

## The Questions

### War

What is a just war?

Is a just war achievable?

What are the differences in how war used to be fought versus how it is today?

What ethical issues arise from the methods utilised in war today?

### War within the

### International Context

How are civilians affected when nations go to war?

Does the international system do enough to prevent war among nations?

Is regime change a fair concern when war is declared between nations?

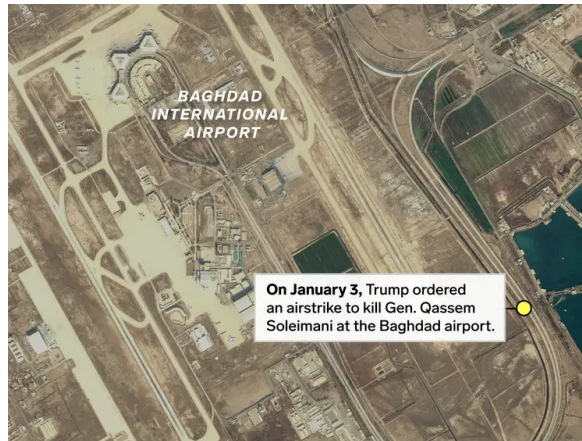
### War and Peace

Should foreign warring nations have the responsibility to restore peace in a location after wars are fought?

## Issues in Contemporary Ethics: Pre-Emptive Strikes

### At a Glance

The UN Charter of 1945 asks states to abstain from using or threatening to use force in their international relations. At the same time, this document upholds a state's right to self-defense in response to aggression from other states. This brief will explore how pre-emptive strikes are used as self-defense and the ethical implications behind it.



*Aerial view of Baghdad International Airport, where the drone strikes reportedly happened*

### Case Study: The Killing of Iranian General Qassem Soleimani

On the 2<sup>nd</sup> of January 2020, President Trump of the United States ordered a drone strike on one of the foremost generals within the Iranian Army, General Qassem Soleimani, the commander of Iran's Revolutionary Guards Corps. In a statement released by the Pentagon, the United States government confirmed the General's death and further announced that the strike had been carried out because "General Soleimani was actively developing plans to attack American diplomats and service members in Iraq and throughout the region" (Statement by the Department of Defense). The statement further asserted that General Soleimani and his Guards Corps were responsible for (i) the deaths and injury of hundreds of Americans, and (ii) the protests and riots that had taken place at the U.S. Embassy in Iran on December 31. The statement ended with the claim that the strike was aimed at deterring future Iranian attack plans in order to protect the people and interests of the United States.

### Implications

The United States defended the drone strikes against General Soleimani with two different arguments. One was that the strike was in retaliation for the deaths that took place at U.S. coalition bases in Iraq on December 27<sup>th</sup>, 2019 along with other deaths at several other instances that were deemed to have been orchestrated by Soleimani. The second argument was that the strike was carried out to "deter future Iranian attack plans", an argument that was considered untenable by Agnès Callamard, a UN human rights expert. In a Twitter thread, the UN rapporteur on extrajudicial killing argued that the killing of the General was unwarranted as future attack plans are not the same as imminent, noting the difference in language used by the U.S. government and the international community. She further condemned the use of drones and the fact that 6 other individuals were killed, saying that both of these happenings were in violation of international human rights law (Steinbuch, 2020). This contrast of views begs the questions of (i) when can a future attack be viewed as imminent? and (ii) can collateral loss of lives be justified at all?

## Further Reading

Fisher, D. (2013).

Morality and War: Can War Be Just in the Twenty-First Century? Oxford, United Kingdom: Oxford University Press.

Chan, D. K. (2016)

Beyond Just War: A Virtue Ethics Approach. Palgrave Macmillan.

The AP News

The Latest: Iran urges UN to Condemn Criminal Act by US.

BBC News

Soleimani Attack: What Does International Law Say?

Scorn, G., & VanLandingham, R. (2020)

Lawful Self-Defense vs. Revenge Strikes: Scrutinizing Iran and U.S. Uses of Force under International Law.

Taylor, A. (2020)

The Key Word in U.S. justifications for the Killing of Iranian General: Imminent.

### Comparing Perspectives

In this series of briefs, one rationalist ethics theory and one alternative ethics theory will be explored to present contrasting views on the issues and questions raised.

### Postcolonial Ethics

Postcolonial ethics is an alternative theory that examines how systems of power are used to oppress disadvantaged groups of people. In this scenario, the United States utilized its power as a dominant hegemon in the international system to unilaterally carry out a drone strike in a location where they have no jurisdiction. This is an act that could be viewed by a postcolonial ethicist as an attempt to use the United States' military strength and position as a superpower to police the international system, a key feature of colonialism. Additionally, a postcolonial ethicist could describe the killing of Soleimani as an attempt at regime change in Iran, seeing as the United States does have a history of forcing regime change in the Middle East and other places around the world.

### Utilitarianism

Utilitarianism is a consequentialist rational theory that is concerned with maximizing the greatest happiness of the highest number of people. In other words, for a utilitarian faced with an ethical dilemma, the action that creates the most happiness should be pursued. With regards to this scenario, based on the belief of the United States government that an attack on the life of more than one American citizen was imminent, a utilitarian could argue that this decision to send a drone strike to the General, along with any other pre-emptive strikes in order to save lives is ethically correct. This is because, based on a very short-term assessment, the death of the General as a prominent Iranian official potentially prevented the death of a number of persons greater than one.

### Questions for Reflections

After the death of General Soleimani, there were protests in Iran condemning the United States for directly causing his demise. Some arguments have arisen that this "extrajudicial killing" of the General constitutes a form of modern colonialism and regime change. As a nation that has a history of inciting regime changes in foreign nations, does the United States' claim of self-defence in this scenario sound more plausible than the accusations of regime change? Additionally, seeing as the drone strike caused civilian casualties in Iran, are some methods of self-defence preferable to others? Why did the United States government choose to use drone strikes as opposed to other forms of warfare? Finally, as some factions in Iran cry for justice, knowing what the United States government has said about Soleimani's actions prior to his death, would the claim of self-defence be found credible in an international judicial body like the International Criminal Court (ICC)?

Statement by the Department of Defense. (n.d.). Retrieved from <https://www.defense.gov/Newsroom/Releases/Release/Article/2049534/statement-by-the-department-of-defense/>

Steinbuch, Y. (2020, January 3). US airstrike that killed Qassim Soleimani of Iran violates human rights law, UN official says. Retrieved from <https://nypost.com/2020/01/03/us-airstrike-that-killed-qassim-soleimani-of-iran-violates-human-rights-law-un-official-says/>