

What is War – And Can a Lone Individual Wage One?*

Uwe Steinhoff

I. Defining War – What Is It Good For?

Although there are many different and often irreconcilable scholarly definitions of “war,” people seem to be quite able to understand each other when they use the term; that is, different people apply the term to pretty much the same phenomena. Why, then, do we need a definition of “war” at all? We do so because the ordinary, everyday way of classifying things is not necessarily the best one, and because an explicit definition that sets out the essential criteria which a defined entity has to fulfil is much easier to work with and generates more insights than a mere intuition about what should be called “war,” even if this intuition is widely shared and more or less consistent.

Consequently, a philosophical definition of war is intended to be not only more than a mere stipulation but also more than a mere direct reflection of ordinary usage. It is intended to *explicate* the concept of war, referring to, but not slavishly following, our everyday understanding of “war.” Rudolf Carnap sets out four criteria for the adequate explication of a concept.¹ First, the resulting definition or explication has to be *similar* to the *explanandum*, that is, to that which is to be explicated, in this case to the more or less vague idea of war we already have. If it were not, it would be an explication, not of war, but of something else or even of nothing. Second, the definition has to be *precise*, or at least significantly more precise than the original vague idea. In that context, it might also be necessary to distinguish between the different senses a word has. Third, the explication has to be *fertile*. For Carnap, who is primarily concerned with the natural sciences, fertility means that the explication or definition helps us to formulate as many laws as possible. This criterion overrides the criterion of similarity in the event of conflict. For example, the zoological term ‘fish’, which denotes only

cold-blooded, gill-breathing animals living in water, deviates considerably from the pre-scientific meaning of the word, which refers to all animals permanently living in water, including whales and dolphins. This deviation is justified by the fact that the scientific concept allows the zoologist to formulate a much greater number of true laws than he could if he used a pre-scientific definition of “fish.” If one looks at this from the other end, one can see that the criterion of fertility also makes sense in the context of explications that have little to do with scientific laws. The scientific concept “fish” allows us to formulate more scientific laws, but that this is so shows that being cold-blooded and gill-breathing is something *essential*, that is, something that makes a particularly important difference and has very significant consequences.² Such important differences and significant consequences, however, do not necessarily have to be manifested in scientific laws. Therefore, a definition which cannot, because of the very nature of the concept explicated, be particularly helpful in formulating laws must still meet the requirement of fertility: it has to point out something essential. Finally, the definition has to be *simple*.

These criteria help to distinguish between more and less adequate definitions and explications, but they cannot by themselves unequivocally determine an explication. There are trade-offs between the different criteria, and the criteria themselves provide no clear rule as to which trade-offs are to be preferred. This is hardly surprising, since an explication of a concept is—as the criteria make very clear—not a purely descriptive but a normative task. An explication of a concept is not content with merely describing the ordinary usage of a term, but prescribes how the term *should* be used. Very often, of course, there is no reason to use a term in a different way from the ordinary one. A philosophical explication of our everyday concept “table” does not make much sense, since there is nothing to be explicated and nothing to be improved. This is not the case with terms like “fish” or, in particular, with terms that are laden with normative or evaluative implications or connotations. Consider the word “terrorism,” whose ordinary usage—as in the media or by politicians—is one of the best

examples of a double standard. If non-state organizations deliberately kill innocents, it's called "terrorism" (unless those non-state organizations have the support of the media or the politicians in question), but if states do it (especially states these media or politicians sympathize with), it's something else. However, as long as there is no normatively relevant distinction between a state's deliberately killing the innocent and a subnational organization's doing exactly the same, it is completely unjustified to use the term "terrorism," which for so many has the ring of utter evil, only for the latter, because from the beginning and without warrant it suggests that the former is *not* so evil. The application to a certain violent campaign of the term "war" instead of "banditry," "violent criminality" or "terrorism," of course, also has significant normative and evaluative—and hence practical—consequences. Warriors or, to use the modern term, *combatants*, are usually viewed in a much more favourable light than mere criminals or so-called terrorists. Accordingly, they are also often treated better. Therefore, it is important to be on guard against any double standard that might be involved in the way terms like "war," "warrior" or 'combatant' are used.

In what follows, then, I shall attempt to set out and justify a definition of "war" that simply and precisely provides criteria that are essential to the phenomenon of war, and to come to grips with most of our linguistic intuitions concerning the term, but without succumbing to those intuitions which sustain a certain double standard connected to its ordinary usage. Although there are, as mentioned above, many definitions of war to be found in the literature, in my view none of them satisfies these requirements.

II. War as Event and War as Action

The first distinction that has to be made is that between war as an historical event and war as an action. When historians talk of the Second World War, of the sides struggling with each other and of armies being reduced by cold and hunger, they are referring to an historical

event. When Anglo-Saxon moral philosophers, politicians and just war theorists say that the Second World War was a just war, they talk about the *Allies' waging war* against Japan and particularly Germany. When a Nazi says that Second World War was a just war, he talks about Japan's and particularly *Germany's waging war* against the Allies. Germany's waging war was an action (a very complex one); the Allies' waging war was also an action (a very complex one).

Why does just war theory treat war as an action? One might answer, quite reasonably, that whereas actions can be just or unjust, events cannot be—they simply “are.” However, if a very bad man and a very good man stand next to each other and only the latter is struck by lightning, some people might say that this is “not fair.” Admittedly, such an assessment seems to involve a rather metaphysical and “cosmological” view of justice. However, if one refers not to events, like lightning strikes, but to states, it becomes more natural and seemingly less metaphysical to apply the just–unjust distinction. A distribution of goods, for example, is a state of affairs and can, it appears, be just or unjust. Yet even here an argument could perhaps be made that it is not the distribution as such that is just or unjust but the human beings’ (or other actors’) bringing it about or maintaining it. Be that as it may, a simpler and more straightforward answer to the question why wars understood as events or states cannot be just is that it is not possible for *both* sides to fight a just war. Thus, if a just war theorist wants to determine whether a given war is just or not, he has to refer to the war as to an action, for if he refers to it as to an event nothing needs to be determined any more—understood as an event, the war can necessarily only be unjust.

This distinction may seem too trivial to be made explicitly, but it is not trivial enough not to be ignored sometimes (or, in fact, very often). A. J. Coates, for example, claims that “the criterion of last resort applies to the initiation of hostilities rather than to the defensive reply or reaction.”³ This is, to put it mildly, a rather daring interpretation of just war theory.

Nevertheless, Coates tries to support it with the following argument: it is only because of the

unavoidable lapse of time between the initial hostile act and the defensive response that last resort *seems* to apply.

It is evident that psychologically at least the lapse of time can become very significant in such cases. It has the effect of turning a defensive act into an offensive, or even an aggressive, one in the minds of many. ... What is progressively ignored is the fact that a state of war *already* exists. This psychological transformation can have a distorting effect on the moral judgement.⁴

Actually, it is Coates's confusing war as an action with war as an event or state that has a distorting effect on his interpretation of just war theory. That a *state* of war already exists, that a war as an event exists which the attacked party *P* is *involved in* precisely by virtue of being attacked does not mean, of course, that *P* is already *waging* war and necessarily does so (without being able to help it) as long as the attacker continues attacking. Accordingly, the attacker's act of war does not automatically justify *P*'s resort to war, let alone exempt him from the need for a justification. *Another* party's actions cannot exempt me from the need to have a justification for *my* actions. To give a war-related example: suppose the attacker, *A*, starts a war against *B* and, among other things, slaughters civilians (on *B*'s side). Does that mean that *B* is automatically justified in slaughtering civilians (on *A*'s side) because a state in which civilians are slaughtered *already* exists? Obviously not.

The confusion mentioned occurs not only in philosophical but also in political contexts. For example, those who after the 9/11 attacks claimed that the question whether the United States would be justified in going to war was already settled by the attack itself since with it the United States already *were* at war, somewhat missed the point and confused the two senses of war. The fact that *A* wages war against *B* does not yet mean that *B* also wages war against *A*. There is no such thing as a Derridian "decision of the other in me."⁵ We have to take our decisions ourselves. Accordingly, war is not the only, and not an automatically justified, answer to an act of war. It could be answered also by police action, pacifist

strategies or even not at all.

In the following I attempt to give a definition of war as action, of the form “x wages war against y if and only if ...”

III. Individual War

Although scholarly definitions of war differ to an astonishing degree, most of them agree on one point: war is a conflict between *groups*.⁶ To most authors it does not seem to occur even for one moment that an individual as such, that is, not only as a participant in a collective effort but in his own right, can wage a war.⁷ But why not? First of all, not only states can wage war. War is as old as humanity—perhaps even older—and has long existed in the form of tribal wars. The enormously brutal ones between different chiefdoms on Fiji in the nineteenth century are no less paradigmatic wars than the “trinitarian” wars von Clausewitz describes.⁸ The wars between Amerindian tribes in North America were also real wars. Of course, this does not yet contradict the group thesis. But consider the following case. Tribe A fights a long war against B, in fact a war of extermination. At a certain point all members of tribe B have been killed by A, except for one great warrior W. Driven by a thirst for revenge (or a sense of justice), he continues the fight and again and again kills members of A, often in surprise attacks, by means of ambushes or of traps or perhaps even poison. Conversely, A’s warriors again and again try to find and kill him, sometimes they succeed in wounding him, and sometimes they find some of his traps or camps and destroy them. This goes on until either W succeeds in killing all the warriors of tribe A or, more probably, this tribe succeeds in killing W. Is it not obvious that the single individual W is waging war against A?

Intuitively it is, at least for me. The activity that the two parties to this deadly conflict are engaged in really cries out for the term “war.” Besides, if someone were to claim that the conflict ceased to be a war with the attrition of group B, one would like to know when exactly

it did cease to be a war. Let us say tribe B was originally made up of 900 people. Did the fight cease being a war when there were only 500 left? Hardly. 300? 100? Well, 100 people are still a group. Three, yes, even two are still a group, although the smallest one possible. But then, when only W was left—suddenly it was no longer a war? Where is there a transformation of W's activity, let alone an *essential* one? True, one is the loneliest number, but to claim this to be sufficient for ending the war and transforming it into something else seems to be a particularly odd example of a kind of metaphysics of numbers.

One might object here that a forest too, if it loses more and more of its trees, for example due to deforestation (already the word is telling), will at some point stop being a forest. That point cannot be identified with precision; in fact, there may not really be such a *point*, but only a grey zone. However, that does not mean that there are no clear points in the process where the group of trees is still a forest and clear points where it is not. So why should this involve any, as I put it, “metaphysics of numbers”?

The answer is that it does not. But my example of the tribes A and B is different from the example of the forest. It shows, I think, that on reflection we have not too much difficulty to say of the last three, even of the last two warriors of tribe B that they are still engaged in a *war* against A. We would not, however, say that a group of three or two trees is still a forest. In other words, in the forest case there is a *gradual* “de-forestation” of the forest with no clear, precise point where it suddenly ceases to be a forest. In the case of the two tribes, on the other hand, there seems to be no such gradual “de-warcation.” Denying that the last remaining warrior W is still engaged in a war while conceding that the last two or three warriors were so engaged thus posits a *clear and precise point* where a radical change occurs. That position requires an explanation. An explanation, however, that explains the sudden transformation from war to something else by a simple reference to the fact that the numbers were reduced from two to one *is* an explanation that involves some obscure metaphysics of numbers.

Moreover, into what would the war be transformed? Some sort of criminality? That is,

obviously, ridiculous, for what law should be applicable here? W does not fall under the laws of A, and no higher law is in force. But do we need a law? What about morals? Could not W simply be a murderer in the moral sense? Well, he could. Warriors and combatants, too, can commit murder, even against members of the enemy party and while waging war. Then we are dealing with a war crime. However, W targets only the warriors of the other tribe, not women and children or even old men. Given the history of the conflict, it is quite unclear why doing this should make him a murderer. His enemies, who waged a war of extermination, are murderers, not he. Neither is he a bandit: his aim is not to enrich himself. An insurgent, perhaps? But an insurgent against what? His enemies never had any authority over him anyway, so the concept of insurrection does not make much sense here. Besides, an insurgency can take the form of a war. So can a *vendetta*. The same holds good for raids; they can be part of a war. What would have to be shown, then, is that he is a *mere* raider. Given the history of the conflict, again, it is clear that he is not. There simply doesn't seem to be any promising substitute for X in the formula "He is a mere X, and not someone waging a war." Thus, by way of exclusion, the only remaining option is that he is a warrior and is waging war.

But, even if this were so, couldn't it be claimed that W, although he is the *last* remaining warrior of his tribe, is not really a private warrior and is acting, not as a single individual as such, but, in fact, as the last representative of his tribe and therefore as part of a collective? For anyone who has problems with what might be called the metaphysics of collectives it will be hard to understand how an individual can be part of a collective that doesn't exist any more. Of course, it can with good reason be said that he is still a warrior of tribe B, but that does not mean he is part of a collective. As just mentioned, the collective does not exist any more. (Certainly, one could claim that a collective exists as long as one of its members exists. But that sounds like claiming that an ant colony exists as long as one of its members is alive; or that I exist as long as my heart is beating. None of which sounds particularly plausible.)

Thus, if tribe B still exists, it does not exist as a collective but as *him*. He would have to *be* tribe B. But if a single individual can be a tribe, this would hardly speak against the possibility of individual warfare: it would speak for it.

Moreover, an example can easily be given that accommodates the “representation objection” just considered. In the Western *Jeremiah Johnson*,⁹ Robert Redford plays a trapper who marries an Indian woman who is later murdered by another Indian tribe. Out of his thirst for revenge he then acts against this tribe as our warrior W acted against tribe B, again and again killing members of the tribe who killed his wife (while this tribe again and again tries to kill him). This goes on for months, perhaps even years. For the reasons already adduced in the context of W’s fight, the trapper’s activity, too, can be called only “warfare.” However, he does not represent some other tribe. He represents no collective at all. He acts on his own behalf. He is his own highest authority. To cut a long story short, his fight against the tribe that killed his wife is an example of a war waged by a single individual.

Could there also be a war between only two individuals? It seems to me that this is for contingent, but not for conceptual, reasons quite difficult. The reason is that two individuals who want to kill each other are not likely to both survive a violent encounter between them, let alone two or three. But a war is more than one single combat between two individuals, more perhaps also than two or even three engagements between two individuals. (The situation here is more like that in the forest example; it is not possible to say precisely how many engagements are needed. It might also depend on the intensity of the engagements.) In other words, since two individuals who want to kill each other are not likely to both survive their first or second or even third violent encounter, there will simply not be enough violent encounters between them to constitute, taken together, a war. However, it might be possible to contrive weird hypothetical cases were two lone individuals are engaged in a war against each other. For the reasons already adduced, this cannot be ruled out on conceptual grounds.

III. Sovereignty

Single individuals can wage war; they can even wage war legitimately.¹⁰ However, not all violent struggles of individuals—or of groups—count as wars. We sometimes speak of gang warfare, but this is only a figure of speech and understood as such. Intuitively, we do not consider such “wars” to be real ones. Or transfer the story of Jeremiah Johnson from the lawless wilderness to the modern United States. His wife has been killed by some mobsters, and he then tries to kill as many members of the Mafia family as possible. This may be called a “war” in the same metaphorical way as a “gang war,” but it is hardly a real war. It is rather a criminal vendetta. Why is that? Where is the difference?

Well, for one thing the difference lies precisely in this shift from the wilderness to another context. In the original Jeremiah Johnson case or in the case of tribe A and warrior W, *there is no third party C that has considerably greater power than x and y together and credibly threatens to punish the two struggling parties for their use of violence against each other and for their disrespect towards C as arbiter and monopolist of force.* In the case of the mobsters and of the gang “war” there is such a third party, and this *is* an essential difference.

However, it has to be emphasized that it is this shift to a context in which such a *third* party exists that is the essential one, and not the mere shift to a state context. The Red Army Faction (RAF), for example, did wage a war against the German state, and this state and its public perceived it as such. Indeed, one could even say that to a certain degree captured RAF members were treated like prisoners of war. When the RAF declared its own dissolution, and hence the end of the war, two German presidents reacted by pardoning several imprisoned RAF members, and it was no small part of German society that considered this to be the right thing to do.

On the other hand, it is obvious that not all parties that violently resist certain measures or actions of the state are waging war against it. When squatters try to drive the police from the

house they have occupied, this hardly deserves to be called a war. The same holds good for gangsters who violently resist arrest. So the RAF must be different. What is this difference? A first thought might be that the RAF tried to destroy the German state, but that does not help. State B, which militarily defends itself against an aggressive war waged by state A, wages war against A, even if it is not aiming at destroying it. To aim at the destruction of an enemy, therefore, is obviously not a necessary condition for waging war.

However, the Red Army Faction in its fight against the German state and state B in its fight against A have something in common. *Both are in principle opposed to being ruled or dominated by their adversary.* The squatters or the mobsters (normally) are not so opposed. They will obey most of the laws of their state and perhaps in certain cases even call the police to help them. Of course, the member of the RAF (if he is not yet identified by the state as such) may do exactly the same. To oppose a state in principle is not to oppose it in every single case. But the member of the RAF *fights* against the state. The squatters and even the mobsters do not. Resisting a police force that tries to arrest you is something very different from fighting the state. On the other hand, fighting a state does not in every case mean trying to destroy it. Thus, unlike the mobsters, the squatters and Jeremiah Johnson, who pursues his vendetta in the modern USA, both state B and the RAF fight (or fought) against a state, and since there is no third party C which has the power and the will to punish the struggling parties for their use of violence against each other and for their disrespect towards C as arbiter and monopolist of force, they both *wage a war*.¹¹

IV. Violent Struggle

The most obvious condition for the existence of a war is, it seems, the existence of violent struggle (this has sometimes been contested; I return to it in a moment). But what kind of

violent struggle?

Very often war is equated with armed conflict. However, conflicts clearly do not have to be *armed* in order to be wars. Consider our two tribes A and B, clashing again and again in battle, trying to annihilate each other, using spears. They are waging war. It is still a war, though, and quite obviously so, if they all use their bare hands, and *literally* their arms, to kill each other. Whether people try to kill each other with their bare hands or with weapons is hardly an essential difference, particularly when it comes to defining war.

Yet consider two tribes C and D, which are after each other's horses. They also clash again and again, and when they do, they start—wrestling. Whoever is thrown to the ground by his adversary moves to the side of the “battlefield;” he is “out.” After the last man of D is overcome, D admits defeat and gives C a number of horses proportionate to the gravity of the defeat. It would be quite exaggerated to call these clashes real battles in a real war. The whole thing is rather some kind of ritual or sports event to avoid real war.

Does war, then, involve lethal violence? Well, normally wars do indeed involve lethal violence, but often police work does so too. However, there is a big difference between policing and waging war. Police officers, at least in Western democracies, are not allowed to simply shoot suspects. Moreover, German police law and probably also the police law of most other Western democracies prohibit shooting a suspect or even a convicted murderer on the loose without first warning him in order to give him a chance to surrender. In contrast, it is considered a completely legitimate act of war to shoot an enemy soldier who walks harmlessly along his trench without warning him first. In war, the enemy is marked for destruction. Of course, *sometimes* he is given a warning and a chance to surrender, but this usually happens only if the other side is so clearly superior that it has little to fear from him and can expect him to give up immediately. The *ius in bello*, too, does not demand more. The police officer, on the other hand, must not take a group of escaped murderers by surprise and open fire on them only because they outnumber him and would either kill him or escape again

if he warned them. The priority of the police officer is to arrest suspects and leave the rest to the judge, while the priority of the soldier or warrior is to try to kill or at least wound or incapacitate the enemy. Of course, this is just a means; his end, presumably, is to contribute to winning the war. However, the point is precisely that certain practices are partly defined by the means used. In other words, if the soldier stops using the means of killing or at least wounding or incapacitating the enemy—apart from those situations where he faces practically no risk to his own life if he desists from using those means—he is no longer waging war.

What about a more futuristic situation, where one of the struggling parties has weapons at its disposal that just stun the enemy or dematerialize his weapons without harm to those who handle them? Would that still be a war? That depends. If the soldiers would desist from using lethal or physically destructive means against the enemy even when they could *not* do so without incurring a significant risk to their own lives, then it is not war any more. Whether such a situation that is in practice not without risk does actually occur or not is irrelevant: the important factor is the rules of engagement the soldiers accept as guidelines for the struggle, their dispositions to act. If on the other hand the soldiers *were to* use lethal or physically destructive means against the enemy *if* a situation occurred where they could not desist from doing so without incurring a significant risk to their own lives that, however, is not high enough to justify the use of those means on appeal to personal self- or other-defence or to necessity, then it *is* war (provided the other criteria for being a war are met).

It is extremely important to stress this difference between policing and soldiering. For example, the bombing campaigns that certain colonial powers undertook against insurgents were often called “police bombing.” There is, of course, nothing self-contradictory in this notion. If a police helicopter hovers somewhere in the wilderness over an escaped mass murderer and the crew orders him to lay down his anti-aircraft gun immediately unless he wants them to drop a bomb on him and he does not obey, then dropping a bomb on him might well be called police bombing—not because it is the police who drop the bomb, but because

they have given him a chance to surrender and meet the judge instead of death. This, however, was not quite the way the so-called police bombing of the mentioned colonial powers proceeded, as is clear from, among other things, the large numbers of women and children killed. Nor was it quite the way the Allied bombing of Yugoslavia proceeded, although some states insisted on calling it a “police action.” The difference between policing and soldiering is a difference in *methods*, not in actors or intentions. A military action isn’t transformed into a police action only because it is intended to stop a crime or directed against a villain or has the higher blessing of the United Nations (UN).¹² Moreover, the distinction is extremely important, not only in order to avoid propagandistic euphemisms but also because it explains why an actor who is violently struggling against a party that wages war against him is not himself necessarily waging war against that party. The Red Army Faction waged a war against the German state, but the German state didn’t wage a war against the Red Army Faction. The German state used police methods, the Red Army Faction did not.

What has been said so far in this section suggests, then, that *a violent struggle of x against y can be a war only if the default method in this struggle is to try to kill or at least to wound or incapacitate y or y’s agents* (apart from those cases, perhaps, in which *x* could overpower *y* or his agents more or less non-violently without thereby significantly risking his own life and limb).

But what exactly does “violent struggle” mean? For one thing, it is more than scratching. If two persons meet on a street and one scratches the other hard with his finger in the stomach, then we would hardly call this a struggle, even if the victim scratches back. Moreover, it seems that it would still not be a struggle if one person dealt the other a single blow with the fist in the stomach and the other responded in kind, but neither of them was willing to risk a further escalation. This would be only a short exchange of punches. An aggressive or defensive action has to be sufficiently intense and sustained to be a struggle. It is, of course, not possible to quantify exactly how intense it must be.¹³ What is possible, however, is to

transfer analogically our intuitions concerning what constitutes a struggle in the case of two persons to the case of bigger entities. For example, the Israeli air attack on an Iraqi nuclear plant in 1981 resembles much more a single blow with the fist than a gunfight or a knifing. It was certainly an aggressive act, but it was not war. The same holds for border skirmishes. Invading another country and marching to its capital, on the other hand, obviously is war. Thus, since not every act of violence is a struggle, the description of war as precisely a form of *struggle*, although it is a far cry from a mathematical quantification, seems to be a fair and practical enough hint as to how intense violence has to be in a concrete case in order to qualify as war (on the supposition, of course, that the other conditions are met).

Here a point already mentioned above has to be remembered, though. When dealing with the question whether there could be a war between only two individuals, I pointed out that a war is more than a single combat between two individuals and more than two or even three engagements between two individuals. A war is rather a sufficiently sustained series or a large enough sum of such engagements—which squares rather well with Clausewitz’s assertion that “countless duels go to make up war”¹⁴ (although, of course, they do not literally have to be “countless”). Thus, to amount to a war, a struggle has to involve numerous¹⁵ hostilities between individuals (in the sense of “battles” between them or in the sense of sustained aggressions of one against the other). This does not really qualify the analogical transfer of our intuitions concerning what constitutes a struggle in the case of two persons to the case of bigger entities. For to say that bigger entities are involved in a violent struggle normally is, among other things, to say that there are numerous fights between individuals on behalf of the bigger entity. But saying that two individuals are engaged in a violent struggle does not imply that there are numerous fights between them. Therefore, in order to cover the case of a war between only two individuals, it is necessary to make this condition explicit.

A further point is important. You can *struggle* only against someone who offers resistance. Do military campaigns that can be described quite fittingly in the following fashion then

count as war?

The pilot of a fighter-bomber or the crew of a warship from which Tomahawk missiles are launched is outside the range of enemy fire. Here war sheds all the features of the classical duel situation and, to put it cynically, approximates certain forms of pest control.¹⁶

The expression “surgical strike,” which is often used in these contexts, describes the constellation very aptly: every form of symmetry is eliminated here; one party is stretched out on the operating table, while the other one handles it with the means and instruments it deems suitable.¹⁷

Yes, such campaigns can be acts of war. The reason is that resistance, as pacifists correctly point out, does not necessarily have to take the form of violence or force.¹⁸ This is in quite a vivid way illustrated in a famous scene in the film *Fight Club*. A mobster who owns the building the hero and his men use as a clubhouse wants to throw them out. When the hero refuses, the mobster starts to give him a terrible beating, trying, as Clausewitz would put it, “through physical force to compel the other to do his will.”¹⁹ But instead of fighting back, the hero takes the punches and gets as close to the mobster as possible, soiling him all over with his blood, repeating again and again that he will not move out. Finally, exhausted and disgusted, the mobster gives up and leaves the hero and his comrades alone. This clearly *was* a struggle, a struggle the mobster lost. The hero put up a resistance with a determination the mobster could not overcome. He could not compel him to do his will. Accordingly, when Yugoslavia for a long time “took a beating” instead of giving in to the demands of the Allies, it offered them resistance—and hence the Allies were engaged in a struggle.

On the other hand, the civilians so often killed, mutilated or raped by warlords and their troops, particularly in Africa, normally do not offer any significant resistance. They are just “handled,” like objects. Their situation is analogous to that of an old and frail victim of a group of young muggers who knock him unconscious, kick him, and strip him of his clothes

and valuables: such victims are not struggled against, they are simply used. But killing and mutilating and raping civilians who are too terrorized to offer, or simply incapable of offering, any resistance *can* be an act of war. (Something's being an act of war, of course, does not necessarily prevent it from being criminal.) It can be a (terrorist) act of war if it is intended to impose one's will on the state whose civilians are attacked or on some third party that might take an interest in these civilians and therefore give in to certain demands in order to end the atrocious acts. In this case, the acts *are* a struggle, though not against the civilians but against the state or the third party.²⁰ War is waged against the third party; the civilians, however, are only massacred.

Yet the killing, mutilating and raping of civilians by warlords and their troops mostly doesn't qualify as struggle. One might be tempted to remark here that it would hardly be morally better if it did. That might well be true. Nevertheless, even if being a warrior shouldn't count for much, it may, perhaps, still count for something. In fighting, in struggling, in waging war one can at least prove that one is precisely a fighter, someone who doesn't easily give up in the face of resistance and obstacles but tries to overcome them. And this is a positive character trait (in man and woman alike) that we can appreciate or admire even in evil persons. (Shakespeare's Macbeth and Milton's Satan may be the most obvious literary examples.) Those warlords and troops who kill, mutilate and rape without this being a part of a struggle, however, thereby prove nothing of that sort. What they do prove when they pose with their guns in front of camera teams and photographers as the great warriors they fancy themselves to be is that they almost pathetically mistake their power over defenceless people for masculinity. In other words, they are not only morally depraved but even fall short of the warrior virtue they claim to possess. They are despicable in almost every respect.

A final point has to be noted. At the beginning of this section I remarked that it is sometimes contested that the existence of war presupposes the existence of violent struggle. Thomas Hobbes famously claimed:

WAR consisteth not in battle only, or the act of fighting, but in a tract of time wherein the will to contend by battle is sufficiently known. And therefore, the notion of *time* is to be considered in the nature of war, as it is in the nature of weather. For as the nature of foul weather lieth not in a shower or two of rain, but in an inclination thereto of many days together, so the nature of war consisteth not in actual fighting, but in the known disposition thereto during all the time there is no assurance to the contrary.²¹

This line of reasoning blurs several reasonable distinctions. First of all, a will is not the same as a mere disposition. In fact, to claim that someone is “disposed” to fight does not have much content if it is not explained under which conditions this disposition will become manifest. Most of us, after all, will, even in times of peace, constantly be disposed to fight under *some* conditions. Does that mean that there are no times of peace? Second, if the nature of foul weather lies in an “inclination” to rain, why should then the nature of good weather not lie in an “inclination” to sunshine? This, however, seems to make it somewhat difficult to distinguish good weather from foul. Besides, the “inclination” or disposition is not enough. Foul weather may not require that it rain all the time, but it does require that it should rain quite often or at least too often—that is, the “inclination” to rain has to become manifest. If it doesn’t, we will have sunshine all the time, and that means good weather. The same holds for war and peace. The will, incidentally, is also not sufficient. If two nations *want* to fight each other and prepare to do so, but then, for whatever reasons, change their minds, we would say that the war simply didn’t start. The will to wage war and actually waging war are different things. What is correct, though, is that a war does not require an uninterrupted series of battles. But this is quite trivial. No fight or violent struggle requires an uninterrupted series of violent acts. If two boxers in their ring are not punching each other for ten seconds but only circle each other, waiting for a good opportunity, this obviously does not mean that they have stopped boxing or fighting for ten seconds. If two gunslingers shoot at each other and stop doing so for a moment because they have to reload their guns, this does not mean that the

fighting has stopped. Rather, reloading is part of the fighting. In short, for war to exist it is not necessary that there be an uninterrupted series of violent acts (battles, for example), but it is definitely necessary that there is more than a mere will, inclination or disposition to commit violent acts.

Thus, we have finally arrived at the following definition of war:

X wages war against *y* if and only if

- (1) *X* is engaged in a violent struggle against *y* that involves numerous hostilities between individuals;
- (2) both *x* and *y* are in principle opposed to being ruled or dominated by their adversary, and there is no third party *z* which has considerably greater power than *x* and *y* together and credibly threatens to punish the two struggling parties for their use of violence against each other and for their disrespect towards *z* as arbiter and monopolist of force;
- (3) *x*'s default method in his struggle against *y* is to try to kill or at least to wound and incapacitate *y* or *y*'s agents (apart from those cases, perhaps, in which he could overpower *y* or his agents more or less non-violently without thereby significantly risking his own life and limb).

V. A Comparison with Some Other Definitions

How does this definition fare in comparison to some others? Let us have a look.

Quincy Wright states that in the broadest sense

war is a *violent contact* of *distinct* but *similar* entities. In this sense a collision of stars, a fight between a lion and a tiger, a battle between two primitive tribes, and hostilities between two modern nations would all be war.²²

This definition, of course, is far too broad. It is also completely counter-intuitive. And indeterminate. For example, why is a collision between two stars a war according to this

definition? Because it is a violent contact between distinct but similar entities? But how do you know that it is a *violent* contact? For example, we sometimes talk smilingly about “violent sex.” When we smile, we normally do not mean to refer to rape. Rather, we mean very passionate, “steamy” sex. But then, why not compare the collision of two stars with steamy sex? Why not even come up with a “broad definition” of steamy sex that would include the collision of stars? The answer is because it has no analytical value whatsoever. At best, the collision of stars could be called war in a *metaphorical* sense. Yet, even as a metaphor it would seem to be quite inapt.

The definition has also other obvious problems. For one thing—and we can leave it with that—according to this definition a little boy’s slapping his disobedient dog would be an “act of war” (in the “broad sense”). That, however, is so silly (in a narrow sense) that the definition really does not deserve further comment.

Fortunately, Wright comes also up with a narrower definition. Here,

war is ... a state of law and a form of conflict involving a high degree of legal equality, of hostility, and of violence in the relations of organized human groups; or, more simply, the legal condition which equally permits two or more hostile groups to carry on a conflict by armed force.²³

According to this definition, the USA in 2003 did not start a war against Iraq, because *it was not legally permitted to do so while Iraq was permitted to fight back*—that is, because there was no high degree of legal equality. The same holds for the US invasion of Panama, or for the war between the UK and Argentina or that between Iraq and Kuwait or Iraq and Iran. This is clearly a *reductio at absurdum* of Wright’s definition. So is the fact that according to this definition a legalized, monitored (by state officials) duel between two hostile groups of people at dusk would be war.

Hugo Grotius, following Cicero, defines war as “the state of contending parties, considered as such”²⁴ (the context makes clear that he means contention *by force*). According to this

definition, two fighting roosters or two contending boxers in the ring are engaged in war. However, they simply are not. Such a broad definition of war as that of Grotius, although it might be slightly narrower than Wright's broad definition, blurs the relevant distinctions and is of no analytical value.

The simplest definitions are often the most popular. Ronald J. Glossop conceives of war as a "violent conflict between organized groups."²⁵ Yet, again, this definition is too broad. It cannot distinguish between real wars and so-called gang wars. It cannot even distinguish between war and a clash of two organized groups of gladiators in the Roman Coliseum (or of fist-fighting and wrestling children on a school playground). Whatever these conflicts are, to call them wars is to stretch the concept far beyond its limits.

Fritz B. Simon, in a highly interesting and illuminating book on war, provides a less interesting definition of war. It, too, is too broad. He states:

... war is a characteristic pattern of communication, that is, a social system in which the participating parties [are prepared to²⁶] risk their existence.²⁷

It is curious that although the title of Simon's book is *Tödliche Konflikte* ("Deadly Conflicts"), in his definition of war there is no reference to conflicts at all. According to the definition, a group of people who, for non-competitive reasons and without being engaged in any conflict with each other or others, decide to swim naked and perhaps bleeding next to a great white shark are engaged in war. That is absurd.

Even if one expanded the definition so as to speak of "risking one's life in a *conflict*," it would still be wrong. Two people who play Russian Roulette with the understanding that the winner takes something that is contested between them are doubtlessly risking their lives and engaged in a conflict. But to call it a war seems intuitively completely inappropriate. The same holds true for a situation where two people engage in a dangerous free climbing tour. The one who arrives first at the top will get the contested prize. This is a conflict, and they are risking their lives. But it does not merit the designation "war." It is not the right kind of

conflict and not the right kind of risking one's life.

Moreover, risking one's life or the willingness to do so is not only not a sufficient condition for a situation's or an action's being war, it is not necessary either. (In fact, Simon adduces the case of a man killing his wife in the heat of passion as a case of a "marriage war."²⁸ However, the case does not involve any risk on the man's part of his own life. Nor is it clear that the wife was prepared to risk her own death.) The Allied bombers bombing Yugoslavia were engaged in a war; yet they were actually not taking any risks (beyond and above the normal everyday risk of life itself—driving on a highway was much riskier). Maybe they still were *prepared* to take a risk, and their leadership kept them from doing so. However, let us for sake of argument assume they were not prepared to take a risk. Would the bombing campaign against Yugoslavia not then be a war anymore? It seems to be quite obvious that the answer can only be: "It still would."

In *The Gestalts of War* Sue Mansfield offers the following definition:

In this book the term "war" refers to organized, premeditated, socially approved action involving groups of men in relatively complex operations of aggression and defense, and pursued in a rational fashion in order to accomplish certain goals.²⁹

This seems to be a very feminist definition. Only men wage war, in fact, *per definitionem* only they *can* wage war. That bias, however, makes the definition wrong. In addition, it is unclear why war should by definition be "organized" and "premeditated." Whether a war is or is not organized or premeditated should better be left to empirical investigation instead of prejudging it by mere stipulation. Particularly curious is the idea that wars have to be "socially approved." Some argue that the Vietnam war at some point lost social approval. Let us assume that this is correct. Would it at that moment have stopped being the Vietnam *war* and become the Vietnam whatever? Again, the answer is quite clear.

Let me close this list of definitions with the most famous of them all. Carl von Clausewitz

claims:

War is nothing but a duel on a larger scale. Countless duels go to make up war, but a picture of it as a whole can be formed by imagining a pair of wrestlers. Each tries through physical force to compel the other to do his will; his *immediate* aim is to *throw* his opponent in order to make him incapable of further resistance.

*War is thus an act of force to compel our enemy to do our will.*³⁰

Yet, despite its fame, this definition shares a severe problem with Wright's second definition: according to this definition also a legalized and officially monitored duel between two hostile groups of people would be war. But it is not.

There are of course many other definitions of war. I know of none that works better than all the ones reviewed here, and quite a few work worse. My definition is probably not perfect. But I do think that in comparison to other definitions the one offered here has a lot to recommend it. In particular, it embraces a consequent liberal outlook and rejects double standards of the sort posited thus: "If an individual does it, its mere criminality or worse; if a collective does it, it is a completely different matter."

Of course, in principle it would be possible to deny that there can be individual war while conceding that the moral status of a self-authorized individual fighter could be the same—for better or worse—as that of a "real" war fighter. However, as already indicated, it is quite naive to assume that such explicit clarifications can outweigh the connotative force of a term like "war" and the suggested implications of denying the status of a warrior to an individual. Therefore, the definition offered here is preferable—at least to those who prefer a consequent liberalism to collectivism. Not all do.

Notes

* This is the pre-peer reviewed version of the following article: “What is War – And Can a Lone Individual Wage One?”, *International Journal of Applied Philosophy* 23(1) (2009b), pp. 133-150, which has been published in final form at http://www.pdcnet.org/ijap/content/ijap_2009_0023_0001_0133_0150.

¹ Rudolf Carnap, *Logical Foundations of Probability* (Chicago: University of Chicago Press, 1950), 3–8 (§§ 2–3).

² Thus, I use the word ‘essential’ in an ordinary and not in any specifically philosophical sense here.

³ A. J. Coates, *The Ethics of War* (Manchester and New York: Manchester University Press, 1997), 195.

⁴ Ibid.

⁵ Jaques Derrida, “Performative Powerlessness – A Response to Simon Critchley,” *Constellations* 7 (2000): 466-468, at 468. For a criticism of Derrida’s view on decisions, see Uwe Steinhoff, *Effiziente Ethik: Über Rationalität, Selbstformung, Politik und Postmoderne* (Paderborn: Mentis, 2006), 23–25.

⁶ See for example Carl von Clausewitz, *On War*, ed. and tr. Michael Howard and Peter Paret (Princeton: Princeton University Press, 1976), 75; Ronald Glossop, *Confronting War: An Examination of Humanity’s Most Pressing Problem* (London and Jefferson, NC: McFarland & Company, 2001), 10; Sue Mansfield, *The Gestalts of War: An Inquiry into Its Origins and Meanings as a Social Institution* (New York: Dial Press, 1982), 2; Seumas Miller, “On the morality of waging war against the state”, *South African Journal of Philosophy* 10, no. 1 (1991), 20–27, esp. at 20–21; Alexander Moseley, *A Philosophy of War* (New York: Algora, 2002), 14 and 20; Quincey Wright, *A Study of War* (Chicago and London: University of Chicago Press, 1971), 8 and 13. Clausewitz, of course, does not speak of “groups” but only of “a duel on a larger scale.” However, it is safe to assume that the “larger scale” refers to the

involvement of groups and not of two giants. Also, some other authors do not explicitly speak of groups or collectives but of *organized* violence, conflict, struggle, etc., but this, too, obviously refers to the organization of the actions of a group. Incidentally, Clausewitz's often-quoted 'definition' of war (1976, p. 87) as a 'continuation of political activity by other means' is no definition at all and wasn't intended by him as such. Blackmailing a politician with compromising photos into casting a certain vote in parliament is also a continuation of politics by other means, but it is not war.

⁷ A notable modern exception is Fritz B. Simon, *Tödliche Konflikte: Zur Selbstorganisation privater und öffentlicher Kriege* (Heidelberg: Carl-Auer-Systeme, 2001), esp. 3–20. The most famous exceptions are Grotius and Hobbes.

⁸ Simon, *Tödliche Konflikte*, uses the chiefdom wars in Fiji as the starting point of his analysis.

⁹ Warner Brothers 1972.

¹⁰ I have argued elsewhere that they can also do so legitimately (whether you call it "war" or not). See Uwe Steinhoff, *On the Ethics of War and Terrorism* (Oxford: Oxford University Press, 2007), 7–21.

¹¹ Does this imply that we are not dealing with war if a big group within a state defends itself with tanks and helicopters only against a tax increase—which the other side tries to impose with tanks and helicopters—that is, without being in principle opposed to the state's rule? No, it implies only that it is not a war against the *state*. But such a fight between big groups, using tanks and helicopters, is, of course, a civil war. And a civil war is precisely one that *dissolves* statehood. It is fought between groups *within* a certain territory *about* the state (or a comparable political entity), not against it.

¹² Here I am using, of course, a modern concept of policing. Not everything that has been called 'police work' in past centuries actually *was* police work in the light of this concept. Analogously, not everything that has been called 'fish' in past centuries actually was fish.

¹³ Although, as I have said above, a conceptual explication aims at greater precision, there is also the other objective of being sufficiently similar to the ordinary linguistic expression that is to be explicated. For example, there is, so to say, a certain essential vagueness to the term “forest.” To simply stipulate that a forest must have more than 200 trees does not so much explicate the concept than distort it. In other words, the explication of a concept does not necessarily demand getting rid of *every* vagueness of the *explicandum*; indeed, it might be mandatory to preserve some of its vagueness to satisfy the similarity condition.

¹⁴ Clausewitz, *On War*, 75.

¹⁵ How numerous “numerous” is, is difficult to say. The remarks made in n. 12 apply here too.

¹⁶ Herfried Münkler, *The New Wars*, tr. Patrick Camiller (Cambridge and Malden, MA: Polity Press, 2005), 132; translation slightly modified, see Herfried Münkler, *Die neuen Kriege* (Reinbek bei Hamburg: Rowohlt, 2003), 234.

¹⁷ *Ibid.*, 220–21, my translation. Compare Münkler, *The New Wars*, 124–25.

¹⁸ David Rodin emphasizes that war is a form of contention and goes on to argue that war involves the opposed use of force. See Rodin, ‘What is War’, http://ccw.politics.ox.ac.uk/What_is_War_HT_2004.asp, accessed on 3 April 2004. I agree with the first point, but disagree with the second. Not every contention must take the form of an opposed use of *force*.

¹⁹ Clausewitz, *On War*, 75.

²⁰ The Allied bombing of German cities and civilians in the Second World War is such a case where the killing and mutilating of civilians constituted an act of war. Again, this doesn’t mean that it wasn’t a crime.

²¹ Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Cambridge and Indianapolis, IN: Hackett, 2001), 76 (Ch. XIII [8]). Moseley, *A Philosophy of War*, also thinks that “sometimes wars involve no battles or clashes of arms.” *Ibid.*, 20. However, he gives no example of this.

²² Wright, *A Study of War*, 8.

²³ Ibid., p. 13.

²⁴ Hugo Grotius, *The Rights of War and Peace*, tr. Archibald Colin Campbell (Westport, CT: Hyperion, 1990), p. 18.

²⁵ Glossop, *Confronting War*, 10.

²⁶ On the next page Simon repeats the definition in a slightly different manner, which makes it clear that mere objective risk is not sufficient. A preparedness to take the risk is required.

²⁷ Simon, *Tödliche Konflikte*, 13, my translation. See also p. 14. Simon follows here Martin van Creveld, *On Future War* (London: Brassey's, 1991), 159: "In fact, war does not begin when some people kill others; instead, it starts at the point where they themselves risk being killed in return." However, van Creveld also says that war is "by definition ... a social activity resting upon some kind of organization." Ibid., p. 157. Christopher Coker, without providing an explicit definition of war, goes in a similar direction as Simon, but probably even further. While the former speaks of risk, the latter speaks of sacrifice. "It is sacrifice which makes war qualitatively different from every other act of violence." Coker (2004), p. 6. That, however, is simply wrong. Violent acts involving sacrifices, including those of one's life, occur also outside of the context of war.

²⁸ Simon, *Tödliche Konflikte*, 132-33.

²⁹ Mansfield, *The Gestalts of War*, 1.

³⁰ Clausewitz, *On War*, 75.