

Peacekeepers' Autonomy and Military Authority

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This article considers the problem of conciliation of military authority and peacekeepers' autonomy. At first glance there is a tension between authority and autonomy in many areas of human life like religion, political life, national soldiering and even peacekeeping missions. The core of this tension is the practical contradiction between authority, which implies reason for controlling the behaviour of others, and the autonomy of the others, which involves reason for self-governing. This article proposes a distinction in peacekeepers' autonomy between professional and moral autonomy, and suggests a way of explaining away the tension. The essential part of the solution is the claim that peacekeepers' professional autonomy involves 'building the moral community' between the formerly hostile sides of a conflict within the confines of international military hierarchy. From this claim I draw the conclusions that the concept of military authority is part of the concept of peacekeepers' professional autonomy, and that due to the content of peacekeepers' professional autonomy, peacekeepers' special moral autonomy is extended as compared to civilian moral autonomy.

Keywords: *ethics of peacekeeping, moral autonomy, military authority*

The conundrum

Soldiers have, or are supposed to have, important moral or morally relevant character traits. Traditionally, such traits include courage, honour, loyalty, discipline, etc.² Many of these are commonly referred to as 'warrior' or 'martial' traits.³ By today, wars and military operations have changed a great deal and soldiers face new challenges. One of these challenges comes from soldiers taking part in peacekeeping operations.⁴ Soldiers involved in these operations are expected to have a range of new moral, or morally relevant, abilities;

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² Cf. Peter Olsthoorn, *Military Ethics and Virtues* (London and New York: Routledge, 2011).

³ David H Levine, *The Morality of Peacekeeping* (Edinburgh: Edinburgh University Press, 2014), 57.

⁴ In this paper I take peacekeepers as they are soldiers in national armies, too; however, peacekeepers can also come from private forces. See Christopher Spearin, 'Between Public Peacekeepers and Private Forces: Can there be a Third Way?' *International Peacekeeping* 12, no 2 (2005), 240–252; Alex J Bellamy and Paul D Williams, *Understanding Peacekeeping* (Cambridge: Polity Press, 2010), Chapter 4.

for example a special kind of moral fitness;⁵ virtues like attentiveness, restraint, creativity⁶ and moral autonomy.⁷

In a seminal paper, Paolo Tripodi claimed that soldiers taking part in peacekeeping operations needed special training to develop a special character trait, the one we call moral autonomy. Tripodi says 'a major component of a peacekeeper's identity and mindset should be a strong moral autonomy. Peacekeepers should be prepared to choose a course of action that is in line and coherent with the peacekeeper's role'.⁸ And he continues: 'I contend that it is necessary to create a peacekeeper's ethical code. This code should reflect the importance of human life as its central value so that each action taken by a peacekeeper reflects this value. To foster this code, it is necessary to move past law enforcement training and into the area of ethical decision-making.'⁹ To foster the ethical code, Tripodi also purports the importance of human rights education.

Tripodi believes that moral autonomy is vital for soldiers because he thinks it is essential that soldiers take the decisions that are morally right in unanticipated situations. He argues that one of the multiple factors which led to the massacre of civilians in Rwanda in 1994 and Srebrenica in 1995 was the training characteristics of peacekeepers, and that for two reasons. For one, soldiers involved in these human rights abuses had been taught mainly how not to violate human rights rather than how to protect them in an active fashion. For the other, the military training they had received resulted in a kind of 'robot psychology'¹⁰ and impaired their moral autonomy. If Tripodi is right, then in fact some human rights catastrophes could be prevented by claiming moral autonomy for soldiers and training them to make morally relevant decisions.

Thinking further along those lines, some additional suggestions can be proposed to complement Tripodi's own. The problem he identifies lies in the tension between peacekeepers' autonomy and military authority, which is an example for the antagonism between autonomy and authority in general. A tension between autonomy and authority exists because to have autonomy means to have reason to be independent and to govern oneself, while to have authority means to have reason to restrict the independence of others and to rule others. Consequently, if someone has authority over another, then, this latter can hardly be said to be an autonomous person, because somebody else makes decisions for them.

The same problem has been uncovered and examined in many areas of life, in areas other than peacekeeping operations. About religion, for example, James Rachels argued that 'even while admitting the existence of such an awesome being [the all-powerful, all-wise, etc. God] we might still question whether we should recognise him as having an unlimited claim on our obedience. ... In fact, there is a long tradition in moral philosophy, from Plato to Kant, according to which such a recognition could never be made by a moral agent. According to this tradition, to be a moral agent is to be an autonomous or self-directed

⁵ R Richardson, D Verweij and D Winslow, 'Moral Fitness for Peace Operations', *Journal of Political and Military Sociology* 32, no 1 (2004), 99–113.

⁶ Levine, *The Morality of Peacekeeping*, 59–66.

⁷ Paolo Tripodi, 'Peacekeepers, Moral Autonomy and the Use of Force', *Journal of Military Ethics* 5, no 3 (2006), 214–232.

⁸ Tripodi, 'Peacekeepers, Moral Autonomy and the Use of Force', 219.

⁹ *Ibid.* 220.

¹⁰ *Ibid.* 219.

agent'.¹¹ The same problem arises – in a somewhat different form though – in politics and law. Robert Paul Wolff argued that:

Authority is the right to command, and correlatively, the right to be obeyed. ... Every man who possesses both free will and reason has an obligation to take responsibility for his actions. Since the responsible man arrives at moral decisions which he expresses to himself in the form of imperatives, we may say that he gives laws to himself, or is self-legislating. In short, he is autonomous. ... The defining mark of the state is authority, the right to rule. The primary obligation of man is autonomy, the refusal to be ruled. It would seem, then, that there can be no resolution of the conflict between the autonomy of the individual and the putative authority of the state. Insofar as a man fulfills his obligation to make himself the author of his decisions, he will resist the state's claim to have authority over him. That is to say, he will deny that he has a duty to obey the laws of the state simply because they are the laws.¹²

The question this paper is focussing on is whether peacekeepers' autonomy and military authority rule each other out and are mutually exclusive. In what follows, I am going to attempt to show how they can coexist. To support that, I intend to first present the relationship between these apparently opposing terms; then, I will argue that peacekeepers have a special kind of professional autonomy, a special competence which differs from soldiers' professional autonomy but which accommodates military authority; and finally I will conclude that the professional autonomy of peacekeepers has special implication for moral autonomy of them.

Military authority and autonomy

About military authority and autonomy in general

I claimed elsewhere¹³ that military authority in essence describes the relation between military officers, for example soldiers, or peacekeepers; it refers to the moral power to command and control others, and the discipline to obey the commands. Military authority presupposes a hierarchy between officers. In hierarchy, there is a superior, the commander, who commands their subordinates. A commander with military authority gives commands to subordinates, which makes it possible for subordinates to discharge their duty.

Soldiers' and peacekeepers' autonomy is some sort of competence to act, and consists in at least two distinct types of autonomy: professional autonomy on the one hand, and moral autonomy on the other. Professional autonomy is a special competence to do things; things required by a profession interpreted as a social role; and so it is not accessible for every human being.¹⁴ Members of a profession have such autonomy because they are empowered

¹¹ James Rachels, 'God and Human Attitudes', *Religious Studies* 7, no 4 (1971), 325-337. 334.

¹² Robert Paul Wolff, *In Defense of Anarchism* (Berkeley and Los Angeles, CA: University of California Press, 1988), 4, 14, 18.

¹³ Boda Mihály, 'Soldiers' Autonomy and Military Authority', in *Military Ethics and Leadership*, ed. by Peter Olsthoorn (Leiden: Brill Nijhoff, 2017), 150-167.

¹⁴ Ernest Greenwood, 'Attributes of a Profession', *Social Work* 2, no 2 (1946), 46.

by legislation or some other rule. Soldiers' and peacekeepers' professional competences are similar to competences of other professionals, like for instance judges or priests. A judge can make deliberations regarding a case at court and a priest can say mass thanks to their respective special empowerments.

In contrast to professional autonomy, moral autonomy does not derive from the law or other rules but from one's human mental ability, that is, from human reason and will. With the help of reason and will, people can reflect on their own acts as well as on their mental capacities, including reason and will,¹⁵ and so they are able to make decisions which promote the very aim of human reason and will. That aim is to promote the interests of every being that has reason and will.¹⁶ Hence, moral autonomy has two moral effects on its bearer: that is, it makes them morally valuable and morally sensitive. To have moral value means having interests shared by all beings equipped with moral autonomy; to have moral sensitivity means to respect beings that have moral value. Beings that have moral value and moral sensitivity are (according to our recent knowledge) human beings.

Military authority and soldiers' autonomy

A fundamental question regarding the problem of military autonomy is whether military authority rules out soldiers' autonomy as such. People and their autonomy are influenced by military authority if and when they become soldiers. Therefore, I proposed previously to examine soldiers' professional autonomy and the changes in people's human rights after they have entered the military.¹⁷

At the heart of soldiers' professional autonomy lies their special power to act ('to kill') in a certain way: to apply and manage violence in order to defend state and society.¹⁸ In general, they do that as members of national or allied/ supranational military units, commanded by their superiors, so by embedded in relationships of military authority. That means that soldiers' essential professional autonomy and professional competence could be defined as the applying and managing of violence within the confines of (national or international) military hierarchy, and we could conclude that this autonomy requires military authority. Hence, military authority does not seem to rule out soldiers' autonomy completely: their professional autonomy remains.

As concerning the moral autonomy of soldiers, it is first necessary to understand the implications of the basic moral autonomy of non-soldiers, civilians. A person, before becoming a soldier, has moral value shared by all other human beings equipped with moral autonomy and have moral sensitivity to respect beings that have moral value. They are respected by others and respects others due to the common interests. Respecting the common interests and moral values implies to observe the rules and discharge the obligations that are meant to protect that interest. Those values are called human rights and the underlying

¹⁵ Cf. Immanuel Kant, *Groundwork of the Metaphysics of Moral* (Cambridge: Cambridge University Press, 1998), 24.

¹⁶ Cf. *Ibid.* 38.

¹⁷ Boda, 'Soldiers' Autonomy and Military Authority'.

¹⁸ Samuel P Huntington, *The Soldier and the State* (Cambridge, MA and London, England: The Belknap Press of Harvard University Press, 1988), 11.

obligations are moral obligations. A fundamental human right is the right to live and to not being killed; and, likewise, a fundamental moral obligation is 'to let live and not to kill anyone!'. These fundamental rights and obligations belong to every human being before they are enlisted in the army.

By becoming a soldier, a person acquires a new freedom: that is, the freedom to kill enemy soldiers;¹⁹ at the same time, they renounce their own right to not being killed by enemy soldiers.²⁰ But that is only conditional and temporary, because killing is something morally permissible only on the condition that a war has been unleashed; and because soldiers do not have to stay soldiers forever. In peacetime, soldiers have the same human rights as civilians, and it is in their power to renounce that newly-acquired freedom to kill just as they can re-acquire the unconditional right to not being killed.

In the process of becoming soldiers, soldiers acquire a new and limited form of moral autonomy. Soldiers' moral autonomy is the result of their renouncing a human right and acquiring a freedom in exchange. The limitation of their moral autonomy is precisely the result of the acquisition of a new freedom and the renunciation of a fundamental human right. Because of their special freedom, they cannot completely respect other human beings (for they sometimes must kill enemy soldiers), and because of their special renounced right, they do not have complete moral value (for sometimes, they are permitted to be killed). But at the same time, soldiers hold on to all their other human rights, for example, the one to not being killed at peacetime and by any other than the enemy; and they continue to lack other freedoms, for example, to kill civilians on the enemy's side. So, even though limited, soldiers' moral autonomy is not ruled out by military authority.

Peacekeepers' autonomy and military authority

Apparently, not only is the relationship between military authority and soldiers' autonomy problematic, but also that between military authority and peacekeepers' autonomy. In what follows, I will examine the professional autonomy side and the moral autonomy side of this problem.

Conceptual elements of peacekeepers' professional autonomy: defending civilians, building moral community and international military hierarchy

I have claimed that soldiers' professional autonomy is not ruled out by military authority because soldiers discharge their professional duty with the help of military authority. Peacekeepers' military authority is similar to soldiers' and it can go hand in hand with professional autonomy for the same reason as the former: because military authority is a conceptual part of peacekeepers' professional autonomy. However, peacekeepers' professional autonomy is different from that of soldiers.

¹⁹ Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, 2006), 36.

²⁰ *Ibid.* 136.

Alex Bellamy and Paul D Williams understand peacekeepers' professional autonomy in a very broad sense. According to them, irrespectively of whether or not we talk about an intervention based on consent, or an intervention in a conflict between two states or in a conflict within one and the same state, every peace operation pertains to peacekeepers' competence.²¹ The authors distinguish seven types of peace operations, which differ from one another in their intended ends. From that derive seven types of duties for peacekeepers. The seven different kinds of peace operations are:

- Preventive deployment: operation 'in order to prevent violent conflict from emerging or a specific threat to a civilian population from materialising'
- Traditional peacekeeping: support for 'peacemaking between states' in case of a ceasefire agreement
- Wider peacekeeping: support for peacemaking between states 'in the context of ongoing conflict'
- Peace enforcement: imposing of 'the will of the UN Security Council', without the consent of the host state
- Assisting transitions: multidimensional operation taking place 'after both ceasefire and a political settlement'
- Transitional administrations: multidimensional operation taking place after ceasefire and coming along with some 'sovereign authority over a particular territory', and
- Peace support operations: establishing of 'liberal democratic political systems and societies within states'²²

My own understanding of peacekeepers' professional autonomy is somewhat narrower than that. I accept only five of the different types of peace operations out of the seven listed by the above authors; the remaining two I propose to be considered as 'peace enforcement' operations. In peacekeeping operations, only peacekeepers take part in the mission to keep the peace. In peace enforcement operations, national and/or international (allied) soldiers are involved with the aim of enforcing peace.²³

Peacekeepers are soldiers of a nation but they do not have the same special competence or the same rights and obligations as soldiers of national armed forces normally have. The similarity lies in the fact that peacekeepers rely on commands from their superiors and are part of a military hierarchy. The peacekeepers' job, however, is different. Soldiers are empowered to apply and manage violence in a way peacekeepers are not, and – as opposed to peacekeepers – they receive commands within the context of a national military hierarchy.

Peacekeepers also have features in common with international/allied soldiers. International soldiers take part in some international alliance missions, like NATO missions or peace enforcement operations, which are commanded in the context of an international hierarchy. An important similarity between international soldiers and peacekeepers is, therefore, that they do receive commands not within the confines of a national hierarchy.²⁴ An important difference is that international soldiers are essentially soldiers anyway, who are empowered to apply and manage violence in a way peacekeepers are not.

²¹ Bellamy and Williams, *Understanding Peacekeeping*, 4–5.

²² *Ibid.* 7–9.

²³ Levine, *The Morality of Peacekeeping*, 6.

²⁴ *Ibid.* 9–10.

In trying to put our fingers on what peacekeepers' professional autonomy actually is, we must find out about what exactly professional peacekeepers are expected to do. Peacekeepers' professional autonomy is a complex competency: for sure, it includes as conceptual elements of the defence for civilians, the building of moral community and of the international military hierarchy.

Defending civilians

Peacekeepers like soldiers are supposed to apply and manage violence but differently. Soldiers apply and manage violence strategically while by nature, peacekeepers' task is tactical.²⁵ When soldiers apply and manage violence strategically, they use force to defeat the enemy. In contrast to that, peacekeepers are not allowed to use violence in general, except when defending civilians or themselves. While this distinction may not be so manifest in all cases, it is indeed very important. In 1993, in Mogadishu, the capital of Somalia, a peacekeeping mission turned into a combat operation. Ever since then, the term 'crossing the Mogadishu line' has had a very clear and distinct meaning.

The tactical application and management of violence may be understood as a sort of policing.²⁶ Tony Pfaff says peacekeepers are allowed to use lethal violence in a restricted way, exactly like police officers. Both use violence in peacetime, against citizens who violate the rights of other citizens; and the reason for that is that the violation of a person's rights is a disruption of the peace. In such a situation the use of violence would be another disruption of the peace; therefore, peacekeepers and police officers are only allowed to use 'the least force possible'. In contrast to policing, soldiers' activities are not to defend individuals' rights but to secure those of a state.²⁷ And the situation where they are allowed to use 'the most force permissible' is war.

Given that peacekeepers are not allowed to resort to violence except when defending others or themselves, they have no enemy.²⁸ To have an enemy is 'to be in relation of enmity' with someone, which provides one with a reason to strategically apply and manage violence against them. Enmity may occur, for example, between different sides within a population where peacekeepers are needed; but not between one or more sides of the population on the one hand and peacekeepers on the other.

But what kind of relation exists between peacekeepers and the different sides of the former conflict? In light of the above, that relation is identical to the relation between police officers and criminals. Peacekeepers are expected to deal with war criminals from the local communities. Peacekeepers seek out war criminals with the intention to arrest them just as police officers seek out ordinary criminals. Although, a different, and – from the moral perspective – more interesting relation also exists between peacekeepers and the local population, which can be explored by looking at the other side of peacekeepers' professional autonomy.

²⁵ Ibid. 7.

²⁶ Tony Pfaff, *Peacekeeping and the Just War Tradition* (Carlisle, PA: Strategic Studies Institute, U.S. Army War College, 2000), 13–20.

²⁷ Walzer, *Just and Unjust Wars*, 51–63.

²⁸ Levine, *The Morality of Peacekeeping*, 21–33.

Building of moral community

Peacekeepers' task of tactically applying and managing violence is only part of their duty. Peacekeepers' other task has to do with the claim that 'peacekeepers have no enemy'. Peacekeepers enter a territory in order to promote peace there – negative or positive peace.²⁹ 'Promoting negative peace' means an attempt to maintain social conditions among which the formerly hostile sides can live side by side by impeding the use of direct physical violence. Negative peace implies the absence of direct physical violence; it is peaceful on the level of actions but not on the level of intentions. And intentional violence is strongly connected with structural and cultural violence. Structural violence is without an actor *per se* who would commit the violent act,³⁰ and cultural violence is an aspect of a culture which can be used to justify or legitimate structural or other sorts of violence.³¹ Examples for structural violence include social structures like multicomunication systems or vehicles of distribution, and the examples for cultural violence are stars, crosses, flags, anthems, military parades or the portrait of leaders. Negative peace, as it allows intentional violence to survive, is a very fragile setting for a society and it can be maintained by the defensive use of force and materialises through the aforementioned activities of peacekeepers.

By promoting positive peace, peacekeepers can create a world where the formerly hostile sides can live in moral harmony. A precondition for positive peace is not only the absence of direct physical violence but also the presence of the more or less harmonious intentions. To create such conditions the mindset of people must be changed; that is, peacekeepers must change how the local people think about other groups and improve their understanding of others through learning;³² or, more widely speaking, by building a special community from the formerly hostile sides of a population. According to David H Levine, peacekeepers' most important task is to build a moral community in the territory where they are promoting the peace.³³

Building a simple community involves giving reasons to prospective members to believe in the community and act in a special way. The people will begin to share those reasons. Such groups of people will become sensitive to and accountable for those shared reasons and hence they are willing to collaborate with each other for the shared reasons, and respect each other because they collaborate.

Building a moral community presupposes that we supply moral reasons to a group of people in order for them to accept all people in the world, and especially all members of the former enemy, and think about them like one of 'us', a fellow human being. The moral community provides for collaboration, so the members may actively contribute to each other's projects. But they can collaborate with each other passively, that is, by not making any contribution to each other's objectives but not hindering the others either, or active, when they help each other to achieve their goals. Although in both cases, each member of the community is very important and earns more respect as an autonomous person, active collaboration is morally deeper than the passive one. This is so because the passive

²⁹ Johan Galtung, 'An Editorial', *Journal of Peace Research* 1, no 1 (1964), 2.

³⁰ Johan Galtung, 'Violence, Peace, and Peace Research', *Journal of Peace Research* 6, no 3 (1969), 170.

³¹ Johan Galtung, 'Cultural Violence', *Journal of Peace Research* 27, no 3 (1990), 291.

³² Galtung, 'An Editorial', 3.

³³ Cf. Levine, *The Morality of Peacekeeping*, 43–56.

relationship is morally more superficial than the active and helping collaboration, which establishes more autonomy for the other members of the group.³⁴

The task of building a moral community results in a special relationship between peacekeepers and the locals in that peacekeepers attempt to integrate local people into the moral community which they are meant to build. Let us take a closer look at the process of integration to find out more about that relationship.

To become a member of the moral community, the would-be members need to acquire theoretical knowledge about human rights and the implications thereof. They, of course, can attend human rights courses, but that alone ensures compliance with abstract norms only. For that reason a second, more practical, phase becomes necessary. At that stage, they must learn how to act in collaboration with others in accordance with the relevant standards. There are at least three different ways of getting there. Levine suggests that people learn through 'habituation to compliance' or the 'creation of enforcement/punishment/accountability practices'.³⁵ Habituation, however, is a process that relies only on unconscious repetition; and creation in this context means the fostering of an institutional threat for those who are not sensitive to moral reasons; these involve deterrence and punishment to enforce moral reasons. While one or more of these suggestions (including acquiring theoretical knowledge as well) are clearly useful, these methods seem to be missing one essential point. According to the 18–19th century German philosopher, Johann Gottlieb Fichte, in order for one to learn the moral duties or become a member of moral community, they need to realise the practical importance of human rights themselves, that is, autonomously; not only through theoretical knowledge, habituation or coercion. This is the implication of the final purpose of teaching practical morality, which is 'to protect and to promote the formal freedom' – the moral autonomy – 'of our fellow human beings'.³⁶

So there is yet another, alternative third way of teaching practical morality to people: notably, by setting an example by doing what is morally right. Setting an example is important as it teaches good morals and involves teaching respect, which cannot be compelled nor created artificially. Respect towards others is not abstract, and it cannot be taught by habituation or using punishment. However, it can be inspired in others, that is, if someone sets a good example, it naturally can generate respect.³⁷

Before acquiring both the theory and the practice of human rights, no one can be a member of a moral community, and so the depository of human rights in the sense that they cannot make moral claims. The aim of the teaching and learning process is precisely that, that is, to elevate people to personhood and so create the possibility for them to make moral claims. Once that creation is completed, a moral community has been built.

³⁴ Cf. Christine Korsgaard, 'Creating the Kingdom of Ends: Reciprocity and Responsibility in Personal Relations' in *Creating the Kingdom of End* (Cambridge: Cambridge University Press, 2000), 192–193.

³⁵ Levine, *The Morality of Peacekeeping*, 54.

³⁶ Johann Gottlieb Fichte, *System of Ethics* (Cambridge: Cambridge University Press, 2005), 299–301.

³⁷ Cf. *Ibid.* 298–299, 301–302.

International military hierarchy

Finally, peacekeepers' professional autonomy has to do with the military authority relation through which they discharge their duties. This is because peacekeepers are themselves partly soldiers, and therefore to discharge their duties they must be part of military authority. They could do their job alone, but then they would not be professionally autonomous peacekeepers but, for example, volunteers. That means that peacekeepers keep the peace with the help of a hierarchy which is similar to soldiers' military hierarchy in nature.

The hierarchy of peacekeepers, however, differs in at least one aspect from the hierarchy of soldiers. Soldiers of a national army are commanded by the officers of that army and by the leaders of the nation. In contrast to that, peacekeepers are commanded, at least at high level, by the officers of the international military contingent they belong to, and by the decision-makers of the international community. Peacekeeping operations are generally understood to be carried out by UN member states and to be organised and authorised by the Security Council of the United Nations and the Military Staff Committee, which consists of the Chiefs of Staff of the permanent members of the Security Council.³⁸ The Security Council deploys peacekeeping forces on behest of the Military Staff Committee. It is the Military Staff Committee which then devises the strategy of peacekeeping operations.

All in all, a special form of military hierarchy is a conceptual part of peacekeepers' professional autonomy. One consequence of this is that, similarly to soldiers' professional autonomy and military authority, one sort of peacekeepers' autonomy (that is, their professional autonomy) can be accommodated with military authority as professional autonomy includes it as its conceptual part.

Peacekeepers' moral autonomy and military authority: Extended moral autonomy

I claimed that soldiers have limited moral autonomy; the kind of autonomy which is not ruled out by military authority since soldiers – temporarily and conditionally – renounced the human right of 'not to be killed' and acquired the power to kill enemy soldiers, but they shall continue to have all other human rights and lack all other freedoms. This is true for both sides of a war due to the enmity relation of the belligerents.

Similarly to soldiers, peacekeepers temporarily and conditionally renounce the human right of 'not to be killed' and acquire the power to kill enemy soldiers, but because they are peacekeepers and do not have enemies this potential does not materialise. Their moral autonomy cannot therefore be limited in the sense soldiers' moral autonomy can. What characterizes peacekeepers' moral autonomy? Is it akin to people's moral autonomy, that is, the same as the most fundamental, unlimited moral autonomy? Is it ruled out by or can it subsist alongside military authority?

As mentioned earlier, a person's moral autonomy has two moral effects on its bearer. On the one hand, moral autonomy makes its bearer morally valuable; on the other, it has its own inherent aim which makes morally autonomous persons morally sensitive to beings

³⁸ Charter of the United Nations, Chapter VII, Articles 43–48.

with a moral value, that is, to other people. This moral sensitivity means being depository of human rights and partly consists in having 'fundamental answerability' to every other trustee of human rights interests.³⁹ Acting only because one is fundamentally answerable to others is a behaviour by which people pay respect to the independence of others, and for this reason implies not to interfere with the actions of others. This form of responsibility is required from every member of the moral community.

Beyond fundamental answerability, moral sensitivity can involve, and in case of peacekeepers, should involve another form of responsibility, the (active) helping collaboration with others, that is, caring behaviour. In virtue of their exemplary behaviour, peacekeepers are expected to care for others in order to be able to build a moral community as required of them.

According to Levine, caring means listening to the desires and needs of others and acting in their interest without being specifically requested to do so, in an entirely active fashion.⁴⁰ Although this sort of caring behaviour is fundamental: it can be found among members of a family, for example, it seems to be too demanding in the context of the relationship between peacekeepers and the locals. Caring behaviour should mainly consist in doing what's morally right and setting a morally good example for the locals by it.

Fundamental answerability and caring in the sense of setting a good example are two forms of moral responsibility which make the difference between peacekeepers' moral autonomy and people's moral autonomy. The difference lies in that while peacekeepers' behaviour has a more or less active moral impact on others, people's behaviour in general has a rather passive impact (even though both may have an impact on others). This difference can be stressed further.

It can be claimed that taking care for others by setting a good example in order to build a moral community is a duty for peacekeepers while it is merely supererogatory for people in general. According to Gregory Mellema, '[t]he concept of supererogation is standardly defined in the literature in a way roughly similar to the following: The performance of an act qualifies supererogatory if and only if: (1) The agent has no moral duty or obligation to perform it; (2) The performance of the act is morally praiseworthy; and (3) The omission of the act is not morally blameworthy'.⁴¹ On the basis of the definition, we can say that every person – peacekeeper or otherwise – is admitted to have the duty to 'respect the human rights of others to not being killed'. Peacekeepers, however, because of their professional autonomy, have at least another duty, that is, that of 'building a moral community'. The man of the street does not have that second duty, and if they perform an act which helps advance the building of a moral community that is viewed as supererogatory. Such an act deserves credit if carried out, while it is not reproachable if omitted.

This distinction is plausible in general, and also regarding peacekeepers' professional and moral autonomy. According to Fichte, someone setting a good example in moral matters is not a behaviour they would not pursue at other times; it is a person's normal behaviour and basic moral attitude that counts. Hence, if we accept that people must observe the

³⁹ Stephen Darwall, 'The Moral Obligation: Form and Substance' *Proceedings of the Aristotelian Society* 110, April (2010), 31–33.

⁴⁰ Cf. Levine, *The Morality of Peacekeeping*, 59–66.

⁴¹ Gregory Mellema, *Beyond the Call of Duty: Supererogation, Obligation, and Offense* (New York: State University of New York Press, 1991), 17.

rules of moral autonomy – which Fichte thinks they must – then every person (not just peacekeepers) can be expected to set a good example for others.⁴² Fichte, however, later adds that ordinary people, through a 'social contract', confer the duty to 'fashion everyone morally'⁴³ to a special social institution, that is, to the moral teachers; which, for Fichte, is the Church. Supposing this social institution did not exist, everybody would have the duty to 'fashion everyone morally'. But as the social institution of moral teachers actually exists, in one way or another, such moral teachers have to do (or at least try to do) what's morally right in all cases, and by this, they must set a good example for others.⁴⁴

From this perspective, peacekeeping is an international social institution. 'Building a moral community abroad' would, of course, be everyone's duty if it was not for the international institution. However, people confer – through an international social contract – their duty to 'build a moral community abroad' directly on an international social institution and – indirectly – on the members of that institution, that is, peacekeepers. So as long as peacekeepers are not only soldiers but peacekeepers as well, it is their professional and moral duty to build a moral community abroad. This also means that peacekeepers must shoulder an additional duty, which they receive in two steps. That duty is first conferred by people on an international institution, which in turn confers it on peacekeepers as part of their professional duty.

This gives peacekeepers a moral duty ordinary people do not have; therefore peacekeepers' moral autonomy is extended in relation to that of ordinary people (similarly to the moral autonomy of moral teachers being extended in relation to that of ordinary people). In other words, the extended moral autonomy of peacekeepers derives from the fact that they have more duty than ordinary people, and this is possible because ordinary people confer their duty to 'build a moral community abroad' on an international social institution and the members thereof.

So is peacekeepers' moral autonomy excluded by military authority after all? I have said that building a moral community is a part of peacekeepers' professional autonomy and, moreover, for this reason, peacekeepers enjoy specially extended moral autonomy. These are, however, supported by the hierarchy of peacekeepers, which is a form of military authority. So we can conclude that peacekeepers' moral autonomy is not at all ruled out by military authority. On the contrary, as military authority is part of peacekeepers' professional autonomy and it enables peacekeepers to have an extended moral autonomy, military authority actually supports the moral autonomy of peacekeepers.

Conclusion

Paolo Tripodi reminds us how the moral autonomy of peacekeepers is essential in forestalling human rights catastrophes such as the genocides that took place in Rwanda and Srebrenica. In this paper, I looked into the professional and moral autonomy of peacekeepers in relation to military authority to answer the question whether peacekeepers' autonomy – professional

⁴² Fichte, *System of Ethics*, 298–299, 301–302.

⁴³ *Ibid.* 329.

⁴⁴ *Ibid.* 329–330.

and moral – is ruled out by military authority to better understand peacekeepers' behaviour, that is, their options and choices in difficult situations. The professional autonomy of peacekeepers is threefold: it pertains to defending civilians against violence (keeping negative peace); building the moral community (keeping positive peace); and their role in an international military hierarchy. Their role as builders of the moral community calls for and informs their moral autonomy, which they rely on in relation to people. The conclusion follows that neither their professional nor their moral autonomy is ruled out by the effect of military authority: their moral autonomy is in fact supported by it.

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