Title: Is Michael Walzer right to suppose that there are supreme emergencies’ that require us to ‘set the rules aside’?

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There is a widespread insight that if a country or a society is faced with an imminent threat, then the run of engagement can change, or some actions that are not allowed might become permissible (Walzer, 2020). For instance, torture is not permitted or allowed in the ordinary way of life. However, some political scholars such as Michael Walzer believe now and then should be permitted or allowed (Walzer, 2020). Suppose a terrorist want to blow up a city, but one way to prevent the bomb from going off is to torture the suspect into revealing the location of the bomb. In this situation, it can be argued that some form of torture in a special situation should be lifted and that a terrorist may be tortured to prevent mass injuries.

 Another example concerns Britain’s situations in the early 1940s (Walzer, 2020). The UK authority responded to Adolf Hitler’s army expansion threat by bombing German cities, knowingly targeting innocent Germans (Orend, 2021). The action of Britain violated the most established rule of war. Was this action by the UK’s prime minister justifiable, given the emergency Britain and other countries around the world found themselves in? Michael Walzer argues that the action by the UK’s government was justifiable.

Walzer has characterized the concept of supreme emergencies into two different ways. He has stated that the concept of supreme emergency must meet two conditions: the nature of the looming threats and the level of threat or imminence (Walzer, 2020). Walzer argued for supreme emergencies to happen, the threat must be imminent and the threat must be of horrifying kind (Walzer 2020, p. 253). In a mostly quoted literature titled “Emergency Ethics,” Walzer (2020) stated that, “action of supreme emergency should be carried out when our survival and our deepest values are in danger.” I take the saying about deep values and collective survival in explaining the condition of a threat (Walzer, 2020). Thus, the concept of supreme emergency is a circumstance where our collective survival and/or our deepest vale are in danger. For an imminent threat to be categorized as a supreme emergency, Walzer (2020) has stated that the threat must meet two conditions; the threat must be imminent and severe. But, the traditional threats, such as indemnitees, loss of territorial integrity, or military occupation are, Walzer (2020) argues, not a severe threat that requires the action of supreme emergency, but exile of a society or mass killing of people or genocide could be.

Walzer (2020) argues that imminent threats such as targeting innocent civilians are not violations of just war theory when a supreme emergency action is considered, and by doing so, the actor is not morally liable for attacking innocent civilians. Farther, he has stated that the supreme emergency can be carried out only after all other options have been exhausted, there is a “moral urgency” that exists when an entire community or society, or nation is under an imminent threat. In such circumstances, Walzer (2020) has stated that an individual would have “morally dirty hands” because he/she will be needed to decide between two morally wrong (Orend, 2021). John Rawls similarly support justification of the concept of supreme emergency, and he has argued that “the concept is justified when used by countries that adhere to universal human rights; for example, Britain ‘s attacks on innocent German civilians during World War II was justified, but had the action been reversed, Adolf Hitler’s army would not have been justified to use the concept of supreme emergency.

Supporters of ‘Just War’ have maintained that the negative impact of any war can be justified if the winner prohibit or prevent evil; hence, disseminating innocent civilians may be justified if it prevents other innocent civilians from being disseminated. This war can be justified. But, the concept of supreme emergency has faced a challenge from Just War theorist since they largely focus on whether or not killing of innocent civilians may be prevented by doing away with the rule of war, for example, minimizing the dissemination of innocent civilians. As Walzer (2020) said that actors to supreme emergency may sometimes do evil for the purpose of doing right things, so to speak, perpetrators of supreme emergency must get their hand dirty, so that they may prevent evil. But this argument has faced both rejection and support in the “just war” convention (Orend, 2021). Some of those who argued against the concept of supreme emergency hold it to be backwards or paradoxical, given Walzer (2020) support to “jus in bellow” ideology and the separation of “Jus bello” and “Jus ad bellum.” Other critics have argued that the most important aspect of the jus in bello, such as the value for discrimination ought not to be broken. Walzer (2020), further stated that national actors can infringe the principle of “Jus in bello” and directly target innocent civilians when their collective survival or collective values are in danger or under threats (Walzer, 2020). For instance, during the early period of World War II. Britain was going through a supreme emergency period when it was being threaten by the Nazi forces, and this issue constituted an “evil objectified in Europe and the rest of the world.” Walzer (2020) holds that, the early period of the war, Nazi army was strong, and Britain was going through a supreme emergency state because Nazi triumph would constitute a threat.

However, Walzer (2020) further claimed that after it became clear that the Nazi’s army could no longer win the battle, there no longer was a state of supreme emergency. Hence, “in a supreme emergency situation, it is morally to intentionally killing civilians (Walzer, 2020). Thus, it was morally right to justify the intentionally killing of German civilians. (Walzer, 2020) insisted that, even though the prevention against dissemination of innocent civilians in a war is outweighed by the important consideration, which cannot be overlooked: There are set limits on any conduct of war, and there are some circumstances when these set out limits can be done away with or broken (Walzer, 2020, pp.40). To Walzer (2020), the concept of supreme emergency is a problem: it is a situation where the “good guy” is expected to choose between two evils and the “good guy” is required to pick the lesser evil. Thus, an actor that faces supreme emergency state is required to choose the “good” alternative act, although the act in itself will be morally condemnable. To Walzer (2020), during the war, it would be irresponsible to observe the set moral rule of war, if the only way to deter evil lies in breaking just war rules. While Walzer (2020) and other political scholars have characterized the concept of supreme emergencies as a justification, other scholars have argued against the concept; instead, the concept of supreme emergencies is an excuse, mitigating, but not able to correct the wrongness of the wrong action (Primoratz, 2021). For example, Brian Orend has stated that the concept of supreme emergencies cannot be supported because it allows the actors of war to perform actions that would be acceptable at an interpersonal level (Cox, 2019). After all, Walzer (2020) argument largely depends on a utilitarianism interpretation of war, which he believes is not in tandem with just war theory, and allowing the exemption to jus in bello requirements for the concept of supreme emergencies makes jus in bello inferior to jus ad bellum (Primoratz, 2021). Instead, he argued that in the concept of supreme emergency circumstances, extreme duress will excuse war actors to decide to survive. Primoratz (2021) has also classified the concept of supreme emergency as a “moral disaster, he has further argued that Walzer’s dirty hands should be more specific and less permissive. Furthermore, Debra Comer and Michael Schwartz have argued that religious organizations such as Anglican would not have accepted the misuse of jus bello rules for the concept of supreme emergency state (Primoratz, 2021). This is because there is a distinction between innate rights that are inviolable properties of individuals and acquired rights that stem from the situation. Schwartz and Comer (2019) further argued that Michael Walzer was wrong when he treated all rights as acquired, allowing human rights that ethicists consider innate to change according to the situation.

When the other side of the coin is observed on the concept of supreme emergency, this concept has given rise to many objections (Cox, 2019). Some political scholars such as Igor Primoratz and Brian Orend, have criticized the inconsistencies in the concept of supreme emergency and in the argument itself (Primoratz, 2021). Steinhoff (2020) has said that Walzer (2020) doesn’t see any possible justification for the terrorists such as ISIS or Al Shabab in Somalia from resorting to supreme emergency (pp.133).” Other scholars such as Coady and Cook have also stated against this concept by claiming that allowing killing of innocent civilians always risks being used wrongly during the war. Thus, this concept should not form a part of war (Coady, 2022; Cook 2021). Walzer (2020) has also been noted to give a lot of preference political actors (Steinhoff, 2020).

While Toner (2020) has argued that exemption to supreme emergency should apply to everyone and this fact is not acceptable. Both Coady (2022) and Cook (2021) further hold that the concept of supreme emergency is vague since it contains two parallel notion of state of emergencies that have not been distinguished. Walzer (2020) has not in any way justified the rules of the war with the following argument: “… a society where an entire population is killed or massacred or enslaved is unacceptable. “Thus freedom and survival of communities has the highest values in international organizations or community” Coady (2022). Primoratz (2021) has countered that argument by stating that” it’s one thing to suffer from the hands of Nazi, and another way to have one’s polity broken or dismantled (pp.19)”

In my opinion, I support Primoratz (2021) when he argued that the concept of supreme emergency has two different concepts (pp.134), and Walzer does not clear make distinction. The first concept is the moral disaster, for instance the enslavement or mass killing while the second concept is the threat to the survival of a political class or society (Walzer, 2020). Primoratz (2021) further argued that “…. whereas expulsion of a community, or enslavement of its people or mass killing might be said to be a moral disaster that can be prevented through any means. The loss of political independence in itself is a political disaster (pp.145).” Walzer (2020) in his concept, has failed to isolate two important notions, in some ways, he has used one notion to represent the other and verse vasa. However, argued that it is the combination of the two notions that make a supreme emergency state, even though this issue has been described as a political disaster and in some cases it has been described as a moral disaster (Primoratz, 2021).

A lot of political scholars are in agreement with Primoratz (2021) that he has described supreme emergency as a moral disaster. The danger of mass expulsion of a society or mass killing of innocent civilians, which create supreme characteristics of this emergency, but not the threat to the survival of a political class (Primoratz, 2021).

 In conclusion, the concept of supreme emergency can be used without the involvement of “bad guys,” but that might be doubtful whether this concept itself is defensible. But, as it has been seen from the argument above, there is a different version of supreme emergency i.e., the Orend’s version, that can be deployed to replace supreme emergencies without the “bad guys.” But Walzer’s argument is not defensible either to antagonistic or to non-antagonistic ones. What Trend has brought forth is the rule of thumb and it has turn out to be the consequential moral principle in disguise (Primoratz, 2021). Hence, the world has every reason to be cautious on the concept of supreme emergency and especial permission should not be given in any cases without “bad guys”

**Reference List**

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