedigree, these principles governing deadly (or otherwise large) force account for intuitive reactions to some globally well-known anti- and postcolonial struggles in the sub-Saharan region. As an example, they make sense of the way the rebellion against apartheid was on the whole justly conducted by Nelson Mandela and much of the African National Congress (ANC).²⁶ By these principles, military force, such as sabotage and violence, directed against those responsible for apartheid was justified as necessary and likely to overcome it, but it was unjustified when targeting those not responsible for it. This ethical analysis coheres well with Mandela's decisions to fight the apartheid regime with violence as well as his explicit statements about them.

First, the white South African government was of course the one that was initially discordant toward black people. Starting in earnest with the Natives Land Act of 1913, which declared the majority of land to belong to the white population, and intensifying with apartheid statutes and the prohibition of political gatherings, the government was the one to distance itself from people it considered not white, to subordinate them, knowingly harm them, and act out of indifference to their well-being. "If there was not the violence of apartheid, there never would have been violence from our side."²⁷

Second, Mandela sought to use violence against government and more generally political targets (i.e., against those most responsible for the oppression of blacks). Now, in practice, the ANC sometimes did target civilians, which the Truth and Reconciliation Commission hearings made clear. And Mandela himself approved of the targeting of infrastructure, such as electric power stations²⁸ as well as telephone lines and transportation links.²⁹ However, as far as I can tell, Mandela never deemed it permissible to use violence against those who were not initially being unjust or were not particularly responsible for injustice. He instead tends to speak of violence being properly used against "the state"³⁰ or "government installations, particularly those connected with the policy of apartheid and race discrimination."³¹ In *Long Walk to Freedom* Mandela recounts this about the decision to found Spear of the Nation (*uMkhonto weSizwe*, abbreviated "MK"), the military wing of the ANC: "Violence would begin whether we initiated it or not. Would it not be better to guide this violence ourselves, according to principles where we saved lives by attacking symbols of oppression, and not people?"³²

Third, Mandela had used nonviolent forms of struggle against apartheid for about fifteen years, and the ANC and black resistance movements generally had used nonviolent responses for several decades. However, they had been ineffective, and Mandela often emphasized the point that he and the ANC deemed violence to be permissible only as a last resort. Most famously,

consider his statement at the famous Rivonia Trial when he said, for just one short line, “It was only when all else had failed, when all channels of peaceful protest had been barred to us, that the decision was made to embark on violent forms of political struggle.”³³ He reiterated this point, about the necessity of violence to rebut violence, in the speech in which he rejected the government’s offer to release him from prison in exchange for a renunciation of violence on his part³⁴ and continued to make it repeatedly in later years.³⁵

Fourth, and finally, Mandela sought to use the least force necessary to accomplish his aim of achieving freedom and equality for all those in South Africa. In *Long Walk to Freedom* he says:

Our intention was to begin with what was least violent to individuals but most damaging to the state. . . . It made sense to begin with the form of violence that inflicted the least harm against individuals: sabotage. . . . Strict instructions were given to members of MK that we would countenance no loss of life. But if sabotage did not produce the results we wanted, we were prepared to move onto the next stage.³⁶

All these elements of Mandela’s advocacy of violence accord with the principles above.

The Afro-communal principles justify the use of violence against the apartheid regime as well as the guerrilla war conducted against the colonial Rhodesian government in the 1970s (although not insofar as it involved the targeting of civilians at department stores and on airplanes). In contrast, they appear to entail that it was unjustified for Robert Mugabe’s government in post-Rhodesia Zimbabwe to confiscate land from white farmers in 2000, which involved violence, coercion, and physical removal. Despite the transition to a more democratic government and to black rule in Zimbabwe in 1980, land reform had not been well effected, leaving much arable farmland in the hands of white descendants of those who had not acquired it legitimately. In the year 2000, the Zimbabwean government supported guerrilla war veterans in their ejection of white people from these commercial farms and without compensation. Although it was not outright warfare, there was substantial discord, including the use of deadly force, employed to redistribute the farms.

It is fair to have viewed many of the white farmers not to have been innocent; they were retaining land that they should have shared with the black population. However, it does not follow that force was justified as a way to effect land reform for the glaring reason that the means taken were foreseeably counterproductive in respect of the legitimate end. That is, it was unlikely that the lives of many victims of colonialism would have been improved as a result of “fast-track” or “en masse” land reform; in fact, it made (and was likely to have made) many of their lives worse. It is well known that a number of the farms were allocated to political elites and those

connected to them and not so much to the common black person. In addition, upon land being redistributed, often the new holders of it lacked the knowledge and capital needed to farm, which meant a drastic drop in production and consequent widespread hunger in Zimbabwe. Furthermore, there was predictable capital flight, to the point of creating grotesque hyperinflation, reported rates of 90 percent unemployment, and a much greater difficulty of purchasing essential goods.³⁷ According to one estimate, about a decade after the land confiscations, the private sector was “operating at 10 percent of its former capacity” and about fifteen years later “Zimbabwe’s per capita GDP is \$600, the third lowest in the world.”³⁸

Instead of reducing the harmful effects of colonial land dispossession, the Zimbabwean approach to land reform foreseeably caused more harm, particularly to the black population, which was innocent. Note that, even if things were to get better in Zimbabwe after twenty or twenty-five years, that would mean little to those who suffered most directly from colonialism; they would not have been compensated (beyond knowing their descendants might come out well), instead having lived worse lives for those decades (and then many soon to die given their age).³⁹ The Afro-communal approach entails that, in principle, discord could have justifiably been used to effect land reform in Zimbabwe but not of a sort that was likely not merely to fail to help but also to harm seriously innocent parties to such a great extent.

CONTRASTS WITH OTHER AFRICAN VIEWS

I now reveal more about what the Afro-communal principles entail in respect of why and when to engage in military conflict by showing how they constitute sensible alternatives to views suggested lately by others working in the African tradition. Some thinkers seem to maintain that African norms support the view that war may be justly fought to bring about certain goods, such as welfare or virtue, whereas my favored principles imply that only rebutting certain “bads” can justify war. Others appear to contend that a good justification for going to war is the need to protect one’s country or people, regardless of how it or the other party being attacked has behaved, but I argue that partial considerations plausibly play a different role when thinking about whether to go to war.

Above, I sometimes spoke about severe discord being justified only if certain “desirable outcomes” were forthcoming, by which I meant, more carefully, ones such as the prevention of a comparable discord or compensation for it. Such an approach to just cause is on the face of it attractive for clearly entailing that it is wrong to go to war to purify the race, uphold the glory of the king, spread Christian piety, obtain booty, or hold onto political power. One way to put this point is that the bad of military conflict can be

justified only by rebutting a comparable bad, not to promote a (perceived) good.

Some African thinkers have implicitly questioned this approach, however, and are naturally read as suggesting that armed struggle can be justified as a means to achieve the end of certain intrinsically desirable states, not merely the end of avoiding certain undesirable ones. For example, one thinker appeals to the southern African ethic of ubuntu to aver that violence can be justified as a means to “promote the just advancement of the welfare of societies”⁴⁰ or so that people “can experience personhood,”⁴¹ where talk of “personhood” in the African tradition signifies virtue or human excellence (often contrasted with an animal existence). Another thinker who appeals to ubuntu in respect of war maintains that “acts of violence can be justified if the outcome is one that leads to social harmony.”⁴²

However, I submit that violence, at least in the form of military conflict, cannot be justified for the sake of bringing about goods such as well-being and harmony, and probably not any good at all. I agree it can be permissible to impose minor to moderate burdens on innocent parties to foster benefits and not merely to remove other burdens. For example, it is justified for the state to institute a scheme of threatening drivers for not keeping left so as to improve coordination or to tax the superrich to foster the arts for the public. What I deny is that the burdens placed on innocents may (usually) be large, even if the expected benefits from doing so would be large. That is, it is (normally) wrong to threaten the life, limb, or mind of those who have done no wrong to bestow pure goods (i.e., benefits beyond the removal of burdens) onto them or others.⁴³ It would intuitively be wrong for political leaders to go to war so that the research and development sectors would invent new technologies likely to have consumer gadget spin-offs, or for the sake of developing the virtues of courage and determination in their people, or to prompt citizens to enjoy a sense of togetherness and to cooperate in their efforts against a perceived common enemy.

Although I do not believe that the goods of welfare, personhood (virtue), or even harmony can be just causes for war, their disvaluable antipodes can. For instance, if a country is being discordant or causing another one woe, say, by blocking a vital river that they had shared for centuries, that could justifiably ground war as essential to regain access to water.⁴⁴

A second salient respect in which my favored principles differ from the views of other Africanists concerns the status of one’s country. As indicated above, African morality has characteristically included a partial dimension, prescribing favoritism to one’s people. Some have suggested that this means taking a “My country, right or wrong” approach to military force. For example, speaking of indigenous sub-Saharan ethics, Godwin Sogolo notes that it could include a code that

requires members of the group to abstain from violence in relation with fellow members without necessarily subjecting them to such requirements in their relation with non-members of the group. . . . [T]he ability of an individual to lie, to trick or even to kill a non-member of his group may carry high “moral” approval.⁴⁵

If the lives of outsiders do not count, then war will often be justified in respect of them, even if they have not been discordant. Sogolo does not quite defend this extremely partial approach as appropriate, but he does work to show that it conceptually counts as a “moral” perspective and to explain its adoption among some African peoples.⁴⁶

More clearly approving of an extreme partialism are Francis Kasoma’s remarks: “The basis of morality in African society is the fulfilment of obligations to kins-people, both living and dead. . . . What strengthens the family, the clan and the tribe or ethnic group is generally morally good.”⁴⁷ Taken at face value, this principle appears to warrant treating out-group members merely as a means to the strengthening of one’s in-group.

Sogolo and Kasoma are largely appealing to anthropological, historical, and sociological data about what certain indigenous Africans believed and how they acted. I believe that counterevidence is available, e.g., many African peoples showed great hospitality when visitors would arrive at their village,⁴⁸ and many also ascribed a dignity to all persons as children of God or members of a common human family.⁴⁹ However, a thorough empirical reckoning is beside the point. I am seeking to provide a philosophically attractive normative ethic, and so I submit that a better interpretation of the African moral tradition is one that recognizes the superlative final value of characteristic human persons and makes guilt or innocence central to determining whether violence is justified in respect of them.

The Afro-communal principles normally forbid inflicting severe discord on innocent parties who may be strangers if they are not being discordant. So, in my view, partiality is not sufficient to warrant attacking innocents.⁵⁰ However, partiality can ground a kind of reason for a country to go to war, namely, to attack a guilty party that has attacked those in relation to that country. Respecting people in virtue of the ability to relate communally/harmoniously means that a particular agent has extra reason to fight in defense of an innocent party with whom the agent has so related. The fact that two countries have identified with each other and exhibited solidarity with each other to a substantial degree in the past provides some moral reason for them to help each other that is missing in the case of countries without such ties. Friends have extra moral reason to help friends in need.

So, when it comes to the question of *who* has a just cause for war, partial considerations answer it to some extent: *this* country has additional reason to *help the (innocent) one with which it has communed*, where such communion

need not have taken the form of a formal pact, such as the North Atlantic Treaty Organization (NATO). Considerations of *which agents* have a just cause to fight is underexplored in just war theory; the focus has nearly exclusively been on the content of the just cause. The African philosophical tradition that prizes communal relating helps to open up this dimension of thinking about justice.⁵¹ Some moral reasons for action, including going to war, are agent relative and, specifically, are a function of prior relationships between agents that need not include having made a promise.

Furthermore, with respect to the question of *why* one party ought to fight a war, part of the answer can sometimes be that this country ought to help defend that one (from an unjust attack) *because they have communed*. It can be permissible for Country A to be severely discordant in respect of Country B because B was initially severely discordant in respect of Country C, broadly in the manner of the doctrine of the responsibility to protect (R2P⁵²). However, the fact that A has identified with and exhibited solidarity toward C and vice versa in the past provides the former additional *pro tanto* reason to do now what it is permitted to do to B. One consideration that should move a political leader to put the lives of her innocent soldiers in harm's way when not necessary for defense of her own country is the fact of a communal bond with another country.⁵³

In sum, the way that relationality is interpreted here does not mean that it can be just, on grounds of communion, for one country to attack innocents to foster harmony locally or otherwise support one's people, as is suggested by the remarks of some Africanists. Instead, communion can, plausibly, ground some additional moral reason for one country to fend off an unjust attack against another with which it has communed.

CONTRASTS WITH WESTERN VIEWS

Whereas the previous section contrasted my Afro-communal approach to armed conflict with other readings of African norms and presented some reason to favor it, this section does something similar in respect of more Western perspectives. Here, I compare and contrast my approach with those who think of just cause in terms of rebutting aggression, effecting punishment, or protecting human rights, at least the first and third of which are central to recent Euro-American thought and international law more broadly.

Conceiving of the just cause for war in terms of preventing or compensating severe discord directed against innocent parties has some obvious similarities with the standard conception of it in the postwar era in terms of fending off aggression. Aggression has usually been taken to include mere encroachment into a state's territory,⁵⁴ whereas substantial discord, as roughly the combination of severe subordination and harm, probably has a differ-

ent implication. Merely flying or sailing into a state's territory, or even taking over some portion of it, such as the Falkland Islands, need not constitute such discord and so would not be a good enough reason to start war, *contra* Thomas Hurka.⁵⁵ Maintaining the integrity of a state's territory is not covariant with rebutting severe discord. The point is not merely that the harms or, more broadly, disadvantages of engaging in warfare to reclaim the Falkland Islands in this particular case outweighed the good (or reduction of other bad) to be achieved by doing so, but rather that this good of merely reclaiming territory and sheep was not the sort of thing that could in principle justify the bad of war. It is not merely the risks to innocent parties that this good fails to justify but even the killing of guilty soldiers.⁵⁶

Conversely, aggression is not usually understood to include recklessly or negligently cutting off another country's major water supply.⁵⁷ Aggression is normally construed as some kind of use of military force against a state, even if not a strike against it (as in using the navy to impose an economic blockade). However, the Afro-communal approach entails that, say, building a dam on a vital river without any military engagement could be a just cause for war. The amount of harm we can imagine that the dam would likely cause to a country's people would be great enough to justify in principle an armed response, for instance, bombing the dam or threatening deadly force against those responsible for its construction.

Punishment has been another salient just cause for war in Western thought. Some laypeople might think in terms of retribution, giving a country the suffering it deserves because it deserves it. However, my interpretation of African morality (and any influential reading of it) eschews imposing harm in the absence of any expectation of some kind of desirable outcome; protection of the innocent and reconciliation with the guilty are much more prominent themes in sub-Saharan philosophical reflection on criminal justice. Some other philosophers working in the African tradition have maintained that, after a war, reconciliation should be the aim, not the retributive infliction of suffering for its own sake.⁵⁸ For a classic example of this orientation, consider the tale of a nineteenth-century southern African military leader, King Moshoeshe I, who, upon having successfully repelled an unjust attack, sent the losing party cattle as a present.⁵⁹

Besides not having imposed retribution on the defeated soldiers for their wrongful attack, the king also did not seek to make an example of them. However, a salient view these days among Western philosophers is that general deterrence, roughly punishing some to scare off others, is one just cause for war. The Afro-communal approach to permissible warfare, and to deadly force and violence more generally, allows substantial discord to be directed against the initially discordant to rebut *their* substantial discord. Just causes for military conflict include preventing serious degrees of subordination and harm and compensating the victims of it when it has already been

effected. This position contrasts with some influential Anglo-American just war theorists who contend that it can be justified to direct deadly force against aggressors to instill fear into *others* so that they will not engage in aggression, with Jeff McMahan being a clear proponent.⁶⁰

For a more qualified instance of this view, Hurka has argued that, although general deterrence is not in itself sufficient to justify going to war in the first place, if a party has gone to war for some other, justifiable reason, such as rebutting aggression, then it may attack aggressors to advance the further aim of deterring others from aggressing against it.⁶¹ Sometimes, this point is put in terms of unconditional versus conditional ends or justifying versus attendant aims. The end of general deterrence, for Hurka, is not sufficient on its own to justify using the means of war, but, upon the means of war having been rightly employed for the sake of some other (unconditional or justifying) end, it may be additionally used to advance the former (conditional or attendant) one of general deterrence.

Despite the qualification,⁶² I maintain that respect for people's capacity to commune probably forbids such an approach. To see this, consider first some of this approach's counterintuitive implications. If a thief wrongfully enters my house and the only way to get him to leave and without taking my things is to use a certain degree of force, I may do so. However, it would intuitively be wrongful (not merely illegal in all jurisdictions I am familiar with in North America, Europe, and South Africa) to haul him out into the street and give him an additional beating intended to scare off other, potential thieves. The logic of defensive force allows me to get him out of my house and to prevent any unjust takings and probably to instill fear *in him* with an eye to preventing future housebreaking on his part ("special deterrence") but does not permit additional force beyond those aims, such as instilling fear in others.

For another counterexample, consider why many are inclined to think that deadly force can often be permissible but that the death penalty is not (or only rarely is). The best explanation of the difference is something to the effect that one may kill a person to prevent comparable wrongdoing of which he is a part but not to prevent wrongdoing of which he is not a part. Otherwise, the death penalty would be justified upon showing that it generally deters. Of course, some are inclined to bite the bullet on this score,⁶³ but many are not.

Furthermore, other acts that appear impermissible would be permissible, by analogy, with general deterrence. For example, if force against aggressors may be used to stop them *and* deter others from using force, then it would likely be justifiable to kill a would-be killer for the state to harvest his organs and thereby save the lives of innocents he has not threatened. Perhaps someone has shot a person in the liver, and the latter needs the former's liver to survive. While I accept that there is real moral reason to take a wrongful shooter's liver if truly necessary to save the life of his victim, it would not be

justifiable, I think, to take the shooter's organs for the purpose of saving the lives of those shot (or otherwise needed) by others who were not part of his criminal plan.

In sum, to rule out counterintuitive practices, such as public thrashings of subdued thieves, the death penalty for convicted murderers, and the harvesting of organs of attempted killers, a principle governing violence probably has to forbid its use for purposes of general deterrence (and similar public goods), even if the violence were directed against only the guilty. Furthermore, consider the plausible rationale for *why* it would be wrong to direct violence against the guilty for the sake of general deterrence: one is not liable (and usually should not be held responsible) for the misdeeds of others. There is no disrespect in using substantial force or other discord if necessary to get a wrongdoer to stop his discordance or to compensate his victims for it (or probably to get him to reform or be fearful of committing such wrongs in the future). However, I, at least, intuit a kind of disrespectful treatment when substantial force is used against a wrongdoer for some purpose other than getting him to "clean up his own mess." The Afro-communal principle is consistent with, indeed, partially motivated by this broad interpretation of respect for persons.⁶⁴

For a third and final common suggestion from the contemporary Western, and particularly Anglo-American, literature on just cause, consider the view that war is justified only as a way to protect certain human rights, a view advanced by, among others, David Luban⁶⁵ and Larry May.⁶⁶ This view has a number of advantages relative to the others discussed in this section. It enables one to maintain the following claims, which are attractive in the light of prior analysis in this chapter. A just cause for war need not involve a state or at least not its territory but instead can be a function of how people considered apart from being citizens have been (or would be) wrongfully harmed. A just cause for war could include obstructing a waterway vital to satisfy a human right to life. Retribution is never a just cause for war because by definition it does not essentially involve aiming to realize any state of affairs besides proportionate suffering. Being violent toward an aggressor for the sake of general deterrence might count as a violation of that person's rights.

There is substantial overlap between the Afro-communal principles advanced here and a human rights approach. Recall the suggestion above that human rights violations are often well construed as forms of severe discord directed toward innocent parties; they are characteristically instances of substantial subordination and harm inflicted on those who have not acted in these ways. What difference, then, does the Afro-communal approach make relative to this view?

Here, I discuss two respects in which a characteristically African perspective on violence differs from a standard human rights approach in the West.⁶⁷

First off, consider that the usual human rights invoked when thinking about what would justify military conflict are what one might call “structural” or “basic” ones. By this I have in mind that they are rights that make lots of other rights possible. So, for example, the right to life, on which arguably all other rights depend, justifies war, if any right does. Similarly, the right to self-governance is essential for the realization of a host of other rights that would come in the wake of that ability to make decisions in a certain territory, and its violation is routinely invoked as a justification for warfare. I accept that the violations of these rights would constitute severe discord but submit that the latter is not exhausted by the former.

In particular, some of those in the African tradition have emphasized the idea that one justification for violence is a need to protect people’s cultures.⁶⁸ Most prominent has been Amilcar Cabral, an intellectual and revolutionary who had fought against the Portuguese colonial presence in Guinea-Bissau. When it comes to using violence against colonial governments, Cabral’s view is usefully summed up this way: “[T]he concept of national liberation was to be defined not so much as the right of a people to rule itself, but as the right of a people to regain its own history.”⁶⁹ Although there are occasions in Cabral’s writings where he deems the reinvigoration of an oppressed people’s cultures to be a particularly useful tool to combat colonialism, there are also clear passages where he indicates that armed struggle against colonialism is justified, if necessary, as a way to protect indigenous cultures for their own sake.⁷⁰ Just consider section headings such as National Liberation, an Act of Culture⁷¹ and Armed Struggle, an Instrument for Unification and Cultural Progress.⁷² From this standpoint, the need to defend a culture can warrant a kind of violence that a desire to retain sheep on an island cannot.

I think Cabral’s perspective would have broad resonance among African thinkers, particularly in the light of the way that they have often described colonialism’s effects on indigenous cultures. For just a few examples, apartheid in South Africa and colonialism on the rest of the continent have been labeled forms of “spiritual genocide,”⁷³ “cultural violence,”⁷⁴ and “epistemicide.”⁷⁵

On the interpretation here, the idea is not that *enriching* a culture could justify violence; the claim is not that terror bombing is permissible when essential and likely to produce artworks, such as Picasso’s *Guernica*. Instead, the suggestion is that violence can sometimes be justified as necessary to rebut discordant actions that would gravely *impair* culture. For a recent illustration, consider the attack in Mali on the Timbuktu Manuscripts. Did anyone bat an eyelash at the thought that military force would have been justified if it were the only way to protect them from destruction by Islamic extremists?

Now, some would deny that there is a human right to culture, although the idea is of course more commonly accepted these days. If it is a human right, however, it is not a basic one, not one responsible for the realization of many

other human rights. In this respect, therefore, the Afro-communal principles support a rationale for war that differs from a prominent Western appeal to human rights. Specifically, they justify a violent response necessary and expected to rebut at least the intentional suppression of people's culture because that would consist of severe discord. One central way to identify with others or to share a way of life with them is to participate in a common culture. Where people have freely adopted common ways of speaking, interpreting the world, making art, and celebrating meaningful events to the point of thinking "This is who we are," trying to destroy those lifestyles counts as truly discordant; it is not merely the undermining of political self-rule that can impair a shared way of life.

Here is a second interesting respect in which the Afro-communal approach to just cause probably differs from a standard Western human rights approach. By the latter, the end for which the means of war is alone justified is a function of helping victims. It is in the name of those whose human rights are being (or would be) violated that war is in principle permissible. However, in the African tradition one also encounters the fascinating idea that war can be justified, at least in part, on the ground that it would help the aggressors.

Such an approach is hinted at when Desmond Tutu points out that apartheid degraded not merely black people but also the white people who of course in one respect benefited from it. "The humanity of the perpetrator of apartheid's atrocities was caught up and bound up in that of his victim whether he liked it or not. In the process of dehumanising another, in inflicting untold harm and suffering, the perpetrator was inexorably being dehumanised as well."⁷⁶ The logic of this position, in which one's humanness or virtue is a function of whether he has communed with others, suggests that one reason to fight back against apartheid was for the sake of the humanness of the oppressor.

Such a rationale for violence is more explicit in Kenneth Kaunda's reflections on anticolonial armed struggles in Africa. Kaunda fought against British colonialism in Zambia and wrote a book about why he considers use of violence justifiable in having done so and more generally for the purpose of overthrowing European domination in the sub-Saharan region. The book includes this perspective:

Now, it is not hard to show that liberating the oppressed by the use of force is an act of love, but can our minds grasp the unthinkable idea that the oppressors also need to be re-humanized possibly by the use of force which destroys their claim to be superhuman? . . . If it is right to use force on behalf of the oppressed to give them back their humanity, why is it wrong to use force against the oppressor to restore him to true humanity also and make him capable of love?⁷⁷

In addition to posing these rhetorical questions, elsewhere in the same text, Kaunda remarks, “[S]omeone has got to save these whites in Southern Africa from themselves.”⁷⁸

The suggestion is not that violence could be justified merely to produce more virtue in people, say, by making them more courageous. That position, focusing on promoting a pure benefit, I rejected above. Instead, the more plausible idea is that violence can be justified to reduce people’s vice manifested by having been severely discordant in respect of innocents. Implicit in the concept of rebutting discord is the idea that one way to do so would be to reform the bad character of the discordant. The thought that military conflict might be justified not merely to protect victims but also to stop aggressors from living like animals has not been salient in Western just war theory but is a striking feature of the relational African normative thought that grounds the present account of just cause.

CONCLUSION: SOME NEXT STAGES OF REFLECTION

In this chapter I have argued that a certain interpretation of the moral significance of communal or harmonious relationship provides a novel and promising African foundation for thinking about the just causes of war, one that merits being weighed up against competitors in both the African and Western traditions. I close this chapter by briefly mentioning some topics pertaining to just war theory that remain underexplored in the light of characteristically sub-Saharan values and norms⁷⁹ and by suggesting some strategies to explore in respect of them.

Most glaring and in need of attention is the absence of any real literature on *jus in bello*, how to conduct a war. Central to Western discussions of this matter are how to understand the nature of discrimination, that is, which parties are legitimate targets, as well as what a proportionate use of force is, say, what counts as a “good” to be weighed up against the “bad” of specific military options. There is nothing in the African philosophical tradition that is systematic on these matters, and I can mention only the suggestion that war should be conducted in ways that do not undermine the prospect of reconciliation afterward.⁸⁰

This principle is, furthermore, *prima facie* dubious, at least considered as the “main standard” when evaluating acts of war,⁸¹ because it is likely that judgments about the prospects of reconciliation are tracking more basic judgments about, say, using the least force necessary and not targeting innocents. That is, the best explanation of why reconciliation would be hindered by certain uses of violence is that parties to the conflict have prior, independent views about how force ought to be employed, where it is these that have normative force. For example, deeming terror bombing to be wrong would

be why those who have been terror bombed would be disinclined to reconcile with terror bombers.

I do, however, believe that Afro-communalism or relational considerations more broadly can plausibly figure into thinking about *jus in bello*. Here are two lines that merit exploration. Consider innocent threats, those who are faultless for posing a serious risk of death to oneself and must be killed to save one's life, and innocent shields, those who are faultless for protecting aggressors and must be inflicted with deadly force to protect one's life. Much contemporary Anglo-American theorizing about such cases is absolutist in the sense of contending that it is either always permissible or always impermissible to kill innocent threats or shields in self-defense. In contrast, it might be that considerations of communal relationship entail that large differences in the degrees to which innocents have communed or will commune can be a way to "break the tie" between them, sometimes, providing reason to kill to save oneself and, sometimes, not. Perhaps it would be wrong for the proverbial hermit to kill an innocent threat with substantial ties to family and friends if that person would live if he did not. Such an approach makes sense of why people tend to mention that they have families when pleading not to be killed and why in societies facing extreme scarcity, often those who would soon die anyway, ending their relationships, make the tough decision to exit.

Another way in which the relationality characteristic of African normativity might be revealing when it comes to *jus in bello* concerns whom to save in respect of other parties, excluding oneself. Suppose that in the middle of a war, an unjust aggressor, W, began to attack two different innocent countries, X and Y, and that a fourth country, Z, could help only one of these two. Communal factors might entail that Z would have some extra (but not necessarily conclusive) moral reason to help X fend off attack if, and because, Z and X had communed in the past while Z and Y had not.

Finally, it is well worth exploring further the ideas that *jus post bellum* should be focused on reconciliation rather than retribution and what that might involve. Tutu famously contrasts reconciliation with punishment of any sort, maintaining that it instead prescribes forgiveness.⁸² Such an approach is admittedly suggested by the inspiring actions of King Moshoeshoe I, mentioned above. Here, however, is another angle, which appeals to the idea of "restorative sanctions"⁸³ or "reconciliatory sentencing."⁸⁴ By this approach, part of what it means to reconcile is for offenders to express remorse by taking on burdens likely to compensate their victims or a state making them take on such burdens if they will not do so willingly. Such penalties could involve, say, clearing unexploded ordnance, repairing infrastructure, or working with one's hands on a farm. Instead of forgoing hard treatment altogether or imposing it in the manner of "an eye for an eye," this approach would impose hard treatment on those responsible for serious wrongdoing during war as a way to disavow the wrongdoing productively,

by improving victims' quality of life. Better this for war criminals than either getting off scot-free or doing nothing in prison, so one might suggest.

The relational considerations mentioned in this conclusion can be intuitively appreciated by those beyond the African philosophical tradition. However, it is the African one, at least relative to the Western, in which considerations of communion and harmony have been salient and particularly promise to make good theoretical sense of them.⁸⁵

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