

Book Review

The Ethics of Self-Defense

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The Ethics of Self-Defense

C. Coons & M. Weber.

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The arrival of Donald Trump to the presidency of US and his promises of legalizing torture restarted a long dormant debate after 9/11, the logic of self-defense even torture as preventive mechanism to forecast next terrorist attack. Though this theme was widely discussed in legal jurisprudence, as well as the studies in sociology and anthropology, the philosophy of ethics has much to say in this field.

In the present book, *The Ethics of Self-Defense*, editors Christian Coons & Michael Weber present an innovative but not for that less pungent argument, what are the conceptual elements to form a robust background for self-defense turns ethical. This point raises some interesting questions as why killing in war is preferably accepted while gun-shooting to innocent people in streets is considered as a crime?, what are the limits and limitations of innocence as a social construal?

As the previous backdrop, the imposition of false urgencies may very well lead towards biased justification that legitimate the basic human rights suspension, while in other cases, acting under the premise of preemption results in erosion of the basis of democracies worldwide. Doubtless, the question whether the epistemological borders of self-defense or legitimate violence rest on philosophical foundations suggests that we can rationally construct the ethics that helps governments in regulating violence.

For the sake of clarity, the fifteen chapters, which conform this book, oscillate from the military use of force in context of war, to the war on terror post 9/11 context. Coons & Weber pivot in bringing a hot debate to the fields of social sciences, which confirms that uncertainty and preemption are playing leading roles in the configuration of ethics, in our current world. In this sense, the introductory first chapter explores the conceptual limitations and flaws of specialized literature which abuses from hypothetical cases in formulating abstract ideas about ethics of self-defense. While the notion of self-defense is very hard to grasp, no less true is that the perception of what is an imminent attack depends on multiple factors which are associated to individual or collective perception. This represents a serious risks for governance because social imaginary is highly manipulable. Those chapters organized in this book open the doors for the conceptualization of culpability as a response to a hypothetical or real threat. By moving through an epistemological uncertainty, the main problem of self-defense. Ethically speaking, seems to be never the actor will be sure on the real consequences of its acts. Hence, external dangers pose as moral justification to our own behaviour or potential reactions. However, no matter than the dangerousity or immediacy of the attack, the psychological perception is a key factor

of self-defense in the current literature. This applies not only for persons and social relations, but the interplay among state in a world fraught by the scourge of terrorism. Because of time and space, it is almost impossible to give further description of 15 chapters, one by one, but, instead, let us explain the book contains three main topics, which are developed below.

Not surprisingly, the problem of killing others escapes from moral conception of politics as well as the decision of state to yield wars. There is an interesting confrontation between authors with Jeff McMahan's argument in respect to the borders for a person to be called or blamed as potential threat. Broadly speaking, any person is morally responsible when it is aware of its acts. For Michael Otsuka it is "impermissible" to kill others though they represents a real threat. Basically, there would be a manifest interest of these others to kill me or cause a harm in any other direction. The dilemma of human judgment to determine what is a real dangers or not dangles the opportunities to evaluate that the concept of security and physical integrity as philosophical concepts should be at least revisiting along with more broader definitions as human-will, knowledge even the possibility to reach a neglected perception.

In order for defense to be ethic, it should be proportionate to the other's attack. However, this runs the serious risk of interpretation of what proportionality means. To put this in bluntly, Alexander considers that proportionality, necessity and retreat are separate conditions to activate the right of self-defense. At some extent, proportionality should be understood as the level of used force, any people use to avoid the threat or its proportional danger, whereas the necessity signals to the needs the level of force to be no greater than what is requested to avoid the danger. Finally, the concept of retreat reminds how always by withdrawing from the hostile environment is always preferable than killing or conducting a preventive attack.

Doubtless, the complexity of the theory of self-defense to be applied to individual cases triplicates at time we try to use it in international arena. The problem of terrorism, today, is posed nation-states to their moral limits, not only because they have to struggle against an internal enemy granting all human rights of their citizens, but also because it defies the rules of classic warfare, where traditional army forces are typically trained. Though all chapters, with major or lesser degree, deals with this topic, Ian Fishback and Seth Lazar present two concluding chapters which allows a further understanding of the issue in few lines.

Globally, nation-state opt for weaving allegiance to convene a self-protection against external enemies, or embracing international jurisprudence, which poses some obstacles to the power of state over innocent, and lay-citizens. Quite aside from this, as Fishback puts it, although states should limit legally their response in case of conflicts, even retreating to impede further harms, it is necessary to discuss again to what extent these steps are useful to reduce the level of proportionality in case of internal conflict or terrorism. The international relations among states emulate the social background of "an anarchic society", where solution should be negotiated among many actors. While involving actors agree an alternative solution, the probabilities that the conflict aggravates exponentially rises affecting the conditions of many non-combatants and their probabilities to survive. This point is excellently addressed by Seth Lazar who opposes to the thesis that non-combatants lack of any responsibilities in contexts of warfare as soldiers were. He argues convincingly that the binomial combatants and non-combatants obscure more than it clarify. In his words:

I defended the overlap hypothesis: a morally significant number of combatants and non-combatants satisfy the criterion for liability to at least the same degree. This hypothesis is consistent with most combatants being liable and most non-combatants not. It supposes only that the overlap is morally significant – that the exception of the rule cannot be brushed aside. It implies that, on the responsibility account, either many u-noncombatants will be liable to be internationally killed, or, if we raise the threshold for liability to exclude them, many u-combatants will not be liable. (Lazar 2016, p. 293)

This above cited excerpt ignites the discussion that indicates the *individual decision*, not collectively nor associated to the status of combatant or non-combatant, seems to be the touchstone for individual responsibility in wars. As this argument given, the ethics of self-defense calls for interrogating furtherly on the doctrine of lesser-evil justifications. In such a direction, Coons and Weber set forward an all-encompassing argument that contemplates many voices and discrepant theories. This of course is helpful to expand our current understanding of self-defense and its intersection with the doctrine of lesser evil. To my end, this is one of the best and deepest works I have ever inspected to date. Last but not least, *The ethics of self-defense* reminds that the idea of self-defense and the subjectivity of risk-perception are inextricably intertwined.

Maximiliano E. Korstanje is editor in chief of International Journal of Safety and Security in Tourism (UP Argentina) and International Journal of Cyber Warfare and Terrorism (IGI-Global). With more than 700 published papers and 25 books, Korstanje was awarded as Outstanding Reviewer 2012. International Journal of Disaster Resilience in the Built Environment. University of Salford, UK, Outstanding Reviewer 2013. Journal of Place Management and Development. Institute of Place, Manchester Metropolitan University, UK and Reviewer Certificate of Acknowledgement 2014. International Journal of Contemporary Hospitality Management (IJCHM), University of Central Florida, US. Now he co-edits almost 10 specialized journals in such themes as human rights, mobility, tourism and terrorism. Korstanje has been the subject of biographical records for Marquis Who's Who in the World since 2009. He had nominated 5 honorary doctorates for his contribution in the study of the effects of terrorism in tourism. In 2015, he was awarded as Visiting Research Fellow at School of Sociology and Social Policy, University of Leeds, UK and Visiting Professor at University of La Habana Cuba 2016.