

RESEARCH ARTICLE

The Florentine Comedy

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Abstract

Through the centuries of church history war-fighting popes combined the rules of military ethics and religious ethics. Augustine of Hippo established five fundamental conditions that were mandatory for declaring just war, namely legitimacy, justification, commensurability, intent, and proportionality. Under these conditions the bestiality of war became a noble act. It also justified that the proportionate nature of military brutality may only be claimed by the morally good. The heritage of European history has the bitter taste of violence and systematic deception. According to the assessment of Machiavelli in the early 14th century morality, law and religion serve only as a façade. What is regarded right and acceptable differs between the societies and changes over the centuries. Ethical values are subject to constant change. Nowadays, the diversity of perspectives allows for a diversity of ethical interpretations. The difficulty lies in how to formulate generally binding rules of coexistence in an open-minded community.

Keywords: Military Ethics, Social Ethics, Religious Ethics, Freedom of Religion.

1. Introduction

The founder of the Christian religion was brutally tortured to death and many of his followers were persecuted and oppressed for centuries. But when Christianity became the state religion of the Roman Empire in the fourth century, the doctrines of faith were adapted to the rules of the Roman military state. Augustine of Hippo (Bishop of Rome, 354-430) integrated the image of just war into church ethics.¹ His amendments to the message of salvation changed considerably the primordial Christian meaning of human life, guilt and death. The new distinction between killing in military action and murder laid the foundation for the advocacy of a just war under certain conditions. The five fundamental conditions that were selected to make a designation of a just war permissible were: legitimacy, justification, commensurability, intent, and proportionality.¹ Augustine of Hippo essentially founded the rise and power of the Christian religion in the fourth century and thereby ended the original gospel of the early church.

In his philosophical reflection Massimo Rezo argues the duty of soldiers to obey directives in an unjust war. In particular, Rezo raises the question whether soldiers are morally responsible for executing orders issued in the hierarchical system of military.² In response Christopher Kutz highlights the paradoxical situation in which soldiers can be simultaneously justified and unjustified in their actions.³ However, the formulation “unjust war” raises another question, namely whether there can be a condition such as a just or even holy war when the method of problem solving includes threatening, manslaughter and murder? Ethical considerations usually reflect the values held by a community regulated by law. Although ethics provides orientation in interhuman conflicts it is often seen controversially. Wolfgang Huber, Professor of Theology in Berlin, reported that in pluralistic societies conflicts may arise between the rules of coexistence and the self-determination of the individual.⁴ This is especially true when the ethical considerations of different interest groups within

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a community contradict each other. In totalitarian institutions, the self-determination of the individual appears to be a farce.

Since time immemorial, contradictory ethical considerations have arisen when the law of the superior, the rules of coexistence and divine law were applied simultaneously. However, comparing anachronistic events, one must be especially cautious in making judgements. Although living in different centuries the two famous Florentines Dante Alighieri (poet, 1265-1321) and Niccolò Machiavelli (diplomat, 1469-1527) were both subject to church dictate. Most epic writings of Dante in the late Middle Ages corresponded to given clerical expectations. According to Volker Reinhardt, Professor of Modern History at the University of Fribourg, this does not apply to most political assessments of Machiavelli that were prepared later during the Renaissance.⁵ Machiavelli observed man to be driven by his desires and his egoism. From the perspective of his morality, law and religion were merely a façade. While Dante corresponded to a *carnifex dei*, Machiavelli was rather seen as *advocatus diaboli* in the common value system. Dante described his nine-stage hell after death, whereas Machiavelli described the numerous variants of hell during life. Both, Dante and Machiavelli, used lies for utilitarian reasons. And both used deterrence and thus supported the church's power. The former directly and the latter indirectly. In history the truths are selected. In order to achieve a more comprehensive perspective, one would have to consider the arguments of those who have been silenced by the church. In this regard, the question arises whether Machiavelli was closer to ethical reasoning than Dante.

2. Methods

Hermeneutic method [derived from the Greek word *hermēneúein* (ἑρμηνεύειν) meaning to interpret] was used for the systematic interpretation of the five fundamental conditions that make a designation of a just war.¹ This allows an iterative process in which common sense and preconceptions are acknowledged and actively incorporated into the interpretation cycle of specifications. Interim findings are continuously modified by new insights. For analysis a seven-step critical analysis between identification and ascertainment was applied, completing the four conventional principles of the hermeneutic circle, namely perceiving (*actualitas*), grasping (*logica*, *critica*), understanding (*usus*, *sensus communis*), and explaining (*arithmetica*, *verisimile*)⁶:

1. Identification (*actualitas*)
2. Application (*usus*)

3. Abstraction (*arithmetica*)
4. Reasoning (*logica*)
5. Apprehension (*sensus communis*)
6. Censure (*critica*)
7. Ascertainment (*verisimile*)

2.1 Analysis

The different arguments for justifying a just war are examined and opposing perspectives are contrasted. Machiavelli had clear ideas about a justified war as a political means to achieve a goal. He completed the political observation of ecclesiastical and secular rulers by equating the invented with the real.⁵ He postulated: "What I do not know I just have to guess."^a Elsewhere he wrote: "I neither say what I believe, nor I believe what I say."^b In his work *Il Principe* Machiavelli also quoted: "War is the measure of all things" [related to a posit from the ancient Greek philosopher Heraclitus of Ephesus approximately 478 BC: "War is the father of all, the king of all"; <https://plato.stanford.edu/entries/heraclitus/>]. And elsewhere he wrote: "The ordinary people are guided by appearance and success."^c According to Machiavelli the violent expansion of the state is justified and even makes it an important prerequisite for maintaining power. Appropriately he wrote in the *Discorsi*: "The end justifies the means."^d Further he wrote: "What is done with public power and in the name of public order cannot harm the Republic."^e Taking into account the perspective of Machiavelli, the five idealistic fundamental conditions of a just war get a realistic background.

^aLegazioni e Commisarie 3, opere 8

^bEpistolario

^cIl Principe, XVIII, opere 1

^dDiscorsi sopra la prima deca di Tito Livio II, 2, opere 1

^eDiscorsi sopra la prima deca di Tito Livio I, 7, opere 1

Systematic hermeneutic interpretation of the five fundamental conditions that make a designation of a just war permissible.¹

Fundamental Condition 1

The decision on the declaration of a just war can only be made by a legitimate authority.

1. Historically, this condition secured the decision position of the representatives of ecclesiastical and secular power, who usually belonged to the nobility.
2. Accordingly, the decision on the declaration of a just war was not the discretion of an ordinary

citizen as the grace of legitimacy depended on the grace of birth.

3. In a circular argument the legitimization legitimizes a legitimate authority (LA) to declare a just war (JW). The link allows for the two dependent variables of the relationship only one of four possibilities (a).

	LA	non-LA	
JW	JW∩LA	JW∩non-LA	
non-JW	non-JW∩LA	non-JW∩non-LA	(a)

4. Abuse of power by individuals within a community is prevented by allowing power to be exercised only by a legitimate individual of that power. The authorisation of this fundamental condition is based on the assumption that a legitimate authority does not abuse power.
5. Compulsion to military service in a just war requires the legitimate authority authorized to exercise the coercion.
6. In this concept the authority authorized to exercise control is itself without direct control.
7. The official beginning and the official end of a just war is placed entirely in the hands of a legitimate authority that has the power to begin and to end a just war.

Fundamental Condition 2

There must be a justifying cause for a just war.

1. Apparently, the justifying cause for a just war can only be determined by a legitimate authority.
2. Before the actual assessment of a justifying cause, an analysis of the prospects of success of a just war is advisable. The acceptance of potential consequences must correspond to the extent of the chances of success rather than the extent of a justifying cause.
3. The justifying cause (JC) for a just war legitimates the transformation of a justified war into a just war (JW). The link allows for the two dependent variables of the relationship only one of four possibilities (b).

	JC	non-JC	
JW	JW∩JC	JW∩non-JC	
non-JW	non-JW∩JC	non-JW∩non-JC	(b)

4. Through a justifying cause a just war attains its justification.
5. After the end of the war, it frequently occurs that the justified cause was not justified.

6. The reasoning is part of the intention.
7. Unless otherwise stated, the justifying cause of the just war justifies the just war.

Fundamental Condition 3

In a just war, military force is the last resort.

1. Aware that violence is to be rejected, violence becomes more acceptable when nothing else works. This requires the brutalization caused by war to be seen only at the enemy.
2. The realization that nothing else works can be achieved with varying degrees of diligence, taking into account that military force may bring rapid success.
3. Pure good (God) and pure evil (the devil) exceed human imagination. Therefore, in a just war (JW) there is only the chimera of good and evil in varying proportions. The link allows for the two independent variables of the relationship four possibilities of which only the just and good war appears to be the one to strive for (c).

	good	evil	
JW	JW∩good	JW∩evil	
non-JW	non-JW∩good	non-JW∩evil	(c)

4. Military force in a war is a prerequisite without which war cannot work (conditio sine qua non).
5. Sometimes it helps to understand something by simply asking who benefits from something (cui bono?)
6. Switch from rational intelligence to emotional intelligence facilitates the reassessment of what appeared evil in a new light. The misery of those who have nothing to lose will not be affected by just or unjust conditions.
7. If reason (ratio) is pushed into the outermost reaches of moral consciousness, it becomes the outermost reason (ultima ratio).

Fundamental Condition 4

The focus of a just war is on the goal of peace.

1. Everything must serve peace, even war.
2. The law is on the side of the good and all is well that ends well.
3. The two opposites of just war (JW) and just peace (JP) are mutually dependent. The link favours for the two indirectly dependent variables of the relationship only one of four possibilities (d).

	JP	non-JP	
JW	$JW \cap JP$	$JW \cap \text{non-JP}$	
non-JW	$\text{non-JW} \cap JP$	$\text{non-JW} \cap \text{non-JP}$	(d)

4. The logic hides behind the question: How to create rest through unrest?
5. The first victim in a war is the truth.
6. If the first victim in a war is the truth, then the lie wins.
7. The holy war is holy as the just war is just. It is a blessing that the victims of a just war have no voice.

Fundamental Condition 5

In a just war, the means must be proportionate.

1. Proportionality of means must precede thorough preparation of the conflict.
2. Desperate times may call for desperate measures, as all is fair in war.
3. Proportionality of means (PM) in a just war (JW) requires the possibility to choose from different options and can usually be assumed to be on the side of the superior. To meet this condition the link favours for the two independent variables of the relationship only PM in JW (e).

	PM	non-PM	
JW	$JW \cap PM$	$JW \cap \text{non-PM}$	
non-JW	$\text{non-JW} \cap PM$	$\text{non-JW} \cap \text{non-PM}$	(e)

4. Proportional means are means sufficient to achieve the desired goal.
5. The proportionality of means correlates with efficiency and the probability of success.
6. The more combative party is not necessarily the morally superior party.
7. Usually, the superior party wins, ends the conflict, and writes the course of history. Thus, justice always prevails.

3. Discussion

The clear statement by Machiavelli, that what is not known has to be guessed, supports the general view that deception sharpens the senses and the mind. Whoever doesn't play along gets run over. Since the moral acceptance of killing in military action by Augustine of Hippo, five fundamental conditions have been selected to be met for the assessment of a just war. First of all, it needs legitimate authority.¹ Not everyone is allowed to declare just war. In a

circular argument, only those who are legitimate authorities have legitimate authority, e.g. a religious leader, a bishop, or a prince of the church. Second, a justifiable cause is required.¹ It is obvious that what is a justifiable cause can only be recognized by a legitimate authority. Since the truth is one of the first victims of war, it is often not until long after the conflict that we learn that the underlying cause was a lie. Furthermore, killing and being killed in a just war are elevated to noble acts. What has been explicitly forbidden in the commandments elevates to ideals under the conditions of just war. The crime becomes a model. However, this 180-degree turnaround is idealized but not directly enforced. This leads to point three, which specifies military force is considered only a last resort.¹ The proportionate nature of military brutality may only be claimed by the morally good. The true nobleness is also shown in the distinction that the defenders cannot sink to the low moral level of the attackers, even if they commit the same devastating acts. It absolves the righteous warrior of all guilt in advance. The fourth requirement becomes a rational challenge. It proclaims that the direction of violence is toward the goal of peace.¹ "How can Satan cast out Satan? is what the evangelist Mark asked in the gospel attributed to him.⁷ It also reminds me of the satirical logic in Heinrich Böll's metaphor of the fisherman. In this anecdote the fisherman rests in the sun after having caught a fish, without making any further catches that would make him so rich that he could rest in the sun without making any further catches.⁸ The fifth criterion is the proportionality of the means.¹ Obviously, proportionality of the means can be applied only by those who have various means to choose from. Ultimately, this criterion legitimizes the right of the superior. It must be considered that it is not necessarily the one with the nobler arguments who wins the conflict, but rather the one with the more uncompromising use of means, with endurance and fewer scruples.⁹ This has little to do with humanity and truth, but primarily with superiority and applied efficiency. Glorification of the noble intentions of the warrior in a just war places opponents in a hopeless situation. While those who oppose war may be considered peace-loving, the opponents of just and holy wars are portrayed as criminals. The idea that a just outcome can be achieved in a just war is a mockery of the victims. But the suffering of the subordinate members of a population rarely played a role in historiography. The brutality of war has nothing just. There can be no moral duty to threatening, manslaughter and murder. In 1783 Benjamin Franklin wrote in a letter to Josuah Quincey: "May we never

see another War! for in my Opinion there never was a good War, or a bad Peace.” (<https://founders.archives.gov/documents/Franklin/01-40-02-0385>). There is nothing more to add.

What both ways of argumentation by Massimo Rezo and Christopher Kutz have in common is that it is obviously only recognized in retrospect (a posteriori) if an action was justified and if it was not.^{2,3} Apparently, both authors trivialize that in organisations with hierarchical structures, and this includes military and secret services institutions, critical assessments by inferiors are undesirable and fundamental questioning of order under valid martial law can even result in death (e.g. by accusing decomposition of military strength or even desertion). Hierarchical-totalitarian structures promote the uncritical implementation of directives and encourage people who are willing to comply. A moral backbone is more of a hindrance in such situations. The fundamental concept of community ethics needs diplomatically formulated guidelines with event-related implementations. Unfortunately, Holm observed that the structure of moral reasoning cannot give definitive answers to moral questions, but it can produce almost any answer that is desired.¹⁰ This also means that ethical rules determined by a majority do not necessarily need to be ethical. What was considered ethical in many European countries under the scourge of fascism 90 years ago, still shames us today. Lies have always been a permissible tool in politics and in the military, lies are even inherent in the system.⁶ Bending the truth by distraction and prevarication, withholding certain information (lying by omission), deceit and concealment are among the characteristics of a lie¹¹ and are considered justified by the military and intelligence services when in the interest of protecting secrets. Even ethical lies can be considered morally justifiable when they are intended to protect someone from harm. However, not every lie saves a life.

According to Wittgenstein the world is neither good nor evil.¹² He postulated: “Good and evil essentially only concern the self, not the world. The self is not an object.” Regardless, whether values are dictated by community leaders or by religious authorities or simply follow economic considerations or majority opinion, ethical values are not carved in stone. They differ from culture to culture and evolve over the course of time.⁹ Social conscience is malleable.

4. Conclusion

European history is a never-ending series of wars and destruction. The current boundaries of political,

religious and economic division are based on original violence and systematic deception. What is regarded right and acceptable differs between the societies and changes as time changes. Every culture, every community has its morality. As long as there are ethical values that are above the individual’s right to live, the individual’s ethical perspective is at risk. Utilitarian cost-benefit can also be delivered by artificial intelligence but moral judgement is more than a rational brain function. In the rigorous rejection of threatening, manslaughter and murder as a problem-solving strategy the ethical responsibility of the individual is of utmost importance.

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