The Sinister Seductions of "Humane War"

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Humane: How the United States Abandoned Peace and Reinvented War, by Samuel Moyn, Farrar, Straus and Giroux.

ON 11 September 1950, Harry Truman greenlighted the crossing of Korea's 38th parallel. This followed the president's comparison of the North's southward invasion with Hitler's aggressions in the thirties. Vowing not to repeat notorious appeasements of the past, Truman channeled the spirit of a recent National Security Council policy paper (NSC-68) secretly calling for global anti-Communist rollback. And no man was better equipped to prosecute that policy than Douglas MacArthur.

Truman ordered the general to lead his UN troops not in "retaliation" but "liberation," just as he urged MacArthur's men to follow the international law governing the conduct of war. But the war had its own ideas. In three years, four million people would be dead, two million of them civilians. Curtis LeMay, head of the Strategic Air Command at the time, would later maintain that the US bombing campaign "burned down every town in North Korea," estimating a loss of a fifth of the North's population. Subsequent research has corroborated this figure, and there is now little doubt no other conflict in the twentieth century claimed a higher percentage of civilian life. Not Vietnam. Not World War II.

The Americans massacred hundreds of fleeing refugees at No Gun Ri in July 1950, most of them children and women. They dropped more incendiary tons than they had in Japan during the previous conflagration, including more napalm. While there is some sense about how many were killed by the explosives, there is less clarity about how

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many, in the wrecked aftermath, suffered frigid homelessness, famine, or death. Numbers, regardless, can tell only so much.

Truman had presided over the military's formal integration in 1948, and the nation's racist immigration system was just beginning to face reforms. Perhaps in retrospect it is this hopeful state of affairs, combined with the chilling statistics surrounding Korea, that makes the crossroads so grotesque. MacArthur described his father's uniformed role after the Civil War as being "engaged in the onerous task of pushing Indians into the arid recesses of the Southwest and of bringing the white man's brand of law and order to the Western frontier." Arthur MacArthur would expand upon this legacy as military governor-general of the Philippines in 1900, and his son would resume the tradition in East Asia a half century later. As General Lawton Collins, the Army's then chief of staff, summarized America's Forgotten War, it added up to a "reversion to old-style fighting—more comparable to that of our own Indian frontier days than to modern war."

In *Humane: How the United States Abandoned Peace and Reinvented War*, Samuel Moyn recounts this conjuncture with characteristic savvy. He is keen to the moment's contrasts, its harsh splits between rhetoric and reality, as well as its linkages and breaks with preceding epochs. Moyn calls Truman's intervention another "Indian war." He also writes that "The winter of 1950 was a bleak parody of what was supposed to be a new age of peace."

Moyn's section on Korea appears halfway through *Humane*, and it closes the first part of the book, aptly titled "Brutality." Up to this point, the reader has been treated to a penetrating reflection on the Napoleonic wars as mediated by two of their great interpreters, Clausewitz and Tolstoy. Both luminaries agreed on the absurdity of attempting to humanize war, albeit for different reasons. For the Prussian militarist, war was too sacred to be tamed, and any attempt at doing so would prolong and exacerbate the bloodshed anyway. For the Russian novelist, those seeking to civilize war were not only akin to "a kind, refined lady" who eats meat while exhorting its most merciful production out of sight but, worse yet, were comparable to an

antebellum reformer intent on regulating the viciousness of slavery rather than abolishing it altogether. In all three cases—meat eating, slavery, war—Tolstoy's demand was abolition.

Moyn returns to Tolstoy's challenge throughout his idiosyncratic narrative on the modern (largely European and American) annals of war and peace. He explains how the Crimean War (1853–1856) inspired the Russian mystic's Christian pacificism, and how the Civil War and Harriet Beecher Stowe further shaped or called into question his thinking on such matters. While segueing from Tolstoy to some of his more practical, movement-building contemporaries and heirs, Moyn touches on the Austro-Sardinian (1859) and Austro-Prussian (1866) wars too, and he writes fluently about the Austrian peacemaker Bertha von Suttner and her influential novel, *Lay Down Your Arms*. Many figures pop up briefly, from the socialists Eugene Debs and Norman Thomas to the communist Rosa Luxemburg to the pragmatist Jane Addams and the novelist Erich Maria Remarque. But there are also more sustained reflections on the scholar Quincy Wright, who sought a future beyond war through the implementation of international law, and the cofounder of the Red Cross, Henry Dunant, who sought the mere tamping down of combat's excesses. Dunant helped inspire the original Geneva Convention of 1864, which by encouraging the care of the sick and wounded marked the first European attempt at humanizing war. After Dunant was awarded the inaugural Nobel Peace Prize in 1901, Suttner and others immediately got to work refashioning his legacy in a more radical guise.

These constant negotiations among pacifists, abolitionists, and humanitarians constitute the main thread that runs through the first half of *Humane*, but they take place within a wider setting of complacence. The Geneva Convention (1864), as Moyn is quick to note, signaled an exception, and most rulemaking in the latter nineteenth century was more set on codifying permissiveness than restraint. Abraham Lincoln's Lieber Code of 1863, for example, may have officially outlawed torture and recommended giving quarter to the enemy, but its chief material effect was to justify imperial counterinsurgency. The code made it lawful to starve civilians and functioned

as a legalistic veneer of moral superiority against the alleged savagery of the Indian. Decades later, the code would be remodeled in the Philippines to criminalize Filipino insurgents while obscuring the deeper criminality of the occupation.

From the Franco-Prussian war (1870–71) onward, such legal cynicism would become the established norm. The first (1899) and second (1907) Hague conventions did regulate exploding bullets and temporarily banned air bombardments, but the greater number of their stipulations proved cosmetic. And to the extent substantive policies were crafted, they continued to be ignored in racialized spaces within or without Western borders. Even much of the interwar peace movement was geared toward elevating white people above the nonwhite masses. This included the Kellogg-Briand Pact of 1928, an attempt to outlaw war which many took to mean a truce among the white nations for the purposes of white global supremacy. It was this understanding that W. E. B. Du Bois had in mind when he wrote—as quoted by Moyn—that "The wicked conquest of weaker and darker nations by nations white and stronger but foreshadows the death of that strength."

The horrors of the Great War did spur meaningful developments like the Geneva Protocols of 1925, which limited biological and chemical warfare, as well as the Geneva Convention on Prisoners of War in 1929. But contrary to the ambitions of certain reformers who were betting on these improvements emboldening abolitionist sentiments, Moyn suggests they did the opposite. The rise of air combat was a case in point. Rules regulating aerial assaults not only proved toothless but were accompanied by promises that it was aerial tactics themselves that would lead to more precise and refined conduct. And the Second World War not only made a mockery of these predictions but ushered in a new age where the scant notion of doing away with air wars became unfathomable. The same pertained to breaking with war in general, never mind the broader wealth and power relations such violence has been designed to enforce.

Douglas MacArthur, toward the end of his life, proclaimed that he was "a one hundred percent disbeliever in war." It is impossible to

know what he meant by this, especially given his life's work. It is possible, during his twilight years, he found himself channeling the echoes of another era. Maybe he still could hear the pleas of the Nuremberg Trials (1945–46) or the Tokyo War Crimes Tribunal (1946–48), both of which, at their late dates, were still prioritizing the prohibition of war over its humanization. Perhaps MacArthur had somehow reacquainted himself with the words of Supreme Court Justice Robert Jackson, Chief US Prosecutor at Nuremberg, who pronounced that the war of aggression is "not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole."

What we do know is by the time MacArthur uttered his cryptic remark, the most subversive content of Nuremberg had already become a distant memory. With the advent of the UN Declaration of Human Rights in 1948, the completion of the Geneva Convention in 1949, and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict in 1954, a new regime of what the Swiss jurist Jean Pictet called "international humanitarian law" (IHL) was just beginning to take shape. This regime would remain, to a large degree, performative and hypocritical. But as Moyn argues in the second part of his book, titled "Humanity," the new US-led order, particularly after the Vietnam War, would achieve some lasting headway in making war less brutal. On the other hand, it would do so as the world's preeminent imperial war maker. Even the UN charter of 1945 consecrated the global implementation of the Monroe Doctrine by including the veto power of the five permanent members of the Security Council, making it impossible for any of them—especially its most powerful member—to be deemed legal aggressors. Concluding his long exposition on the Korean War and its somewhat less barbaric sequels, Moyn writes, "If American war over centuries sent many soldiers and civilians to the grave, the current 'humanity' of America's wars could arise only on the grave of their historic forms."

The dream of a peaceful, postimperial future did not entirely dissipate into the smoky billows of the Cold War. In 1965 the General Assembly declared that "no state has the right to intervene, directly or

indirectly, for any reason whatever, in the internal or external affairs of any other State." Academics like Richard Falk and progressive heroes like Martin Luther King Jr. kept both the antiwar and anti-imperialist flames alive, however faint their flickers. But men like Telford Taylor, the Chief Counsel Prosecutor at Nuremberg, would win out. In his pivotal 1970 book *Nuremberg and Vietnam: An American Tragedy*, Taylor recast the celebrated trials as a monumental rebuke not to war but to war crimes. In doing so, the main problem of the Vietnam War became My Lai instead of the war itself. And such became the case for America's many ensuing wars, too.

In 1977 the Geneva Protocols banned the targeting of civilians for the first time. They also protected, to a restricted extent, the rights of anticolonial guerilla fighters, thanks to the notable input of the African National Congress and the Palestine Liberation Organization. By the triumphalist headiness of the nineties, however, any institutional striving for peace over war and democracy over empire had been replaced by an overriding injunction against atrocity. Interventions in places like Iraq, Bosnia, Kosovo, and Somalia coincided with the rise of groups like Human Rights Watch and Amnesty International. Moyn credits these organizations with minimizing the most atrocious aspects of war, but also worries about their increasing integration into the military apparatus as empire's left-shouldered angels. It is not only that such progress is prone to backsliding, as we learned during the early years of the War on Terror, specifically with the renascence of torture. It is that the George W. Bushes and John Yoos of the world work to shore up their partisan counterparts by providing an eternal, self-expiating redline for liberal militarists, as if the latter's opposition to waterboarding means all else can be forgiven. Worse yet, this perpetual forgiveness means that empire's latest iterations can be recycled as an invisible omnipresence. As Moyn comments in passing, "After the Cold War, US presidents ordered not fewer but more wars: more than 80 percent of all US military interventions abroad since 1946 came *after* 1989."

Reception of *Humane* has ranged from enthusiastic to scalding. Some (including this journal's editor in chief) have praised the book, just as they have criticized Moyn for downplaying the role of the military-industrial complex. When seven of the nation's top ten wealthiest counties owe their riches to the national security state, and up to a third of the Pentagon's $14 trillion of post-9/11 spending has been redirected to five defense contractors, it is noteworthy that Dwight Eisenhower's premonition merits no more than a single mention by Moyn. Even if one accounts for the book's express interest in the power of ideas, the material fact of the war racket remains unavoidably stark.

Critics have also questioned Moyn's oscillation between two arguments in uneasy tension: one that we must choose between civilizing war and transcending it; and two, that we must accept humanitarianism as a necessary evil while reviving abolition as the primary objective. Such oscillation has gone hand in hand with an alleged lack of generosity toward those forced to navigate these choices in real time. Much has been written about Moyn's criticism of Michael Ratner, president of the Center for Constitutional Rights and a prominent example of a left-wing icon who felt compelled to move from challenging the War on Terror at its root to restraining it at the margins. At the same time, Moyn has been accused of exaggerating the accomplishments of his very own humanitarians. The historians Priya Satia, Daniel Bessner, and Teju Nagaraja, for instance, have all found fault with their colleague's basic assumption that these humanitarians succeeded in making modern war more humane. According to them, the book relies on conservative estimates of the post-9/11 death toll in the Greater Middle East, in ways that allow strange bedfellows like Robert Kaplan—one of US empire's favorite "realists"—to write in his laudatory *Times* review that "Whereas millions were killed in Vietnam from direct US military strikes or collateral damage, 'only' some 200,000 died in Iraq, and mainly from civil war and disorder rather than specifically because of American military action."

This figure runs against a significant body of credible scholarship, including the Watson Institute's estimate of 275,000 to 306,000 direct deaths, and several times that caused by "water loss, sewage and other infrastructural issues, and war-related disease." It ignores the many hundreds of thousands more killed, wounded, or thrown into chaos by the region's resultant civil wars, democratic backsliding, and increasingly exploitative political economies. As for Moyn's argument that drones and special operations seem to be making war more acceptable and endless by making it less lethal and indiscriminate, that verdict is still out. Russia's invasion of Ukraine raises the specter of darker possibilities, as do the already quite murky and bloody consequences of "light footprint" tactics used by the United States, its allies, and its enemies across the Global South, especially in Africa. Hence Satia's well-taken insistence that these new ways of war are older and more devastating than *Humane* lets on.

That final charge points to the ironic ambivalence in Moyn's book and its multiple interpretations. After all, Moyn is not one to deemphasize either the imperial continuities of American warfare or the whitewashing of its havoc. He sees contemporary US violence as an extension of its past Indian wars, as well as the related monstrosities of European colonialism. This conviction has led him to question the ruling-class presumption that these imperial legacies should resume provided they leave fewer innocent bodies in their wake. Whether fewer innocent bodies are in fact being spared, or are likely to be spared in the future, are empirical questions and ones that even Moyn seems to be unsure about. And it's that uncertainty on his part that makes his book so susceptible to critique yet so interesting.

It is here where Moyn's reading of the Korean War and its afterlives becomes most relevant. As he would have it, the war connoted an imperial interregnum of sorts. It ended up just as barbaric as (if not more barbaric than) its predecessors, but it also became the last US war where such barbarism went unquestioned by its elites. Even the Vietnam War, for all its ghastliness, would begin to introduce mechanisms designed to rein in so-called collateral damage. The euphemism itself betrays the limitations of its approach, but it is undeniable

Vietnam culminated in fewer deaths than Korea, and America's later interventions, as discrete military campaigns, proved less fatal than Vietnam. Many would contend that once one factors in the full infrastructural scope of America's post-Korea destruction, the trendline gets cloudier. But as the historian Anne Kornhauser concludes, Moyn is more concerned with what the stipulated trend implies as a matter of morality than measurement.

Harold Koh, the Obama administration's celebrity legal adviser, therefore makes for a fitting bookend to Moyn's story. The son of a diplomat, an international lawyer, and a critic of Syngman Rhee's authoritarianism, Koh was inspired at a young age to render the ostensible US-led liberal democratic order a reality. His foremost contribution became the implementation of international humanitarian law in all its contradictions—its gravest contradiction, for Moyn, being how such law functions as a smokescreen not just for ceaseless if mitigated cruelty but also for the renewal of global hierarchy. Not just that, but a hierarchy that tends to precipitate catastrophes not all that different from the Korean War and the US sponsorship of Rhee. If Moyn takes for granted the relative humanity of Obama's wars, he is no slouch when it comes to calling out America's role in laying the groundwork for the charnel houses of Syria and Yemen or propping up the illiberalism of Mohammed bin Salman. Nor is he a slouch when it comes to understanding these terrors not only as wages of war, but more emphatically, wages of empire. And it is in this context that his closing Tolstoyan plea must be read:

> Sometimes domination and rule can take place nonviolently. In the current and future trajectory of humane conflict, it may turn out that the most ominous feature of America's evolving war is that it has begun to edit out physical violence. . . . Though better than outrageous death and pain, humane policing is a depressing goal whether abroad or at home when it succeeds and not just when it fails—especially when conducted by the rich and powerful on the poor and weak. . . . Humane war is another version of the slavery of our times, and our task is to aim for a law that not only tolerates less pain but also promotes more freedom.

At a juncture when progressives and the left are once again split on what to make of yet another war—this time in eastern Europe—as well as related escalations with China, it is surprising how little discussion Moyn's final point has sparked.

The latest developments in Ukraine and East Asia, much like Syria, place seemingly compatible objectives at loggerheads. On the one hand there is the need to challenge US-led capital and militarism and their myriad profiteers. On the other there is the imperative to stand in solidarity with oppressed peoples around the globe, many of whom are facing existential threats from regional hegemons on bad terms with the United States. Attempts at exercising such solidarity risk shoring up militarized capital, and because of this, a critical mass now appears intent on cutting the Gordian knot by ranking one goal as higher than the other, or perhaps denying the relevance or value of either goal altogether. We are then left with a cacophony of voices treating discrete truths as mutually exclusive. Either we argue that aiding the Ukrainians or Taiwanese means renewing a decadent neocolonial order (and arms industry) in search of new monsters to destroy, or we claim that allowing the ambitions of Vladimir Putin or Xi Jinping to go uncontested means risking multipolar chaos.(Granted, the first argument relies on a recurring, well-documented pattern while the second amounts to speculation.) But what if we concede, as a thought experiment, that both warnings can be valid under various circumstances, and that this double trap makes Moyn's entreaty for building an international politics of equality and freedom—and an international law of peace and nondomination—all the more pressing. What then?