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Readers' Comments: Considering the War in Ukraine: Peace and Just War, Arms and Defense, Ideology and Ideology Critique

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The Russian invasion of Ukraine has changed the world, at least when viewed from Europe.¹ As concerned citizens and intellectuals, and as leftwing critical theorists, we have to consider how to relate to this disturbing situation. I would therefore like to thank *Emancipations* for stimulating debate and reflection, Artemy Magun and Greg Yudin for their original analyses,² those providing commentaries in response,³ and Magun and Yudin once again for their replies.⁴

I find this symposium enlightening and thought provoking and, while I may have various reservations regarding specific details, when it comes to the development of Russia after the dissolution of the USSR—and the role of capitalism and authoritarianism in this process—I do not feel sufficiently qualified to scrutinize the arguments provided in detail. I am simply grateful for what I have learned.

Furthermore, even though I do consider it crucial for Critical Theory to define and discuss capitalism in detail,⁵ equally crucial issues are those of ideology and the critique of it.⁶ Hence, in this reflection I will focus on the war itself, its justification, and how we as critical theorists should relate to it normatively. Drawing on criticism of the ideological arguments for just war in John Rawls' *The Law of Peoples*, which I have elaborated elsewhere, as well as on analyses supporting Kant's *Toward*

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² See Artemy Magun, "Capitalism and the Post-Socialist Road to Hell," *Emancipations: A Journal of Critical Social Analysis* 1, no. 4 (2022). And Greg Yudin, "The Neoliberal Roots of Putin's War," *Emancipations: A Journal of Critical Social Analysis* 1, no. 4 (2022).

³ See Albena Azmanova, "Comments to Magun's and Yudin's papers, by Paul Apostolidis, Albena Azmanova, Darin Barney, Gal Kirn, Enzo Rossi, Paul Passavant, David Strecker," *Emancipations: A Journal of Critical Social Analysis* 1, no. 4 (2022).

⁴ See Artemy Magun, "Reply to Comments," *Emancipations: A Journal of Critical Social Analysis* 1, no. 4 (2022). And Greg Yudin, "Reply to Comments," *Emancipations: A Journal of Critical Social Analysis* 1, no. 4 (2022).

⁵ See Asger Sørensen, *Alienation. Recuperating the Classical Discussion of Marx et al.*, ed. Brill (2023 (forthcoming)). and *Capitalism, Alienation and Critique. Studies in Economy and Dialectics (Dialectics, Deontology and Democracy, vol. I)*, ed. Lisbet Rosenfeldt Svanøe, *Studies in Moral Philosophy* 13, ed. Thom Brooks (Leiden & Boston: Brill, 2019).

⁶ See, e.g., "Dussel's Critique of Discourse Ethics as Critique of Ideology," *Public Reason* 2, no. 2 (2010); "From Critique of Ideology to Politics: Habermas on Bildung," *Ethics and Education* 10, no. 2 (2015).

Perpetual Peace as the only respectable project to pursue,⁷ I want to bring some of these thoughts into the discussion of the war in Ukraine.

Raised in the aftermath of the Vietnam war and being young in 1980s Europe with its peace movements, I have since my youth been deeply troubled by war. I cannot help being affected by the undeniable facts of corporal and spiritual suffering, by imaginaries of flesh being torn asunder, blood pumping from wounds, and limbs being lost in screams of pain; of homes being bombed into ruins and people being forced to flee on foot, cast into unforeseeable weather conditions. For this reason, peace must be the project that we pursue. Nonetheless, people have a right to defend themselves, their family, and their dearest belongings.

Rather than engaging in the discussion that has taken place so far in *Emancipations*, I will therefore begin this reflection precisely where Yudin ends in his reply: "Under current circumstances, the pressure to stop the war has a decent chance of stripping Ukraine of the means to resist aggression. What the calls for peace are yet to demonstrate is how they are going to stop Vladimir Putin." This raises urgent normative issues regarding commitments to peace. I have always defended the cause of peace, including its merit and its realism, and have worked to put it higher on the philosophical agenda. However, at the present stage of the war, more than a year after the invasion, I share Yudin's fear that functionally, an ideological pressure to stop the war will weaken Ukraine's prospects of recapturing the territories that Russia at present illegitimately occupies.

At the time of writing, Ukraine has been able, initially, to defend itself successfully against the military invasion and, later, to ward off the terrorist attacks on its critical civilian infrastructure (heat and electricity). With recent decisions in the West, they can now plan an offensive for the upcoming summer using some of the world's most advanced weapon systems to recapture the land occupied by Russia.

Calls for immediate peace can thus be criticized as ideological in the most classical sense, presenting themselves as universal ideas for the benefit of humanity

⁷ See "The Law of Peoples in the Age of Empire: The Post-Modern Resurgence of the Ideology of Just War," *Journal of the Philosophy of International Law* 6, no. 1 (2015). and "Introducing Theme and Articles," in *Kant and the Establishment of Peace*, ed. Asger Sørensen, *Danish Yearbook of Philosophy* 50 (Leiden & Boston: Brill, 2017).

as we know from them from Kant, but in reality being biased, benefitting only one side of a conflict—namely the side than has already taken advantage of weaknesses at an earlier stage. Right now, calls for peace would thus benefit the invader, with Russia being in possession of around 20 % of Ukraine, whereas Ukraine's prospects of recapturing its land would be severely weakened.

What is at stake here is the material importance of ideology and ideas. As we have been reminded over the last decade by riots in the US, when there is no justice, there will be no peace. It is true that economic and political realities have a structural and causal impact on the instigation of wars, and this was the focus from the beginning of the present discussion in *Emancipations: the role of capitalism in relation to the war in Ukraine*. However, the final decision to launch a war is made by human beings, in this case, Putin and his consorts. Accordingly, there have also been discussions regarding what Putin as a more or less rational agent in charge of a global superpower might be inclined to do to increase power and wealth; i.e., whether or not it was rational to invade Ukraine if calculating the possible gains and losses, costs and benefits.

Following this lead, within the horizon of a relevant agent, not only political economy but also culture has been introduced as an explanatory factor, and my contribution will go even further in emphasizing the importance of ideas, ideology, and justifications, both as part of the current scenario and for us as critical intellectuals. As we all know, both before the invasion and after, Russia has officially offered ample justification for the invasion. Hence, as an almost classical example of *jus ad bellum*, of justifying armed intervention, Putin and others have repeatedly made two arguments that together could make a case for a just war.

Firstly, within a narrative of the strong and spiritually pure Russia, it has been claimed that Ukraine was never really a nation as such, but only an unfortunate invention by Lenin that therefore cannot claim the right to continued independence from Russia. Secondly, it has been argued that the government in Kiev were nazis that came to power through a 2014 coup, and that Russia therefore had the duty to intervene and liberate the Russian people of Ukraine, just like the USSR fought the German nazis during the great patriotic war. For these reasons, Russia did not

consider it right to declare war (which would imply an admission of Ukraine's sovereignty), but simply launched a 'special military operation.'

Like most in the West, I consider these narratives fictitious and ideological, but they are still believed in various circles. Moreover, before the war, very few critical intellectuals would support the current regime in Kiev, knowing from various data and surveys Ukraine to be both corrupt and authoritarian by Western standards. Now, however, we are in the situation of enthusiastically defending Ukraine and its people's right to independence and, even though we may distinguish between principled popular sovereignty and the actual political and territorial sovereignty, in reality we are forced to argue for defending territorial integrity, not as an abstract principle, but of an actual country, whose current regime falls short of our usual standards of political integrity and democratic legitimacy.

And so we do—at least, so I do—well aware of both the aforementioned non-ideality and that the first casualty of war is the truth. Unable to ascertain the facts about the situation in Russia and Ukraine, I thus, from the outset, suspended detailed empirical judgment and returned to the simplest normative criteria—namely that, as a widely accepted normative principle and according to Kant and the UN, no state shall interfere with military force in the internal affairs of another, as was obviously the case here.

This stance was immediately challenged by left-wing 'whataboutism,' referring to the many US-led invasions of other countries over the years. This form of whataboutism remains powerful in certain contexts, such as in Latin America. However, the legitimate argument that all cases should be considered equally may also lead to agreement that proximity to what is perceived as an aggressive local superpower constitutes a legitimate concern. As stressed by Kant, a crucial preliminary step for the peace project is to avoid having professional standing armies. Countries in Latin America face the armed forces of the USA just as we in Europe face those of Russia, and the behavior of these superpowers causes concern that must be addressed somehow, even if the perceived aggression cannot be established as undisputed fact.

In addition, some left-wing intellectuals have also admitted the legitimacy of the kind of *Realpolitik* that recognizes the need for superpowers like Russia to retain

a sphere of influence beyond their borders. Prominent intellectuals such as Noam Chomsky fueled these discussions. However, because we cannot establish with certainty the truth of any real and legitimate need for spheres of influence, we must return to the principle of territorial sovereignty and its international recognition. The only truth that we can hope to agree on in conflicts of this kind is the existence of internationally recognized borders that have been crossed by an invader, in this case Russia. In addition, agreement may also be reached that, as a matter of what Kant would regard a 'practical principle,' it is wrong to interfere militarily in the affairs of other countries within their recognized borders. Like Kant, I believe that this simple principle is crucial for securing peace.

I thus concur with Kant, both in his critique of the very idea of just war and in the prohibition against crossing borders with armies. Just as Kant was, I am categorically opposed to war, which would normally categorize me as a naïve idealist pacifist. Meanwhile, like Kant, even though I criticize the ideology of just war and thus any claim to have a sufficient *jus ad bellum*, I recognize as a given the right to defend yourself. That is why I believe that Ukraine should be supported in their warring efforts against Russia; following the invasion, destruction and suffering has almost entirely taken place inside Ukraine, and that is enough for me to define their efforts as defensive and thus legitimate.

But where does that leave Kant's peace project—the project that I have defended so enthusiastically? Simply referring to the unconditional right to defend oneself against an aggressor does little to protect the project of perpetual peace, since almost all wars can be presented in such terms. When invading Poland, Hitler presented the German army's actions as defending the Germans in Danzig, just as they had defended the Germans of Sudetenland the year before. In the present case, Russia has for years claimed to defend an oppressed Russian minority in the Donbas region. Hence, simply making defense a criterion does not solve the quandary without additional specification or qualification.

What is worse, and a cause for concern: Given that I believe that people living within recognized borders should be left in peace to struggle with their own problems without fear—or hope—that a foreign power will decide it has a right to intervene, and given my strong opposition to war and even the idea of a power

balance sustained through military threat (mutual deterrence), what about arms? How can I support the principled right to defend yourself, for instance in the case of an invasion, without supporting the prior production and acquisition of arms? It is difficult to defend oneself against an army without weapons. Hence, should we support the acquisition and production of arms in what we consider peacetime? And within this 'peacetime,' what level of conflict and mutual deterrence is acceptable?

Arms are real and if only one part of a conflict is armed, then the result of the conflict is predetermined. For much of the 20th century, however, such concerns did not constitute a definitive reason for armament. It is well known that, prior to WWII, the USA did not spend much on its armed forces. At that time, Denmark had a democratically elected coalition government of social democrats and social liberals that followed a similar pacifist approach and, when nazi Germany announced its invasion April 9, 1940, Denmark surrendered immediately, sparing the country from the sufferings of war, but also leaving to the aggressor an economy complete with agriculture and industry, work and leisure, that served it well in the following years. Was that right? Should Denmark have defended itself, thus weakening nazi Germany to the benefit of the allied efforts to counter Nazism, but at the same time knowingly accepting that doing so would cause suffering among its own civilian population? That is not an easy question for a responsible, democratically elected government.

The Ukrainian government chose to defend the country despite being in what was almost universally considered an impossible situation and despite being offered exile outside the country. I must admit that I am deeply moved when witnessing the Ukrainian people's staunch willingness to make sacrifices for their country. Believing, as mentioned, that many things in Ukraine were far from ideal before the invasion, I assume that Ukrainians must be motivated by the belief that life in Ukraine nevertheless is far better than life in Putin's Russia. Hence, I consider Ukrainians' willingness to defend themselves a sign of their intimate knowledge about the realities of life in Russia. Many have families across the border, and in both countries, Russian is an official language. This being the case, I also find it likely that many Ukrainians are indeed fighting for the ideals that many of us hold dear—for social democracy, including various liberal freedoms and the rule of law.

However, at the current stage of the conflict, the question is no longer whether one should surrender or defend oneself. Through armed intervention Russia has captured significant Ukrainian territories without being able to gain control of the entire country, and at present the war is continuing with no end in sight. This situation raises other questions, normative and strategic, with which we must grapple—as individuals, in relation to our ideals, and as governments, in relation to realist foreign policy. The most important question is: How can one support Ukraine effectively in recapturing its territories, some of which have been under Russian control for more than eight years, without escalating the war and provoking a nuclear response from Russia?

Acknowledging both deontological and consequentialist reasoning, rather than asking whether we should support arming a nation in the first place, maybe we should ask what kind of armed defense and what level of armament is consistent with supporting a principled peace project? This brings us to another part of the theory of just war, namely *jus in bello*—that is, once war has broken out, what are the right things to do? The initial approach in the West was to send helmets and bulletproof vests to Ukraine for protection; later, guns and ammunition were sent for defense, for instance in the form of anti-tank weapons. Firearms were then sent to neutralize missile and drone attacks, followed by long-range cannons to attack the logistics behind enemy lines, and now tanks have been approved and maybe soon fighter planes. What kinds of armament are aggressive and offensive, and what kinds are defensive? Furthermore, what weapons are appropriate when the enemy has already conquered and secured huge swathes of one's territory?

The uncomfortable question at the core of the idea of *jus in bello* is thus what is the proper way to conduct a war? As in every aspect of life, there are people who have specialized knowledge concerning issues like this, just as we have a *Journal of Military Ethics* that deals with such questions. Consulting a textbook like *The Ethics of War*, proportionality is obviously part of the answer.⁸ Defense becomes an aggression itself when it constitutes an unproportional response to the original aggression. The idea of proportionality is precisely to not escalate mutual aggression

⁸ See Gregory M. Reichberg, Endre Begby, and Henrik Syse, eds., *The Ethics of War : Classic and Contemporary Readings* (Malden, MA: Blackwell Publishing, 2006).

so that both parties can maintain the hope of reaching a resolution to the conflict through negotiation. As it has been said, ultimately, all wars have to end with some kind of negotiated agreement. The warring parties have to agree to stop the war, which requires an ability to communicate in some way.

Meanwhile, a commitment to proportionality does not really solve the problem, since reaching the right conclusion about a proportional response presupposes knowledge about what is actually the case in the situation that we are responding to; i.e., who has inflicted what damage on whom. Thus, the problem of determining a proper response persists, since there remains a lot of room for judgment when deciding what would constitute a proportional response.

So in all cases, i.e. that of proportionality, that of identifying aggression and defense, we are at the mercy of empirical facts that we cannot establish beyond doubt. However, consulting the aforementioned textbook, it is obvious that, as a general principle, defense from military aggression is widely recognized as constituting the most legitimate reason when considering taking up arms in a conflict. Interestingly, however, the technical term used for legitimate armed response is ‘self-defense,’ not merely ‘defense.’⁹ Hence, straightforward legitimacy is reserved for the simplest, almost tautological case, whereas support for the defense of somebody else remains problematic.

Finally, the intricate question of legitimate armament poses a severe challenge, as may be illustrated by the index of *The Ethics of War*. Keywords listed related to arms are ‘disarmament,’ ‘armistice,’ ‘arms race,’ ‘arms control’ etc. Included in the index is also ‘armed peace,’ but that simply redirects you to ‘balance-of-power politics’ and, given the connotations of the latter phrase, the pages referred to are unlikely to confer legitimacy to the arguments of those advocating armed peace. Nonetheless, since war is probably something that we will never escape, these are questions that we must consider, regardless of whether we are citizens of somewhat democratic countries, members of governments or left-wing intellectuals. The answers, however, are not easy at all, not even when one marries a criticism of the ideology of just war in Rawls’ writings to an endorsement of Kant’s project of perpetual peace, and not even when accepting the uncomfortable move from

⁹ Ibid.

criticizing *jus ad bellum* to considering *jus in bello*. The conclusion is thus: There is work to be done! Thanks to *Emancipations* for stimulating important reflections on urgent problems.