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## VALUE CHALLENGES AND CURRENT MILITARY CONFLICTS

**Summary.** In this article, we will discuss the issue of current military conflicts and their reasoning based on declared values. We will assess these value preferences in terms of human rights, as well as of just wars' criteria. We will examine up to what extent an ethical point is being brought up in order to justify and assess the conflicts. We will point out that the main causes are value confrontation of the individual actors, as well as the value-historical, value-cultural, and value-religious issues. Therefore, conflict resolution is possible on the level of values and in respect of the values. An important moral role should be played also by the UN by creation of an independent ethics oversight.

**Keywords:** the military conflict, value, human rights, war, clarification of values, value confrontation, ethical oversight.

## WARTOŚCI ZMIAN A WSPÓŁCZESNE KONFLIKTY MILITARNE

**Streszczenie.** W artykule tym omówiono kwestie współczesnych konfliktów zbrojnych i ich uzasadnienia na podstawie deklarowanych wartości. Oceniono preferencje wartości w zakresie praw człowieka, wyłącznie w odniesieniu do kryteriów wojny. Zbadano kwestię tego, w jakim stopniu etyczny punkt widzenia jest przyjmowany w usprawiedliwianiu i ocenie konfliktów. Zostało pokazane, że główną przyczyną jest konfrontacja wartości poszczególnych osób, jak również kwestie historycznowartościowe, kulturowowartościowe i religijnowartościowe. W związku z tym możliwe jest rozwiązywanie konfliktów na poziomie wartości i w poszanowaniu wartości. Ważną rolę moralną powinno odegrać również ONZ poprzez utworzenie niezależnej etyki nadzoru.

**Słowa kluczowe:** konflikty militarne, wartość, prawa człowieka, wojna, klaryfikacja wartości, konfrontacja wartości, etyczny punkt widzenia.

## Conflicts

Military conflict is a conflict of interests of states, nations and other stakeholders. Using the Force lobbyists seeking to secure dominance to conduct their requirements and objectives. Similarly, as the conflict can be defined and intimidation by military force, if it is a diplomatic conflict. Armed conflicts can be divided according to the extent to: local military conflict, civil war and world war conflict, to which also the Cold War is included. The military conflict began after the introduction of nuclear weapons into the arms divide "the lower and higher". Lower contemplates the use of only conventional forces, and is unlikely to use nuclear weapons, but can not yet be ruled out for sure. Higher - strategic war between the superpowers. The lower level of the conflict should further amount below which it existed at a time, just gave them another dimension in particular their use by different forces. Slightly lower levels of armed conflict have been used for the intended purposes in the interest of national and international targets.<sup>1</sup> According to this the conflicts are divided on the basis of the tactics used namely: conventional war, partisan (guerrilla) war, terrorism and all-out war. Causes of armed conflict are many. The aim of armed conflict is to ensure the victory over the forces of the enemy, and then get the overall military advantage, which demonstrates the predominance of any other (eg. political or economic). The Paris Declaration<sup>2</sup> was the first ever defined the objectives of military operations. The aim is to defuse enemy forces. This is to be carried out but without unnecessary suffering and loss of civilians, as well as unnecessary suffering of armed forces.<sup>3</sup> This definition has also become one of the basic premium at subsequent conventions conferences at The Hague. Military commanders are subordinate to the political control of the government and its command, because „in a democracy system only state has a monopoly on power and the government of such a state depends primarily on citizens.“<sup>4</sup> (This state monopoly was violated in recent history, for example by Hitler Sections. In Austria, the Christian Socialists created a private army "Heimwehr", social democrats "Schutzbund").<sup>5</sup> Responsibility for the induction of conflict is in particular on the decisions of political leaders of opposing sides. The emergence of armed conflict is particularly reluctant to let go, or reach a compromise solution of tension. Before each war diplomacy is working, but it is questionable, as is given to the pursuit of peaceful settlement of disputes, or just looking for an excuse for a declaration of war. Before the actual population, the attacker tries to hide its objectives, or mask them, and are often also handling

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<sup>1</sup> compare: R.E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s. 1531, Forma, 1997, Praha.

<sup>2</sup> This contract has been designed by the Russian tsar to the Paris Peace Conference in 1886, it was to be a contract prohibiting the use and development of explosive bullets lighter than 4.58 kg (1 lb), but did not become applicable (not notified), because it was found that it was only Russia's diplomatic subterfuge. Russia had no means to develop such weapons, and thus wanted to make sure that they will not have to develop them.

<sup>3</sup> compare: Kolektiv autorov, *Haagske úmluvy v systému mezinárodního humanitárního práva I*, s. 72 - 73, správa sociálního řízení, 1992.

<sup>4</sup> M. Dubost, *Služobník pokoja*, s. 6, Lúč, 1998, Bratislava.

<sup>5</sup> compare: R.E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s.1152, Forma 1997, Praha.

the media. Especially in non-democratic states can be relatively smoothly manipulate public opinion. Often used indoctrination - making system changes in the value scale of man. Indoctrination is used by both extremist groups (doctrinal terrorism), as well as public authorities of dictatorial states. Disinformation campaign or brainwashing is used.<sup>6</sup> Brainwashing<sup>7</sup> – in a broad sense is a hostile propaganda, combining Goebbels: „a hundred times repeated lie becomes the truth“ to the information monopoly, acting on some lower instincts (class hatred, nationalism, racism ...). Along with harsh repression of any dissent is a powerful means of manipulation of public opinion.<sup>8</sup>

## Conflicts - its cause

Each conflict since its creation poses a threat to humans, especially in today's world, linked to globalization. Danger for which each conflict occurs globally, it may be to concentrate wealth. In this accumulation of wealth by some countries shows that the economic dominance of fighting (even lawful means allowing by market economy), and political domination that the State had advantages in competitiveness issues. Finally, the fights between states as well as countries use their power and political power to ensure economic benefits for its citizens. It happens that they apply economic power and military force to address policy issues that arise between countries.<sup>9</sup> Some conflicts may be for economic (mineral deposits), political (close strategic location) circumstances and realities become "area of interest" of other states. They are interested in obtaining the above advantages at the expense of either party to participate in the conflict. If this is a more powerful states or superpowers, they can support more preferred group for their goals. Their interests, these states may develop by economic aid, diplomatic pressure or military force. This force, in some cases, may easily be used, to promote their particular interests, even at the expense of the other parties. A frequent cause of conflict is ethnic and religious division and separation of the population. Not only division within the State in the event of civil war, but also the breakdown of ethnic groups in the region. What are the major differences in culture, language, ethnic or racial affiliation, or even religion, the greater danger threatens the conflict rise. More differences also offers more opportunities to conflicts. Nevertheless, it does not become the rule, as we see in some countries which are strongly multicultural society. If

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<sup>6</sup> compare: Kolektív autorov, Encyklopedie špionáže, s. 165, Libri , 1993, Praha.

<sup>7</sup> Brainwashing – anglicky vymývanie mozgov. Metóda používaná na vytvorenie zmien osobných hodnôt jednotlivca, alebo ovládnutie jeho mysle. Porov.: Kolektív autorov, Encyklopedie špionáže, s. 100, Libri , 1993, Praha.

<sup>8</sup> compare: Kolektív autorov, Encyklopedie špionáže, s. 100, Libri , 1993, Praha.

<sup>9</sup> QA, čl. 108.

missing the pursuit of understanding and dialogue, leading to considerable tensions in society. Tensions may then escalate into conflicts that easily escalate into armed conflict.

## Armed conflicts and their division

**Local war conflict** is the most common, almost always present in the world. It is generally limited to a certain territory - a number of countries or nations. Most at risk of local conflicts are just third world countries<sup>10</sup>, former colonies. After the political decolonization it was insufficient to market mechanisms developed world. Democracy in the Western method presupposes a functioning social system, which is a problem in many Third world countries.<sup>11</sup> Local military conflict becomes the most common problem for the maintenance of peace in the world. Usually, it offers the most space for diplomatic and peaceful solutions. It is carried out so mainly through the UN resolution, which may give the relevant resolutions (such as banning arms exports to countries) through deployment of an international group of observers or peacekeepers. Other, non-aligned states, or countries, on the other hand, often intervening in situations during local conflict. Powers provided economic and military assistance to their inclined countries. It seemed that these small states become only means of their own power interests, which was also true. This phenomenon can be clearly monitored, especially in the third world group of countries after decolonization did not want to become only the satellites of powers.<sup>12</sup>

**Civil Wars** often arose as fighting between different population groups of one state (based on racial, social, ideological motive), for the cause of fair and unfair. They are often conditioned by engaging other countries (during the Cold War). The most common is a group of malcontents who oppose government authority. Special danger of civil war is precisely the rejection of authority. Much more comes to violated humanity, because there is no authority for overseeing and ensuring respect for fundamental rights, or is not respected. In civil armed conflict terrorism and killing innocent bystander is also reflected. A significant increase is in the instability or tension in neighboring countries. An increasing number of refugees are trying to save their life by fleeing to safer countries. Migration brings more problems and contributes to the overall growth of instability and tension in the region. The danger becomes even penetration of armed groups on the territory of neighboring and non-aligned countries, which are thus retracted into the conflict.

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<sup>10</sup> Third World - small countries after decolonization need assistance to develop its economy. USA and the USSR provided it to them, but often at the expense of their autonomy - what might be called a political colonization. At a meeting of former colonies in Belgrade they used the name of the third world, to show they're not even on the part of the communist East, nor on the part of the capitalist West. Compare: P. Kenedy, Vzestup a pád velmocí s. 474, Lidové noviny, 1996, Praha.

<sup>11</sup> Compare: M. Dubost, Služobník pokoja, s. 56-57, Lúč, 1998, Bratislava.

<sup>12</sup> Compare: P. Kenedy, Vzestup a pád velmocí, s. 474-475, Lidové noviny, 1996, Praha.

**World conflict** – initially local conflicts for the different interests of the great powers and their international obligations are grown on a diplomatic conflict, and consequently in direct support of stakeholders. This phenomenon is particularly evident in the history of the formation of the First World War. Allied contracts and power guarantees made powers to engagement after the outbreak of the conflict. However, hopes for a peaceful solution to differences minimized. The increase in voltage forced powers to defend their interests and allies support to solve the conflict by force. This necessitated armies until an unprecedented scale.<sup>13</sup> Currently, due to the global pursuit of stability to such problems we do not have to worry about a long time, although it still needs to be ready to defend the country. After the 2nd World War there were many conflicts that had an impact on global politics (eg. The Cuban crisis), but solved locally, mainly in the plain diplomatic negotiations.

## **Cold war**

The generally accepted term for the first time publicly used in 1947. The fear and fear of inducing nuclear war, which could destroy all life on Earth is too strong. Yet, although the fear of nuclear war was and also is strong, world found itself right in front of it several times. During this period, tensions between the superpowers was huge.<sup>14</sup>

## **Weapons of mass destruction, their division**

Nuclear - nuclear weapons, including hydrogen. and neutron.

Chemical - Intended to use for direct destruction of alive enemy forces.

Biological - bacteria, viruses and fungi that cause diseases and poisons produced by them (eg. Botulinum).

Their common feature is that they are sorted into categories of weapons with indiscriminate effects.<sup>15</sup> Indiscriminate effect means that using them is not the effect of dose or just focus on military targets enemy. As well as destroying the armed forces can destroy and damage civilians. It is against the effects of weapons of mass destruction and usually less protected. However, it also can be a weapon indiscriminate effects affect its own armed forces of striker. The primary objective of combat operations is to destroy the military power of the enemy, for which there is no need to cause unnecessary suffering of soldiers in the armed

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<sup>13</sup> Compare: R.E. Dupuy a T.N. Dupuy, Historie vojenství 2 díl, s. 1224, Forma 1997, Praha.

<sup>14</sup> as per: <http://20century.webpark.sk/start1.htm> 18. 2.2003.

<sup>15</sup> compare: Kolektiv autorov, Haagske úmluvy v systéme mezinárodného humanitárneho práva I, s. 230, správa sociálneho řízení, 1992.

forces of the enemy, and absolutely not to kill defenseless civilians. Furthermore, the effectiveness of these weapons often extends beyond the conflict. Be reckoned with international political and diplomatic implications of their use.

## **Nuclear weapons**

It is a weapon of mass destruction that affects a large explosive force energy, obtained by nuclei of atoms. Their destructive power is calculated on the order of kilotons until megatons of TNT. Nuclear weapons were first used in Japan. The use of atomic bombs in Japan was discussed long. The destructive power of the explosion should show that any resistance can be easily destroyed, which should lead to the surrender of Japan, without the need for the conquest of territory by military force. The deployment of nuclear weapons thus probably saved a large amount of Allied troops.<sup>16</sup> The most important aspect of the theory of higher (nuclear) conflict, however, was the theory of deterrence. It was an attempt to make nuclear conflict so expensive a business, that it should not have to pay any of the parties. By the mid 50s, it was a hard concept of retribution - savagely use of nuclear potential against aggressor, later it joined the concept of controlled and flexible response.

## **Chemical weapons**

Chemical weapons can be divided by the effect on the living organism into the nerve, generally poisonous, suffocating, irritating and psycho chemical. As per the duration of their effect they are divided into volatile - to that of about 30 minutes and continuous - operate a few hours to weeks. According to the speed of the action they are further subdivided into chemical weapons with rapid and delayed action.<sup>17</sup> Currently, the production of chemical weapons and their precursors is prohibited under international agreements. Practically only irritating chemical weapons are allowed for police purposes. Police units can use these irritants for example to protect important objects, riot and demonstrations and scaremongering by the enemy. But it is forbidden to use them in armed conflict, although it is not deadly chemicals.<sup>18</sup>

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<sup>16</sup> compare: R.E. Dupuy a T.N. Dupuy, *Historie vojenství* 2 díl, s. 1326, Forma 1997, Praha.

<sup>17</sup> compare: <http://www.sweb.cz/armady-sveta/chemzbra.htm>, 14. 3. 2003.

<sup>18</sup> compare: Kolektiv autorov, *Haagske úmluvy v systému mezinárodního humanitárního práva I*, s. 72, správa sociálního řízení, 1992.

## **Biological weapons**

Biological weapons of mass destruction are working on the principle of disposal of live enemy forces by disease. The disease can be caused by bacterial; a toxin, or a viral disease. Diseases caused by biological weapons impede the effective use of the armed forces, and the overall effect is often death.

## **Special types of weapons**

The question of special area ("human") weapons is more a matter of the field of ethical problems. It is a species of mostly experimental weapons. The so-called human weapons that are developed within the humanization of the conflict, should restrict suffering of affected, or only put them out of the fight without killing them. Since this is an experimental arms and weapons in development, most of whom are closely guarded military secrets, and yet there is not enough information about them. There is talk about weapons maiming live power, but does not kill. (eg. a blinding flash grenades, adhesives for the equipment and soldiers, ...) Some of these weapons are already under unverified information are used in conflicts.

In addition to weapons of mass destruction, weapons causing unnecessary suffering are prohibited by contract as well.<sup>19</sup> The prohibition refers to the use of flammable substances against live force, the use of means of Splinter effect against live force, if it is impossible to detect fragments X-ray.

## **Conventional armed conflict**

Conventional warfare is conducted by conventional (usual) munitions. This is the most common way of armed conflict. Virtually all participants are aware of what rules it has and comply with them. Against that background, two or more armies stand with adequate training and support from participating states. The current conventional conflict of major character assumes besides destruction of enemy forces and destroy its weapons arsenals and farm equipment. Important amenities and facilities for its operation (power plants, railway junctions, factories ...) are destroyed for the restriction of enemy forces, and thus for the overall weakening. To minimize its own losses, embargo, blockade and bombardment are mainly used. The morale of the population of the country is undermining, the labor and

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<sup>19</sup> compare: Kolektív autorov, Haagske úmluvy v systéme mezinárodného humanitárneho práva II, s. 212, správa sociálneho řízení, 1992.

production resources are depleting. In particular, the dissatisfaction of the affected population in the event of an embargo or blockade serves as a pressure on the government of the enemy. Problem of disposition of the hostile country back is often the problem not physical, but of political nature. Currently, most civilian casualties in the conduct of "sophisticated" war (professional and efficient conduct of the war, using the most modern means of combat) occurs in the case of error, i.e. failure of man.

### **Guerilla warfare (guerrillas)**

This is a fight mostly within the state (civil conflict) lead by a group of people mostly by destructive process. Adheres to a selection of pressure equipment according to the rules of military importance. So far, it is not exactly clear what criteria should accurately terrorism be distinguished from guerrilla warfare. A lot probably depends on recognition of such forces for partisan groups in the diplomatic plane by other states, or the government. The most likely criterion of the difference may be the article about the Hague Convention, which also apply to the distinction soldiers and armed militias. This article relates to the distinction of the armed forces. It is in particular about the status of prisoner of war, and determine who this status will possibly be granted. If they want to be defined as armed forces entitled to that status, they must meet the following conditions:

- chaired by someone who is responsible for his subordinates,
- have a permanent marking which is visible from afar,
- wear open arms,
- in their activities comply with the laws and customs of war.<sup>20</sup>

This means that the they fight with military means and not terrorist ones, and according to the same criteria can also select targets of attacks. Their objectives should not be civilians or civilian property. For this type of fight, especially today, because of the increasingly sophisticated means of warfare, for the guerrillas, external or internal support is also very important. Internal means support from his own people.<sup>21</sup> External support means a political or material from other States participating or non-participating in the conflict.

### **Terrorism**

Terrorism is a relatively new kind of conflict. In its present form, is practically accrued in the early 20th century when anarchist forces began to spread. At present, it is getting enormous dimensions and becomes one of the most significant problems of security in the

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<sup>20</sup> compare: Kolektív autorov, Haagske úmluvy v systéme mezinárodního humanitárního práva II, s. 13, správa sociálního řízení, 1992.

<sup>21</sup> compare: R.E. Dupuy a T.N. Dupuy, Historie vojenství 2 díl, s. 1264, Forma 1997, Praha.



world. By definition it is the unlawful use of force or violence against any person or group of persons. It is usually the work of an organized group of persons or organization and has certain political objectives. It is divided into eg. separatist, doctrinaire (bench, extreme right-wing, religious ...). Their purpose is usually the destabilization of specific (national) system, trying to force the government to fulfill their demands, attempt to influence public opinion to support their political objectives.<sup>22</sup> Terrorist act has the following main objectives - advertising target, single act of violence, causing political destabilization.<sup>23</sup> Terrorism in some points may coincide with partisan (guerrilla) way of fighting (eg. an effort to destabilize the country). However, there is a danger that terrorism (the use of government power against other states) the entitle and will be used as a new kind of war between the states.<sup>24</sup>

## **Islamic terrorism**

The concept of terrorism is a special chapter on Islamic terrorism. It is about intake of warfare by Islamic radikalists. For fundamentalist terrorists aim justifies the means. They do not impose limits to the choice of objectives and methods of warfare to enforce its requirements. Most Islamic countries do not recognize International Conventions as they are not inspired by the Koran, but Christianity.<sup>25</sup>

## **State terrorism**

State terrorism can be understood as support terrorists in other countries by providing military, material and various other assistance (which contravenes with International Law). To an equal extent many rate here also idle browsing of terrorism on its own territory.<sup>26</sup> Thus, the rest of the world is endangering, and indeed in some cases it is appropriate to question the problems of war and coercion against such State (currently eg. Afghanistan, Iraq, Libya). It also includes terrorist behavior against their own citizens

## **Total war**

The concept of total war is a deployment and use of any means to completely destroy the enemy. Almost any military conflict can relatively easily overthrow into the all-out war in case of deployment of weapons of mass destruction, especially nuclear. The shift in tactics

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<sup>22</sup> compare: Kolektiv autorov, Encyklopedie špionáže, s. 325, Libri , 1993, Praha.

<sup>23</sup> compare: <http://www.valka.cz/newdesign/v400/show.asp?action=HTML&id=328>, 11. 2. 2003.

<sup>24</sup> compare GS, čl. 79.

<sup>25</sup> compare: <http://www.souvislosti.cz/497eli.html> 18. 2. 2003.

<sup>26</sup> compare: Kolektiv autorov, Encyklopedie špionáže, s. 304, Libri , 1993, Praha.

using weapons of mass destruction, severely limits such a development. Different strategies and concepts have been developed such as strategy called shield and sword - a concept predicted mass strike against most of the territory, and has developed into the concept of nuclear deterrence - any attack will result in the destruction of large parts of the territory of the enemy. The deployment of nuclear weapons. It was under this strategy only as a last resort. Another stage in the development of the concept of use of nuclear weapons was a project called MAD<sup>27</sup>. Each side has plenty of weapons to be able to strike back, so any attack as retaliation would mean the destruction of their territory. This concept actually created stalemate. In this situation, the response was development of SDI project (ie. The project Star Wars). The SDI project envisaged the construction of satellites capable of destroying nuclear missiles at startup or actual nuclear warheads before they impinge on enemy territory. Consequently, there should be a counter-attack with nuclear weapons, or massive conventional counterattacks.<sup>28</sup> All these concepts naturally assumed large casualties among civilians. Nuclear weapons have started to be developed by all advanced states. Many powers for lack of nuclear weapons fell between secondary and thus tried to eliminate this lack of progress, which was supposed to provide them technical and political superiority. Possession of nuclear weapons for the secondary powers became relatively inexpensive means to maintain an independent superpower influence. But just as it was found that it is necessary to have them better and more as an enemy, which also launched the arms race.<sup>29</sup> However, this seems paradoxical way of deterring potential adversaries from war.

### **Armed conflict and its eligibility**

It is essential that the international authorities use all peaceful means of defense against armed conflict resolution. It is the duty of all people to pursue the path of reconciliation, knowing that violence begets new violence. This effort should be a priority, despite the complexities of international relations and the evils of terrorist attacks, which should be clearly contradict.<sup>30</sup> To build a truly humane world for all people everywhere, is possible only if we all become confessors of true peace.<sup>31</sup> „War will not solve anything, it brings even more suffering and death, and not to the benefit or misrepresentation or retaliation. The tragedy is really great: no one can remain silent and inactive; no responsible politician or religious leader! Whatever the answer specific acts of solidarity that will help everyone to rediscover

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<sup>27</sup> MAD – short for Mutual Assured Destruction (mutually guaranteed destruction), but in English the word „mad“ means mad.

<sup>28</sup> [http://studena.valka.cz/strategie\\_zapadu.htm](http://studena.valka.cz/strategie_zapadu.htm) 11. 2. 2003.

<sup>29</sup> compare: R. E. Dupuy a T.N. Dupuy, *Historie vojenství* 2 díl, s. 499, Forma, 1997, Praha.

<sup>30</sup> Opinion of the Slovak Bishops' Conference for the upcoming war in Iraq, Bratislava 23.1.2003.

<sup>31</sup> compare: GS, čl. 77.

mutual respect and fair bargaining.<sup>32</sup> But because people are links in love, they may give the dangers of armed conflict to overcome.<sup>33</sup>

## Attack war

War of aggression is clearly prohibited. War is regarded as a last resort of conflicts and misunderstandings. Every citizen and every government is obliged to act to prevent war.<sup>34</sup> If we accept the armed conflict and to war, so only as a necessary evil, which can not be avoided by other means.<sup>35</sup> Attack of the country but should not be used as a possible method of coercion to another state.

## Terrorist attacks

Terrorism is directly condemned as „terrorism without distinction threatens, injures and kills - seriously contrary to justice and charity.“<sup>36</sup> Kidnapping, hostage-taking are making undue influence on victims and are therefore morally illicit, as well as torture (physical and moral).<sup>37</sup> These acts can never be justified, if it is the actions that lead to massacres and kidnapping innocent people just for their propaganda purposes, even worse when it leads to purposelessness - kill for the sake of killing.<sup>38</sup>

## Intimidation force

Intimidation force is a broad term. As moral coercion is obviously inadmissible. Period of the Cold War, many likened to the state of "no war" which is also reflected in the title. „Peace does not lie only in the fact that there is no war, nor is not limited to ensure a balance between hostile forces.“<sup>39</sup> This seems paradoxical way of deterring potential adversaries from war. Serious moral objections must be against this. Nuclear weapons not only does not ensure peace and do not remove the causes of war, but also increase the possibility of aggravating its consequences.<sup>40</sup> During the Cold War, the threat of a nuclear attack and counterattack has become a means to maintain peace. The question that arises here is whether „it's moral make

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<sup>32</sup> Ján Pavol II, Veľkonočné posolstvo 31. 3. 2002, in Katolícke noviny 15 – 14. 4. 2002, Spolok Svätého Vojtecha 1997, Trnava.

<sup>33</sup> compare: GS čl. 78.

<sup>34</sup> KKC, čl. 2308.

<sup>35</sup> compare: M. Dubost, Služobník pokoja, s. 6, Lúč, 1998, Bratislava.

<sup>36</sup> KKC, čl. 2297.

<sup>37</sup> compare: KKC, čl. 2297.

<sup>38</sup> compare: SRS, čl. 24.

<sup>39</sup> compare: KKC, čl. 2304.

<sup>40</sup> porov.: KKC, čl. 2315.

beds potential hostages, if it can also act otherwise.<sup>41</sup> Continual upgrading weaponry is increasingly widening the horrors of war. The possibility of using weapons of mass destruction forces us to judge any war even in this world, and therefore total war is condemned. The challenge for policy makers and responsible superiors of States is to have the eyes of responsibility of people.<sup>42</sup> The threat of use of nuclear weapons is a danger because the war may end without victory, mass suicide of humanity.<sup>43</sup> „Each war action, which indiscriminately directed to the destruction of whole cities or vast regions with their inhabitants is a crime against the very person which should be promptly and without hesitation condemned. Risk of modern warfare is that it holds modern technical weapons, especially nuclear, biological or chemical provides an opportunity to commit such crimes.<sup>44</sup> „US Catholic Bishops published a pastoral letter in which they condemn any use of nuclear weapons as immoral, regardless of the circumstances, as well as their planned or preventive use, which oppose intimidation by threat of use of nuclear weapons.<sup>45</sup> The French bishops 23. 10. 1983, in their opinion, differing from that of the US bishops issued a pastoral letter to the defense of nuclear safeguards in accordance with the post-war doctrine of the Catholic Church. Rejected pacifism and claimed that the argument for peace at any price would lead to a situation where the West had not its own defensive resources, and would increase the possibility of attack.<sup>46</sup> „The German bishops (18. 4. 1983) issued a pastoral letter on war and peace, which clearly endorsed nuclear defense as a necessary but unfortunate means to maintain peace.<sup>47</sup> The accumulation of weapons of mass destruction, and not only them, of course, is economically very difficult. It is siphoning off funds available for reconciliation poverty in the world, which is the cause of many conflicts.<sup>48</sup> The arms race is a dangerous threat to humanity, and intolerable insult to the poor.

## Defensive war

If you are talking about just war, it can be understood only under such a „defensive war against an unjust attacker ... because war brings such great evil that no good on the investment it can justify.<sup>49</sup> „As long as there is a danger of war, and competent international authority will not be available, disposing of adequate power, until a nation can not be denied the right

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<sup>41</sup> M. Dubost, *Služobník pokoja*, s. 73, Lúč, 1998, Bratislava.

<sup>42</sup> compare: GS, čl. 80.

<sup>43</sup> compare: CA, čl. 18.

<sup>44</sup> KKC, čl. 2314.

<sup>45</sup> compare: R. E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s. 1578, Forma, 1997, Praha.

<sup>46</sup> compare: R. E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s. 1514, Forma 1997, Praha.

<sup>47</sup> compare: R. E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s. 1515, Forma 1997, Praha.

<sup>48</sup> compare: PP, čl. 53.

<sup>49</sup> Mons. Doc. ThDr. F. Tondra, *morálna teológia II*, s. 116, Kňazský seminár biskupa Jána Vojtaššáka, 1996, Spišské podhradie.

to a fair defense, if all possibilities of peaceful procedure have exhausted.<sup>50</sup> The concept of the legitimate defense of the Catechism of the Catholic Church says as about the activities of double effect. „One of the effects is to preserve one's own life, the second is killing striker.“<sup>51</sup> It is rather the work of an individual, but this definition can be applied also to relations between states. Thus, in practice only defensive war can be justified – „if we do not raise it, and if it is necessary to defend the country, if it does not entail the punishment, revenge or retaliation. The only clear principle in which the Church in this matter has never hesitated to use is as follows: only defense war is "fair" war. Every nation has the right to defense.“<sup>52</sup> A person has a right to the homeland, and he shall not be unnecessarily deprived.<sup>53</sup> If a country is already in a state of war, "consistently it is necessary to take into account the conditions of legitimate defense by military force. Such a decision is subject to strict conditions of moral legitimacy.

### Civil resistance eligibility

„It is possible to refuse obedience to the authority of the Government, if a regulation issued by it „contrary to the requirements of the moral law, fundamental human rights, and teaching the gospel.“<sup>54</sup> „However, if the public authority exceeded its competence and oppressed people, they do not have to deny what common good objectively requires, but leave it to them to defend their rights and the rights of their fellow citizens ... while respecting the limits set by the natural law and the Gospel.“<sup>55</sup> However, it is necessary to use primarily peaceful means in terms of passive resistance, and then, when these peaceful means are exhausted, it is possible to go to active resistance.<sup>56</sup> Sustained testing paths of dialogue, negotiation, testimony of the truth by appealing to the conscience of the adversary and efforts to arouse in him the common sense of human dignity ultimately will transform society peacefully.<sup>57</sup> It needs to be any hope of success uprising, and was aimed at the common good.<sup>58</sup> The revolutionary uprising often causes many other injustices, causing new imbalances and causes new damage. It must therefore be aware that against the real (and great evil) can not fight evil for the price even more.<sup>59</sup> This is directly prohibited activity that does

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<sup>50</sup>GS, čl. 79.

<sup>51</sup> KKC, čl. 2263 (Tomáš Akvinský – Summa theologiae 2-2, q. 64, a. 7, c.: Ed Leon. 9, 74).

<sup>52</sup> M. Dubost, Služobník pokoja, s.36, Lúč, 1998, Bratislava.

<sup>53</sup> A. Günthör, Morálna teológia III/a, s.246, Slovenský ústav sv. Cyrila a Metoda v Ríme, 1996, Trnava.

<sup>54</sup> KKC, čl. 2242.

<sup>55</sup> GS, čl. 74.

<sup>56</sup> compare: A. Günthör, Morálna teológia III/a, s.297, Slovenský ústav sv. Cyrila a Metoda v Ríme, 1996, Trnava.

<sup>57</sup> compare: CA, čl. 23.

<sup>58</sup> compare: A. Günthör, Morálna teológia III/a, s.298, Slovenský ústav sv. Cyrila a Metoda v Ríme, 1996, Trnava.

<sup>59</sup> compare: PP, čl. 31.

not seek to remove unfair government directly, but through extortion of state authorities by kidnapping and killing innocent people. In this case, it is about terrorism.<sup>60</sup> In the case of occupation of the country during the war, the situation is different. Citizen of occupied countries may rebel against the government authority, which illegally occupied country. „They are allowed to defend their rights and the rights of their fellow citizens.“<sup>61</sup> There are many ways for civilians to express their will and protest. But during the armed conflict risk of reprisals is significantly higher, which are often unfair. The occupying power is not allowed in any case, to make efforts to maintain the principles of moral standards, or International Law. Sabotage is as a means of civic fight without weapons.

### **The protection of civilians during conflict**

There is agreement on the prohibition or restriction of use of certain conventional weapons which may be Excessively Injurious or to have Indiscriminate Effects.<sup>62</sup> This is a ban or restriction weapons, the effect can not be precisely controlled, or they can not specify target. The purpose of this contract is the protection of civilians from the effects of such weapons. The civilian population is generally against the effects of weapons of indiscriminate effect less protected. Civilians obviously do not need to kill for the success of the warring sides in the war.

### **Bombing civilians and embargo**

Many theorists before World War II assumed that the war will be guided only by air. Such a method of keeping the armed conflict is pressure on the civilian population, especially if bombing runs to undermine morale of the civilian population. The intense bombardment by military theorists should be sufficient to undermine morale of the enemy, or economic power. The enemy surrenders, or at least begin peace negotiations in grossly unfair situation. But the theory of victory from the air for strategists proved impossible.<sup>63</sup> Later this tactic was transposed and improved. However, it is possible to attack the town or village where there are hostile soldiers,<sup>64</sup> even if it may perish in the non-combatant.<sup>65</sup> It may not cause unnecessary destruction of civilian property, or other objects after retreat of enemy army, or after the

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<sup>60</sup> compare: A. Günthör, *Morálna teológia III/a*, s. 300, Slovenský ústav sv. Cyrila a Metoda v Ríme, 1996, Trnava.

<sup>61</sup> GS, čl. 74.

<sup>62</sup> compare: Kolektív autorov, *Haagske úmluvy v systéme mezinárodného humanitárneho práva I*, s. 230, správa sociálneho řízení, 1992.

<sup>63</sup> compare: R.E. Dupuy a T.N. Dupuy, *Historie vojenství 2 díl*, s. 1126, Forma 1997, Praha.

<sup>64</sup> compare: Kolektív autorov, *Haagske úmluvy v systéme mezinárodného humanitárneho práva II*, s. 62, správa sociálneho řízení, 1992.

<sup>65</sup> Mons. Doc. ThDr F. Tondra, *morálna teológia II*, s. 117, Kňazský seminár biskupa Jána Vojtaššáka, 1996, Spišské podhradie.

occupation. Protected are, in particular for humanitarian purposes, for religious and cultural heritage objects (hospitals, churches, museums and historical monuments). The buildings should be marked with the appropriate symbols according to international conventions.<sup>66</sup> It is unacceptable that the bombing was carried out only as a constraint on the civilian population to the contribution of the payment, or ransom. For the army of occupation there is an obligation to try to bring life after the fighting in occupied territory into a state of normal conditions. Therefore, neither the occupiers charge fees for upkeep of the army, nor force the inhabitants of the land work for the economy of occupiers.<sup>67</sup> When asked blockade and embargo was offered another moral issue. „It is morally to take civilians as hostages by imposing the blockade or embargo on the country? With the exception of some of the material items - in particular weapons - I am inclined to say no. Poor people suffer and, in general, greater support a dictator who has no problem to explain the evil in the country falls from outside.“<sup>68</sup>

## Attacks against civilians

Occupying sections of the armed forces of the enemy have power, which can easily be used against civilians .. This can happen even in disciplined army, especially if the population manifested clearly hostile attitudes. Clearly most attacked are civilians in cases of guerrilla war, for even envisaged supporting the guerrillas. Attacks against civilians may be in addition to intimidating or punitive objective and getting the booty. This is prohibited by the rule as morally unacceptable. Looting is also forbidden under international rules.

## Preventive war

Preventive war qualifies as an offensive action, and not as a defensive measure. That is why it is for justice and peace, can not fall into the category of just war. „Defending the interests of one country can not be regarded as equivalent to self-defense, and thus justify any attack. The fight against terrorism can not be waged at the expense of human rights.“<sup>69</sup> „Preventive war is not an appropriate means to eliminate the threat of weapons or to establish a genuine peace.“<sup>70</sup> There however remains some problems related to preventive war. This is a problem, whether it is to apply the principle of just war in some special cases. In particular,

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<sup>66</sup> Príručka na uplatňovanie noriem medzinárodného humanitného práva pre ozbrojené sily, s. 33, Generálny štáb ASR, správa výchovy a kultúry, 1997, Trenčín.

<sup>67</sup> compare: Kolektív autorov, Haagske úmluvy v systéme medzinárodného humanitárneho práva I, s. 56, správa sociálneho riadenia, 1992.

<sup>68</sup> compare: M. Dubost, Služobník pokoja, s. 81, Lúč, 1998, Bratislava.

<sup>69</sup> Vatikán proti preventívnej vojne, in Katolícke noviny č. 3 – 19. 2. 2002, Spolok Svätého Vojtecha 2002, Trnava.

<sup>70</sup> T. Kolková, Iracká dilema, in Katolícke noviny 42 – 3. 11. 2002, Spolok Svätého Vojtecha 2002, Trnava.

it is a problem of sending peacekeepers to resolve any conflict by force.<sup>71</sup> „States have a responsibility beyond its own territory and in particular in the field of human rights and freedoms. However, it is important to define the limits of interference that has not changed for mining.“<sup>72</sup> Such a policy of intervention that does not follow the defense and protection of human rights is against the doctrine of the Church. This is true even if the interference restricting the right of peoples to self-determination, undermines the autonomy of self-determination of nations and often works to the detriment of their territorial integrity. Small countries this way, instead of granting help are categorized into areas of influence or safety zones powers.<sup>73</sup> This approach is equivalent to political colonialism. We are often forced to seek other means to resolve conflicts than war, among other things with regard to the possession of weapons of mass destruction by small states and powers that could be used without embarrassment.<sup>74</sup>

## The pursuit of peace

The responsibility of each is to take care of peace in the world.<sup>75</sup> To build a truly humane world for all people everywhere is possible only if we all become confessors of true peace.<sup>76</sup> „Peace is not just a state without war, nor confined to equilibrate between the obnoxious forces, nor is the effect of despotic government, but in the true and proper sense work of justice (compare Iz, 32,17).“<sup>77</sup> Eliminate the causes that give rise to a conflict is complicated way, but probably the most effective. Therefore, let the least effort for peace in the world peace becomes one of the goals of mankind, even through his choice presented in the official Community.<sup>78</sup> After the victory in war, we must not condemn the striker for revenge, because it would be contrary to justice, but the culprits can be punished.<sup>79</sup>

According to the Hague Convention on the Laws and Customs of War can be said that the roots of Western civilization these contracts very clearly show. It is often mentioned (eg. In the Preamble of the customs and laws of ground war)<sup>80</sup> words humanity and humanism reliance on cultural awareness of civilization. These terms, however, no agreement explains, nor specifies it, despite the fact that they are not widely cited as the reason why mitigate the horrors of war.

<sup>71</sup> M. Dubost, *Služobník pokoja*, s.36, Lúč, 1998, Bratislava.

<sup>72</sup> M. Dubost, *Služobník pokoja*, s. 61, Lúč, 1998, Bratislava.

<sup>73</sup> compare: SRS, čl. 39.

<sup>74</sup> compare: CA, čl. 51.

<sup>75</sup> compare: KKC, čl. 2308.

<sup>76</sup> compare: GS, čl. 77.

<sup>77</sup> GS čl. 78.

<sup>78</sup> compare: GS, čl. 74.

<sup>79</sup> compare: Mons. Doc. ThDr. F. Tondra, *morálna teológia II*, s. 117, Kňazský seminár biskupa Jána Vojtaššáka, 1996, Spišské podhradie.

<sup>80</sup> compare: Kolektív autorov, *Haagske úmluvy v systéme mezinárodného humanitárneho práva II*, s. 15, správa sociálneho řízení, 1992.



## Disarmament

Obviously, own weapons doesn't mean use them, but it is a close risk of use. During the armed conflict moral law still remains valid.<sup>81</sup> This also applies to the choice of means, such as an enemy to be damaged. War parties have not unlimited rights in deciding which means enemy to be damaged by.<sup>82</sup>

## The need of Army

Many condemn armed forces as incompatible with the principles of life. The policy of deterrence is indeed linked mainly of weapons of mass destruction. Inevitably, however, it is associated with a determination to defend their homeland and territorial integrity by properly armed force.<sup>83</sup> Summary of the military profession is to defend fellow-citizens.<sup>84</sup> It is through their country a person connects with the world on many levels, and to be loyal to his country, of course, within the limits of its competence. When you need permission defense homeland has „the right to impose obligations to citizens necessary for national defense.“<sup>85</sup> The single army also requires a certain consistency, ethnic or religious, which is also reflected positively in the performance of the army. If the parties are fighting against each other, in which members belong to different religious groups, it is very easy to exploit this fact. Be the purposes of propaganda, as a pretext for a declaration or warfare, or at least as an incentive for their armed forces. At present, it is mainly the Islamic Jihad, interpreted as a holy war against infidels.) In this Church clearly emerges proclamation of the right to information, as well as instilling moral values to actual human conscience. That is why the Church is also becoming targets of attacks and discrediting campaigns of various militant dictatorships. It is difficult to deploy the army in their own country against its own population. Similarly, as the war is defeat of humanity and repression of civil unrest is treated as lost of democracy and government activities. To suppress any internal disturbances army can only be used in cases where there is a need for fair defense. The use of the army is expected to unjust attacker from within the country or state (revolution, big riot, attempted coup). It is a great risk of guerrilla or terrorist forms essentially civil conflict. On the other hand, however, it is possible to consider whether there is a dictatorship and unnecessarily oppression of their citizens by government. The military may be taken as a whole, and as citizens also stand against an unfair government under the above-mentioned principles.<sup>86</sup> On the other hand, there is the danger of

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<sup>81</sup> KKC, čl. 2312.

<sup>82</sup> compare: Kolektiv autorov, Haagske úmluvy v systéme mezinárodního humanitárního práva II, s. 17, správa sociálního řízení, 1992.

<sup>83</sup> M. Dubost, Služobník pokoja, s. 71, Lúč, 1998, Bratislava.

<sup>84</sup> compare: M. Dubost, Služobník pokoja, s. 41, Lúč, 1998, Bratislava.

<sup>85</sup> KKC, čl. 2310.

<sup>86</sup> KKC, čl. 2242 – 2243.

becoming a military coup (putsch), which usually raise dictatorship based on the strength of army weapons. Thus, the primary principle of the army existence is violated. It also opposes the principle of democracy, and therefore army must be under the control of the military and politicians in charge of State.

## Anti-militarism

In the early Church, there has been considerable antimilitaristic spirit.<sup>87</sup> The Church respects antimilitaristic stream. It points out, however, that it is necessary to recognize the obligation to legitimate defense, to which the state has the right to call its citizens.<sup>88</sup> Extreme pacifists are also against a defense war. „But that would mean to suffer still of greater injustice by aggressive States.“<sup>89</sup> Public authorities should fairly worry about the cases of those who for reasons of conscience refuse to use weapons. Also, they are obliged to serve the society in a different form.<sup>90</sup>

## Conclusion

Armed conflict clearly shows as significant problem of mankind. Suffering from armed conflict is often futile and useless. The efforts for a peaceful resolution of the dispute are indeed necessary. But it may not lead us to passivity and retreating abuser. We have seen that sometimes duty to defend is directly given, and not only himself, but also the common good of the state. War of aggression was clearly rejected, defensive war is considered only as a necessary evil. The problem remains with some confusion in the field of preventive war, which deal with the defense of man in another country. The mere preventive war is prohibited. It is permitted only as a counterattack. It assumed moral certainty that we will be that aggressor still in immediate time bashing. Many of the Armed Forces documents are subject to confidentiality or not intended for the general public. Various statements or efforts of politicians thus become the only fire-fighting. Prevention is neglected. Preventive solution options of form of armed conflicts, however, proves to be the best solution. Prevention should not be considered only settle tensions between countries at the diplomatic level. It is necessary to remove the very cause for which nations try to find a solution in aggression against other states, nations, or groups of people.

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<sup>87</sup> compare: M. Dubost, *Služobník pokoja*, s.106, Lúč, 1998, Bratislava.

<sup>88</sup> compare: M. Dubost, *Služobník pokoja*, s. 103, Lúč, 1998, Bratislava.

<sup>89</sup> Mons. Doc. ThDr F. Tondra, *morálna teológia II*,s. 116, Kňazský seminár biskupa Jána Vojtaššáka, 1996, Spišské Podhradie.

<sup>90</sup> KKC, čl. 2311.

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**Omówienie**

Obecnie pojawiające się lub trwające konflikty nie są już lokalnymi problemami, a nowoczesne zagrożenia nie mają tylko charakteru narodowego, ale stają się coraz bardziej globalnymi zagrożeniami, zagrażającymi globalnemu bezpieczeństwu. Najczęściej są to ekonomiczne, religijne i kulturowe problemy, które są z natury transnarodowe. W tym artykule omówiono kwestie współczesnych konfliktów zbrojnych i ich uzasadnienia na podstawie deklarowanych wartości. Te preferencje wartości oceniono w kontekście praw człowieka, wyłącznie w odniesieniu do kryteriów wojny. Autor zbadał kwestię tego, w jakim stopniu etyczny punkt widzenia jest przyjmowany w usprawiedliwianiu i ocenie konfliktów. Zostało pokazane, że główną przyczyną jest konfrontacja wartości poszczególnych osób, jak również kwestie historycznowartościowe, kulturowowartościowe i religijnowartościowe. W związku z tym możliwe jest rozwiązywanie konfliktów na poziomie wartości i w poszanowaniu wartości.