

## War and moral stupidity

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### Abstract

This article uses the example of Wittgenstein's decision to go to war in 1914 to frame a contrast between two different ways of thinking about moral stupidity and moral intelligence in relation to war, those of Jeff McMahan and Jane Addams. The article clarifies how pathways for thinking about the morality of war are blocked and enabled not only by different accounts of justice but also by different understandings of war. It is argued that if we want to be morally intelligent in our judgments about the ethics of war we should follow the pathway marked out by Addams and think less about justice and more about war.

### Keywords

War; Morality

### Introduction

Wittgenstein had strong views about ethics and was uncompromising in living and acting as he thought he ought to, however eccentric his behaviour might seem to others. Yet he not only had no scruples about fighting in this stupid and barbaric war, but was even determined, with characteristic intensity, to fight on the side of the aggressor and for reasons that seems to have derived primarily from his personal psychological needs and to have little or nothing to do with reasons that motivated the Austrian government to go to war.<sup>1</sup>

It is a common rhetorical strategy for thinking about the pros and cons of organised political violence to raise hypothetical and counterfactual questions about what *you*, personally, would do in relation to various *ad bellum* and *in bello* scenarios. The question of how individuals make, or fail to make, morally intelligent judgements about war has become particularly prominent in recent years, following a flowering of debate about just war thinking in general, and the focus of a certain kind of just war theory on the responsibilities carried by individuals when it comes to support for, or participation in, warfare. In particular, Jeff McMahan, as we can see in the comment on Wittgenstein above, has brought the question of individual moral stupidity/intelligence to the forefront of debates between different strands of just war theory through his explicit focus on the *epistemic* responsibilities of participants in war, particularly those doing (or potentially doing) the actual fighting.

This article uses the example of Wittgenstein's decision to go to war in 1914 to frame a contrast between two different ways of thinking about moral stupidity and moral intelligence in relation to

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<sup>1</sup> Jeff McMahan, *Killing in War* (Oxford: Clarendon Press, 2009), p. 2.

the moral evaluation of war,<sup>2</sup> McMahan's and that of Jane Addams. The aim of the article is threefold. First, it aims to demonstrate how pathways for thinking about the morality of war, and morally intelligent judgments about it, are blocked and enabled not only by different accounts of *justice* but also by different understandings of *war* and the relation between the two categories. Second, it aims to demonstrate that the priority given to a methodologically individualist, epistemic account of justice in revisionist just war theory, exemplified by McMahan, relies on and reproduces an impoverished account of moral intelligence, and an analytically and normatively inadequate account of war. Third, it aims to demonstrate that Addams's explicitly feminist account of justice and war encompasses an understanding of moral intelligence that offers a much richer set of possibilities for thinking about the ethics of war than McMahan's. This is not least because Addams refuses the categorical separation between justice as the source of moral principle and war as the realm of its application on which McMahan's just war theory relies. In conclusion, the article reflects on the extent to which the critique of McMahan's approach to the meaning of moral intelligence in relation to war has implications for alternative modes of thinking in the just war tradition. It will be argued that Addams's account of what it means to be morally intelligent about war remains distinct, because it includes a creative potential that makes the eradication of war a meaningful political aim.

The argument proceeds in three main sections. The first section, having briefly contextualised McMahan's just war theory, sets out the reasons why he sees Wittgenstein as morally stupid, and his prescription for enabling more morally intelligent judgments about war. Section Two introduces Jane Addams, and explores how Addams responded to the kind of decision made by Wittgenstein, and explores *her* prescription for enabling more morally intelligent judgments about war. Section Three sets McMahan's analysis of moral stupidity and moral intelligence in relation to war against Addams's position and presses the question of what it means to take our epistemic responsibilities seriously when it comes to the moral judgment of war. It argues that Addams's account is superior in terms both of its grasp of the meaning of war and in its treatment of justice as entailing sympathetic identification with those with whom we disagree as a precondition for transformative ethical and political struggle. In conclusion, reflecting on the implications of the argument for just war theory in general, it will be argued that if we want to be morally intelligent in our ethical judgments about war we should follow the pathway marked out by Addams and start not with the separation of justice from war, but from their mutual implication in the range of ideologies, practices and institutions that enable and produce war as a meaningful category.

## How could he be so stupid (1)?

Contemporary debates in just war theory have been framed in terms of a contrast between the approach exemplified by Michael Walzer's *Just and Unjust Wars* from the late 1970s onwards, as against revisionist arguments exemplified by McMahan, but also thinkers such as David Rodin and Cecile Fabre, which have come to prominence in the last decade.<sup>3</sup> On this account, Walzer's eclectic blending of contractalist, communitarian, deontological, and utilitarian insights in his just war theory is remarkable chiefly for its arguments for the moral status of political community, its acceptance of the moral distinctiveness of war as a social practice, and its strong endorsement of the

<sup>2</sup> This is well described in Ray Monk, *Ludwig Wittgenstein: The Duty of Genius* (London: Jonathan Cape, 1990), pp. 111–14.

<sup>3</sup> Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (4<sup>th</sup> edn, New York, Basic Books, 2006 [orig. pub. 1977]); David Rodin, *War and Self Defence* (Oxford: Oxford University Press, 2002); Cecile Fabre, *Cosmopolitan War* (Oxford: Oxford University Press, 2012).

moral distinction between the spheres of *ad bellum* and *in bello* justice. In contrast, revisionists are remarkable for their rejection of the idea of the moral status of political community (on the basis of a rights-based, methodologically individualist conception of justice), for their refusal to see war as a morally distinct practice, and for their rejection of the separation of questions of *ad bellum* and *in bello* justice. This is in many ways a misleading way of thinking about the history of just war theorising over the last fifty years. When Walzer in the Preface to the 1977 edition of *Just and Unjust Wars* states that ‘I want to recapture the just war for moral and political theory’, he is already moving sharply away from the multidisciplinary just war tradition and moving just war theorising in an analytical philosophical direction.<sup>4</sup> Moreover, he frames his own argument explicitly as ‘a doctrine of human rights’, with ‘life and liberty as something like absolute values’, a philosophical vocabulary that remains crucial to ‘Walzerian’ and revisionist positions on just war.<sup>5</sup> Revisionist just war thinking continues to develop the philosophical turn already embedded in Walzer’s work, but it does so in ways that render philosophy more and more remote from war as it has been and is historically understood and practiced. Where Walzer gives priority to actual historical examples in his argument, but makes room for them to be read as hypothetical illustrations, McMahan gives priority to hypothetical examples, which are mostly not directly concerned with war, occasionally supplemented by historical illustrations. One of these rare historical illustrations, to which McMahan returns, is the figure of Wittgenstein and his decision to volunteer to fight for Austria-Hungary in the First World War.

Wittgenstein haunts McMahan’s texts on just war theory like a ghost that must be laid, or an unjust combatant who managed to survive his liability to be killed and therefore needs to be annihilated retrospectively.<sup>6</sup> He (Wittgenstein) was very clever, he aimed to live a good life, he was a philosopher, and yet he was morally stupid about war. In order to understand why McMahan condemns Wittgenstein so clearly, we need to unpack his (McMahan’s) understanding of moral stupidity/intelligence in the context of war

Of course for a society to transmit moral knowledge about war to its soldiers, it must first possess that knowledge. To provide it is a task for philosophers, one that we have hitherto not performed very well in my view.<sup>7</sup>

McMahan argues that philosophers have largely failed to provide appropriate moral knowledge about war because they have assumed that moral standards in warfare are distinct from those governing conduct in other aspects of social and political life. The main reason for this perceived difference has been the allocation of intrinsic moral value to political communities, and the consequent subsumption of the rights of individuals under the rights of collectives.<sup>8</sup> In McMahan’s view this is to make a serious moral mistake, because it fails to treat the individual as the primary unit of moral concern, and overturns widely shared moral intuitions about the principles that should

<sup>4</sup> Walzer, *Just and Unjust Wars*, p. xxiii; James Turner Johnson, ‘Contemporary just war thinking: Which is worse, to have friends or critics?’, *Ethics and International Affairs*, 27:1 (2013), pp. 25–45; James Turner Johnson, ‘The right to use armed force: Sovereignty, responsibility and the common good’, in Anthony F. Lang Jr, Cian O’Driscoll, and John Williams (eds), *Just War: Authority, Tradition and Practice* (Washington, DC: Georgetown University Press, 2013), pp. 19–34.

<sup>5</sup> Walzer, *Just and Unjust Wars*, pp. xxiii–iv.

<sup>6</sup> See, for example, McMahan, *Killing*, pp. 2, 106; Jeff McMahan, ‘The morality of war and the law of war’, in David Rodin and Henry Shue (eds), *Just and Unjust Warriors: The Moral and Legal Status of Soldiers* (Oxford: Oxford University Press, 2008), p. 20.

<sup>7</sup> McMahan, *Killing*, p. 96.

<sup>8</sup> Jeff McMahan, ‘The ethics of killing in war [i]’, *Ethics*, 114:4 (2004), p. 701.

regulate the harming and killing of individuals. For McMahan, the moral intuitions reflected in the legal regulation of harm and killing outside of the context of war provide the appropriate touchstone for evaluating harm and killing in war.<sup>9</sup> This means that what matters morally in war, as in all other contexts, is the justice of the reason for harming/killing particular individuals, and whether those harmed and killed were liable to be harmed and/or killed by a particular agent in a particular context. The exemplary cases of where killing/harm may be justified are those of self and other defence on the part of the innocent victim, in which it is normally expected that there are no alternative ways of saving the innocent, and that the target has rendered him or herself liable to be killed by posing an unjustified lethal threat to the innocent.<sup>10</sup>

Thus, as McMahan points out, although we see the policeman as justified in killing a murderous attacker in circumstances in which there are no other ways of protecting the innocent (including the policeman himself), we would not say that the murderous attacker has a right to kill the policeman or that the policeman is liable to be killed because of his threat to the murderous attacker. Treating the morality of war as distinct from the realm of ordinary morality, he argues, contradicts our basic moral knowledge by detaching the morality of killing/harming in war from the kinds of reasons that could justify it ordinarily, leading to morally outrageous implications such as the supposed moral equivalence of soldiers *in bello*, regardless of the justice of their cause – in effect regardless of whether they are the moral counterparts of the policeman or of the murderous attacker.<sup>11</sup>

Unsurprisingly, within McMahan's version of just war theory, certain aspects of *ad bellum* justice emerge as of greater moral importance than others. Comparative justice and legitimate authority cease to have a significant role and considerations of just cause and proportionality become central to *ad bellum* and *in bello* judgment. What matters is that the justice of the reasons for harming/killing is internally, proportionately, linked to the victim's liability, but lethal responses should not cause disproportionate damage to other innocents.<sup>12</sup> It might, for example, not be morally acceptable to kill a hundred innocent bystanders in order to save one innocent victim in the policeman/murderous attacker scenario. It does, however, make a moral difference if the bystanders are killed unintentionally (even if foreseeably). For McMahan, intention is crucial to the objective rightness or wrongness of an act, and therefore to the degree of an agent's culpability.<sup>13</sup> Given the inevitability of foreseeable even if unintentional harm to the innocent involved in any modern war, McMahan argues that justification must be able to override liability in contemporary 'wars that are morally necessary or imperative to fight'.<sup>14</sup>

So how do we work out whether a war is 'morally necessary or imperative to fight'? Most importantly, this requires the moral knowledge to evaluate a just cause and considerations of narrow and wide proportionality in relation to that cause,<sup>15</sup> which also requires some empirical knowledge

<sup>9</sup> Ibid., pp. 717, 719; McMahan, *Killing*, p. 155.

<sup>10</sup> McMahan, 'The ethics of killing', p. 708: 'Just cause is an extrapolation into the domain of war of the insistence that one may not seriously harm or kill another person except for highly specific reasons, such as to defend oneself or another against an unjust threat of extreme gravity.'

<sup>11</sup> McMahan, 'The morality of war', p. 25.

<sup>12</sup> McMahan, *Killing*, p. 6; Jeff McMahan, 'The just distribution of harm between combatants and non-combatants', *Philosophy and Public Affairs*, 38:4 (2010), p. 354.

<sup>13</sup> Jeff McMahan, 'Intention, permissibility, terrorism and war', *Philosophical Perspectives*, 23:1 (2009), pp. 345–72.

<sup>14</sup> Jeff McMahan, 'Response to Uwe Steinhoff', *Journal of Political Philosophy*, 16:2 (2008), pp. 234–5.

<sup>15</sup> Proportionality can only be calculated from the standpoint of those with a just cause (all unjust war is by definition disproportionate). 'Narrow' proportionality takes account of the harm inflicted by just warriors on

of the likely actual consequences of launching a war and of the alternatives to not launching it. These are morally weighty epistemic responsibilities. And although the moral philosopher may be best placed to identify them, it is, on McMahan's account, the responsibility of all those engaged in war to live up to them and act on the results.

It is simply not credible to suppose that most soldiers who fight in unjust wars do deliberate carefully about the morality of the war but invariably get it wrong. Even someone with as little admiration for most people's capacity for moral reflection as I have would find it hard to believe that virtually everyone is that unconquerably obtuse.<sup>16</sup>

Living up to one's epistemic responsibilities entails discounting many of the standard reasons why soldiers and citizens might consider it just to go to war: identification with national interest; trust in political leadership; professional or political obligation. What counts is the justice of the cause weighed up in relation to the probable costs of war. A war can only be just *ad bellum*, on analogy with justifications for killing outside of the context of war, if it is the only effective way of responding to and preventing the immediate threat of massive violations of basic human rights to life and liberty for significant numbers of non-labile (innocent) individuals. And this cause has to be weighed up against the likely violation of rights of just combatants and other non-labile individuals (intended or as a side-effect, foreseen or unforeseen) that will follow, and perhaps also excessive harm to partially excused unjust combatants and others who are liable to attack.<sup>17</sup>

In McMahan's view, moral knowledge and empirical evidence suggest that the majority of wars have not been just, and that soldiers (as well as citizens and political leaders) have significantly failed to live up to their epistemic responsibilities.<sup>18</sup> As noted above, McMahan blames these failures on acceptance of the prevailing (mistaken) view of the moral distinctness of war, and, in particular, the view that soldiers and citizens are not morally responsible to any significant degree if they fight for their political community in an unjust war. McMahan argues that the plausibility of the prevailing view is in part explicable through our knowledge that many unjust combatants are 'good' people in the sense that they act honourably, even heroically, in fighting and in morally good ways in their relation to other people outside of the context of war. From McMahan's point of view, however, 'we must distinguish our evaluation of the person from the evaluation of his action'.<sup>19</sup> The key moral question is whether the combatant is doing what is right and, to the extent that he is engaged in furthering a wrong, he is morally responsible even if not always culpable.

In the light of the above, it becomes clear why McMahan identifies Wittgenstein as morally stupid in relation to war. First, Wittgenstein accepted the prevailing error, still characteristic of much work on the ethics of war, that the ethics of killing and injuring in war is somehow distinct from the ethics of killing more generally. Second, he responded to war not rationally but existentially. Rather than weighing up the reasons given by Austria–Hungary to justify war against Serbia, Wittgenstein joined up as a way of proving and improving himself. Wittgenstein's own account of what participating in

those potentially liable to be harmed; 'Wide' proportionality factors in harms inflicted by just warriors on those whom are not liable to harm. See Jeff McMahan, 'Proportionality and time', *Ethics*, 125:3 (2015), pp. 1–24.

<sup>16</sup> McMahan, *Killing*, p. 150.

<sup>17</sup> 'To say that a person is liable to be attacked is not to say that there is a reason to attack him no matter what; it is only to say that he would not be *wronged* by being attacked, given certain conditions, though perhaps only in a particular way of by a particular agent.' Jeff McMahan, 'Just cause for war', *Ethics and International Affairs*, 19:3 (2005), p. 7.

<sup>18</sup> McMahan, *Killing*, p. 150.

<sup>19</sup> *Ibid.*, p. 96.

the war meant for him was expressed in existential and collectivist language. It was about testing his own courage, his own right to existence, but it was also a confirmation that he was ‘German through and through.’<sup>20</sup> Although Wittgenstein went on to be a good soldier in many respects, receiving awards for his bravery, from McMahan’s perspective what ultimately matters is that he chose (freely as he was a volunteer) to fight for an aggressor without a just cause. He allowed himself to be driven by prejudices of identity rather than by rational inquiry into moral truth, and therefore, like so many participants in war, embraced the position of the murderous attacker rather than of the policeman.

McMahan’s uncovering of the morality of war is intended to enable participants in war, in particular military personnel, to live up to their epistemic responsibilities and make choices on that basis.<sup>21</sup> Where morality and law conflict, McMahan argues, and broader considerations such as the effect of breaking a particular law of war have been taken into account, then it may be morally required for the law to be broken, even if the presumption should always be in favour of upholding the law.<sup>22</sup> It is through the proper exercise of individual conscience, excluding all bias related to national or professional identity and acting on that basis that McMahan seeks to pre-empt moral stupidity about war. Military personnel, in his view, have been morally and empirically ignorant about war for a variety of reasons. Some of those reasons are because of a refusal to question unthinking assumptions about the moral status of the political community or what it means to be a good soldier. Others are to do with ways in which soldiers have been lied to or coerced, including of course by philosophers, lawyers, and politicians who have endorsed the notion of the moral distinctness of war.<sup>23</sup> Wittgenstein’s stupidity was particularly acute because it was wilful rather than coerced. He had the capacity to know and to do the right thing, but failed to live up to his epistemic responsibilities. McMahan’s account of moral intelligence in relation to war is presented as providing a corrective to moral and empirical ignorance, including prejudices and biases of moral actors, by laying out the factors that need to be taken into account for a war to qualify as just, and by insisting on the personal, individual responsibility of every participant in war to absorb and act on the basis of that moral knowledge.

## How could he be so stupid (2)?

While Wittgenstein joined up and served on the Eastern Front in the First World War, simultaneously Addams campaigned against the war in Europe and American entry into the war. In the course of her campaigning, Addams developed arguments for pacifism that built on, but also significantly reworked, her earlier arguments in support of peace.<sup>24</sup> Like McMahan, Addams condemned the First World War as a morally stupid endeavour. And as with McMahan, the concepts of moral intelligence and moral stupidity and an account of epistemic responsibility were central to Addams’s philosophical ethics.<sup>25</sup> Yet Addams went beyond McMahan in condemning all, rather than most, wars as morally stupid.

<sup>20</sup> Monk, *Ludwig Wittgenstein*, p. 114.

<sup>21</sup> ‘In the case of soldiers, it is highly important that their beliefs should be justified because of the seriousness of what they are being asked to do, namely, to kill people of whom they have no personal knowledge.’ McMahan, ‘The ethics of killing’, p. 701.

<sup>22</sup> ‘When morality of war requires what the law forbids, I believe that one must do what morality requires.’ McMahan ‘The morality of war’, p. 39; Jeff McMahan, ‘The ethics of killing in war [ii]’, *Philosophia*, 34:1 (2006), p. 40.

<sup>23</sup> McMahan, *Killing*, pp. 104–54.

<sup>24</sup> See Jane Addams, *Newer Ideals of Peace* (New York: Macmillan Company, 1907); Jane Addams, *Peace and Bread in Time of War* (New York: King’s Crown Press, 1945).

<sup>25</sup> Jane Addams, *Democracy and Social Ethics* (Harvard: Harvard University Press, 1964); Addams, *Peace and Bread in Time of War*, p. 249; see also John Dewey, ‘Democratic versus coercive international organization: the realism of Jane Addams’, Introduction to Addams, *Peace and Bread*, pp. ix–xx.

And her judgment of young men like Wittgenstein, who embraced the pursuit of war, was radically different.

In the course of a trip with other women activists to Europe in 1915, which included the conference of women at The Hague that formed the beginnings of the Women's International League for Peace and Freedom, Addams and her colleagues met with many soldiers back from the front on both sides of the conflict. These were, overwhelmingly, young men who identified passionately with their national cause and who had experienced the terrors and exhilarations of fighting. Addams became infamous because in reporting back on such meetings she told an audience that the men had reported to her that it was common for soldiers to be given alcohol or other stimulants prior to going over the top. The press lambasted Addams for denigrating the young men's courage, and from being a highly respected political activist, social reformer and public intellectual, Addams (along with her pacifist colleagues) became reviled. Commenting on this in retrospect, Addams reported:

I might have repeated my more sober statements with the explanation that whomsoever the pacifist held responsible for war, it was certainly not the young soldiers themselves who were, in a sense, its most touching victims. ... Youth's response to the appeal made to their self-sacrifice, to their patriotism, to their sense of duty, to their high-hearted hopes for the future, could only stir one's admiration.<sup>26</sup>

Addams sympathised with the motivations of these young men, many of whom, like Wittgenstein, would have been enthused by the heroic possibilities of war as a character-building experience. She is more condemnatory of the old men that had sent the young men to kill and be killed.<sup>27</sup> But even here, her condemnation was not based on the idea that political leaders had made individual moral mistakes about the justice or otherwise of their cause, it was rather that both the old and the young were living a collective project that contradicted the practices and values of cosmopolitanism, egalitarianism, and democracy that she, in the light of her Hull House experience, identified as the most progressive tendencies in the life of complex, large-scale, industrialised nation-states.<sup>28</sup> Cosmopolitanism, egalitarianism and democracy were not abstract values for Addams, nor were they objective moral truths. They were historically produced, experimental practices that emerged out of the need for a highly pluralised and deprived community of people to live and manage their collective life together.<sup>29</sup> Cosmopolitanism on this account is not a moral theory that takes the inalienable moral status of the individual as its starting point, it is the ways in which people from distinct communities engage with each other to build commonalities without the subsumption of one by another.<sup>30</sup> Egalitarianism is not a formal principle but the actual process of treating others as equals, which means developing capacities for the sympathy and imagination to take the standpoint of others seriously without rushing to judgment. Democracy is not a mode of rule but a collaborative practice, based on treating others on equal terms.<sup>31</sup> When Addams observed how the young men who had

<sup>26</sup> Addams, *Peace and Bread*, p. 137.

<sup>27</sup> *Ibid.*, p. 19.

<sup>28</sup> Addams argued that we should look to the experience of the immigrant communities served by Hull House as an inspiration for a new kind of practical cosmopolitanism: 'They are developing the only sort of patriotism consistent with the intermingling of nations; for the citizens of a cosmopolitan quarter find an insuperable difficulty when they attempt to hem in their conception of patriotism either to the "old country" or to their adopted one. There arises the hope that when this newer patriotism becomes large enough, it will overcome arbitrary boundaries and soak up the notion of nationalism.' Addams, *Newer Ideals*, p. 18.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*, pp. 17–19.

<sup>31</sup> Addams, *Democracy and Social Ethics*, p. 6; Addams, *Peace and Bread*, p. 112.



been in the trenches were increasingly coming to question the authority of the old to use the slaughter of the young as the instrument for nationalism and power politics, she interpreted this as evidence of a clash between hierarchical and democratic thinking.<sup>32</sup>

For McMahan, war is an aggregate of individual acts of violence carried out for specific (just or unjust) reasons. In contrast, for Addams, war is a set of institutions, identities, values, and practices, which cannot be detached from a variety of other institutions, identities, values, and practices, including nationalist, class, and gender politics. Addams exemplified an early twentieth-century liberal position on the question of war, one in which war was understood as anachronistic and contrary to globalising, industrialising, and democratising trends of the time. In addition, however, in texts such as *Newer Ideals of Peace* and *Peace and Bread in Time of War* Addams challenged prevailing views about war much more deeply by bringing class and gender in to her analysis of nationalism, militarism, the logic of violence, and myths of chivalry and heroism. She was concerned about the structural effects of war on societies in times of both war and peace, and how nationalist and militarist agendas were linked to the oppression of populations. She was also interested in how militarisation manifested itself outside of war in the treatment of workers by bosses, the poor by the rich, outsiders by insiders, citizens by police.<sup>33</sup> For McMahan, the isolated encounter between the murderous attacker, the innocent victim and the policeman has a stark and obvious moral meaning – which is only clear because it is stripped of any context. For Addams the encounter has no moral meaning at all without taking a whole range of what for McMahan would be extraneous factors into account. These factors include the productive effects of ongoing processes of interaction between police and criminalised populations, how this shapes the identities, interests, and attitudes of the protagonists. She noted in 1919 how four years of war had entrenched nationalism as a hierarchical and exclusionary doctrine:

Whereas nationalism thirty years earlier has seemed generous and inclusive, stressing likenesses, it now appeared dogmatic and ruthless, insisting upon historic prerogatives quite independent of the popular will.<sup>34</sup>

Addams also identified the gendered presuppositions and effects of war. The ways in which war and military virtues justified the exclusion of women from citizenship and confirmed their inferior status, and the profound effect war had on women's role within the family as the provider of food and care.<sup>35</sup> Arguments made by Addams and her contemporaries have continued to be developed in feminist contestation over war and especially the relation between war and gender since her time. Feminist scholars have systematically and repeatedly demonstrated that gendered identities are fundamental to the meaning and practice of war. They have documented the gendered presuppositions and consequences of war, the ways in which war is embedded in and reproduces gendered political, economic, and ideological structures, and the continuum between the organised violence of the state and interpersonal violence at a domestic level.<sup>36</sup> Crucial to all of this feminist

<sup>32</sup> Addams, *Peace and Bread*, pp. 2, 48.

<sup>33</sup> *Ibid.*, p. 65; Addams, *Newer Ideals*, pp. 31–60.

<sup>34</sup> Addams, *Peace and Bread*, p. 174.

<sup>35</sup> *Ibid.*, pp. 75–7; Addams, *Newer Ideals*, p. 208.

<sup>36</sup> For classic arguments about the centrality of gender to war, see Jean Bethke Elshtain, *Women and War* (Chicago: Chicago University Press, 1987); Sarah Ruddick, *Maternal Thinking: Towards a Politics of Peace* (Boston: Beacon Press, 1989); Cynthia Enloe, *Bananas, Beaches and Bases: Making Feminist Sense of International Politics* (Berkeley: University of California Press, 1990). For a comprehensive recent account of feminist arguments about the gendered nature of war, see Laura Sjoberg, *Gendering Global Conflict: Toward a Feminist Theory of War* (New York: Columbia University Press, 2013).



work is Addams's insight that war cannot be understood merely as a mechanism to further a particular end or in isolation from its broader context.

Addams was a moral pragmatist, influenced by and also influencing Dewey's philosophical understanding of the grounds of morality in lived experience and experimentation.<sup>37</sup> What counted as 'progressive' was not given by ahistorical moral standards, but by what worked best for the possibility of living together within a given context. For Addams the answers to moral questions were not available through processes of individual conscientious ratiocination or existentialist commitment.<sup>38</sup> Moral judgments should not be understood as fixed truths but rather as ongoing and permanently revisable outcomes of historical and social change and the response to problems arising from change through political deliberation and engagement with others – starting from a standpoint of moral humility and commitment to a democratic ethos.<sup>39</sup>

We slowly learn that life consists of processes as well as results, and that failure may come quite as easily from ignoring the adequacy of one's method as from selfish or ignoble aims.<sup>40</sup>

This pragmatic understanding of moral intelligence as an essentially practical skill was essential to Addams's embrace of pacifism, even though this set her in opposition to the views on war of other pragmatist thinkers. For Addams, exercising moral intelligence involved capacities to identify and act on progressive (in contextual terms) trends and possibilities in actual social processes. In order to follow through on the commitment to what she had identified as progressive cosmopolitan, egalitarian, and democratic tendencies, it also necessitated cultivating capacities for sympathy and imaginative identification. Without the latter, pursuit of progress could not be properly democratised and moral intelligence would lapse into the assertion of a specific individual's moral rightness or moral integrity to the exclusion of everyone else.<sup>41</sup> On the face of it it seems odd, given her view that morality has to be understood as a common endeavour, that Addams should articulate a moral position so far removed from that of most people not only in her own country but across the world. But for Addams, when others were speaking of the First World War as the war to end all wars or as the war that would bring about democracy, they were neglecting the importance of process or method in relation to outcome.<sup>42</sup> As a practice, war was hierarchical, exclusionary, and violent. How likely was it that years of the entrenchment and reproduction of the values and virtues of hierarchy, exclusion and violence, at individual and collective levels, would enable peaceful and democratic outcomes? On Addams's account, it not only did not do this, 'the dogmatic morality of war, in which all humanly tangible distinctions between normal and abnormal disappear' blinded allied powers to the horrors of mass poverty and starvation.<sup>43</sup> Addams knew that her pacifism was a minority, denigrated position. But she understood it as a practical endeavour with others to make a case actively that might fail just as much as it might succeed, but was at least compatible with the outcomes that it sought to achieve.

In retrospect, some commentators have sought to identify Addams as an early exponent of the ethic of care, and there is certainly common ground between Addams's position and later theorists of care.

<sup>37</sup> Maurice Hamington (ed.), *Feminist Interpretations of Jane Addams* (University Park, PA: Pennsylvania State University Press, 2010); Charlene Haddock Siegfried, 'Socializing democracy: Jane Addams and John Dewey', *Philosophy of the Social Sciences*, 29:2 (1999), pp. 207–30.

<sup>38</sup> Addams, *Democracy and Social Ethics*, pp. 102, 146, 176, 273–4.

<sup>39</sup> *Ibid.*, p. 59.

<sup>40</sup> *Ibid.*, p. 6.

<sup>41</sup> *Ibid.*, pp. 102, 176, 271.

<sup>42</sup> Addams, *Peace and Bread*, p. 142.

<sup>43</sup> *Ibid.*, p. 101.

As with care ethics, Addams was contextualist in her thinking and emphasised relationality and sympathy as the starting points of ethics. She also saw caring virtues as countering military virtues in a way that prefigures the work of later thinkers such as Sarah Ruddick.<sup>44</sup> However, her position is distinctive in its emphasis on cosmopolitanism, equality and democracy.

If we grow contemptuous of our fellows and consciously limit our intercourse to certain kinds of people whom we have previously decided to respect, we not only tremendously circumscribe our range of life, but limit our scope of ethics.<sup>45</sup>

Addams's view that the most morally intelligent pathway does not rely on individual conscience and ratiocination alone does not mean that she didn't hold strong convictions about right and wrong, as with McMahan, or very strong existential identifications with particular virtues, as with Wittgenstein. She valued dissent and creativity as sources of novel responses to the challenges thrown up by different aspects of living together, whether it be in immigrant communities in Chicago or in the realm of international politics.<sup>46</sup> But she was committed to pursuing those principles or virtues arising out of new ways of thinking in practice, collectively with others, and she accepted the fallibility of her own convictions however strongly held.<sup>47</sup> At the heart of Addams's ethics was a democratic commitment not so much to consider all possible views on particular issues, but rather to start with respect for the views of all others, regardless of whether they were like her own and to try and understand both how ethical commitments of all kinds come to make sense *and* the effects of pursuing ethical commitments, individually or collectively.

From Addams's point of view and that of her feminist successors, Wittgenstein's moral stupidity did not lie primarily in the falsity of his conclusions (or failure to draw them) about the justice of Austria–Hungary's cause, nor was his stupidity 'his' in the sense of being detachable from 'him' as an error of judgement. From Addams's point of view, there is nothing particularly surprising in Wittgenstein looking to participation in war as a way to resolve existential conflicts about his moral worthiness, however intelligent he may have been, because the link between war and a series of gendered ethical values is one of the ways in which war retains its legitimacy and plausibility as a means of settling political disputes. On this account, Wittgenstein's stupidity belongs to war as much as to him. It is a product not of just or unjust war but of war *per se* as a longstanding, hugely complex social institution in which gender identities and hierarchies have been constructed and reproduced, including when it comes to what it means to be a man and an effective moral actor. Of course, this does not mean that Wittgenstein could not have acted differently, but in order to do so, he would have needed to put into question more than the moral legitimacy of Austria–Hungary's cause.

## On being morally intelligent about war

McMahan and Addams both would have wanted Wittgenstein, the man who volunteered as an ordinary foot soldier, to act differently, on the basis of different reasons than he did. For both of them, Wittgenstein made a moral mistake, though not of the same kind. And both suggest a different, more demanding account of what it might mean to live up to your epistemic responsibilities as an actual or potential participant in war. We have here fundamental conflicts of view about the nature of moral intelligence in relation to war. Let us go on to unpack the respective notions of moral intelligence and how they are bound up with assumptions about justice and about war.

<sup>44</sup> Ruddick, *Maternal Thinking*.

<sup>45</sup> Addams, *Democracy and Social Ethics*, p. 10.

<sup>46</sup> *Ibid.*, p. 159

<sup>47</sup> *Ibid.*, p. 153.

For McMahan there are two sets of circumstances that need to be in place in order for one to be morally intelligent about participating in war. Objective circumstances in which criteria of justice are met, and *ad hominem* circumstances in which choosing moral agents possess the appropriate moral and empirical knowledge, capacity, and willingness to detach themselves from sources of bias.<sup>48</sup> The two are mutually reinforcing, since without being educated not only in moral knowledge, but also in history and strategy, and without also being able to think in abstraction from personal or professional identity and context, the right answer to the question of whether it is morally right to fight will only ever be a happy accident.<sup>49</sup>

The morally intelligent potential fighter must not have their judgment distorted by their context, their personal or professional identity or their existential preferences. Such a person will not be swayed by their self-identification with military virtues or by ideas of patriotism or the links between their sense of self and their national or gendered position. To live up to one's epistemic responsibilities is to bracket out all of the above and make judgments from a position of political and emotional neutrality. McMahan discusses a range of reasons why the participation in war of unjust combatants may be excusable, including duress, epistemic limitations, and diminished responsibility.<sup>50</sup> He concludes that although participating as an unjust combatant may be more excusable in cases of widespread ignorance, propaganda or highly coercive authoritarian regimes, it is less excusable in liberal militaries, where not only is more information available, but the prevailing value system reflects the moral truth of the centrality of individual rights. In *Killing in War*, McMahan suggests that were soldiers to be able to exercise proper moral and empirical judgment in relation to the permissibility of participating in war, then their judgment would, most of the time, have to come out against the probability of the war in question being just. Nevertheless McMahan is insistent on the moral importance of resisting any tendency towards pacifist conclusions.

My argument that the moral risks involved in the participation in war may exceed those of nonparticipation exerts pressure in the direction of a contingent form of pacifism. But this pressure can be resisted and successfully overcome, when war is just. It can be overcome by careful attention to the facts and careful moral reasoning. There was little uncertainty, for example, that the Allied war against Nazi Germany and the war against imperial Japan, were just wars.<sup>51</sup>

<sup>48</sup> McMahan is insistent that the morality of war can be rationally established: 'I believe, in contrast to conventionalist theories, that much of morality can be justified independently of its acceptance or of the effects of its acceptance.' Jeff McMahan, 'Self-defence and the problem of the innocent attacker', *Ethics*, 104:2 (1994), p. 289; 'The morality of war is not a product of our devising. It is not manipulable; it is what it is.' McMahan, 'The morality of war', p. 35.

<sup>49</sup> McMahan, *Killing*, p. 153.

<sup>50</sup> *Ibid.*, pp. 104–54.

<sup>51</sup> *Ibid.*, p. 153. In *Killing in War* and McMahan's other writings on just war works through analogies and thought experiments that model the moral grammar of just war in terms of individuals making decisions about killing in imagined interpersonal contexts in order to articulate or test our moral intuitions. Particularly so in cases where acting to protect the innocent against unjust threats nevertheless foreseeably harms innocent bystanders of various kinds. However, the Second World War is also frequently introduced as a decisive example to illustrate the claim that war can be just. Walzer raised the question forty years ago about the 'special' status carried by the Second World War in arguments over just war. He argued for the special character of that war because it was 'a case where a wager against the rules might be morally required'. Michael Walzer, 'World War II: Why was this war different?', *Philosophy and Public Affairs*, 1:1 (1971), p. 21. For McMahan, the moral significance of the Second World War is the opposite one. It exemplifies the rule that justification may override liability if it is strong enough, and keeps the theoretical possibility of just war open.

McMahan's resistance to contingent pacifism reinforces the centrality of the justice of the cause to his ethics of war. It is because certain causes may be just that wars may be just. This is a matter open to objective validation, grounded in shared intuitions about the morality of inter-individual killing. Thus, although the morally intelligent fighter knows about previous wars, he or she still needs to look at each case afresh, able to test the hypothesis of the likely injustice of the war to destruction, and able to retain faith in the idea of a just war.

McMahan's central claim is that war is not a morally distinct domain. Morally this means that it is governed by the same standards as apply to killing and injuring more generally. These standards reflect objective moral values that derive their truth outside of the practical contexts to which they are applied. This has significant implications for what war is taken to mean. In McMahan's terms, war, as a practice of killing and injuring, is treated in instrumental terms as a tool for particular purposes, which may be just or unjust. The assumption is that the competent moral actor can pick up the tool of violence, use it effectively according to intended outcomes, and put it down without changing who they are, and without requiring a context of institutions and narratives through which that act can be made possible as well as be rendered legitimate and meaningful beyond its immediate purpose.

Evaluating war from Addams's perspective involves a different set of self-disciplines from those of McMahan's moral agent. Where McMahan's moral agent seeks to eliminate bias and embrace a position of personal and political neutrality, Addams's moral agent situates herself within her historical context. She identifies with and seeks to forward the progressive principles of cosmopolitanism, equality, and democracy. War, she argues is inherently contrary to these principles, not because it cannot be waged for good ends (however rare this might be), but because as a set of institutions (the military, the state), identities (national, combatant, civilian, gender), practices (hierarchical, instrumental, destructive), and values (militarism, patriotism) it is intrinsically particularist, hierarchical, and undemocratic. In contrast to McMahan, she does not identify her moral standpoint with demonstrable moral truth, but as a commitment to be tested out through practical, political engagement with others. And this practical engagement requires the exercise of sympathy and imagination to understand those with whom she disagrees and seeks to persuade.

On this account, the task of persuading Wittgenstein that he was wrong cannot be accomplished by the demonstration of moral and empirical truths. It requires the unravelling of the conditions through which his identification of willingness to kill and be killed with a virtuous self-identity make sense. At bottom, it is not Wittgenstein that needs to be converted, but the conditions within which his action appears as a reasonable route to moral improvement. And these conditions can only be changed by concerted political action as opposed to philosophical dialogue. Part of this action is to articulate the pacifist position as strongly as possible within the public domain, which is one of the reasons why Addams took the strategic decision to identify herself with a pacifism that was as 'unequivocal' as possible.<sup>52</sup> McMahan's morally intelligent subject has to reject any unequivocal commitment to pacifism because knowledge of justice properly acquired accords a literally killing authority to moral judgment, to say otherwise is to reject justice. The task of Addams's morally intelligent subject, in contrast, confers no lethal or coercive authority. The task is to build new authoritative standards of judgment as part of a collective project, and it can only be carried out in ways that are compatible with the standards for which the morally intelligent subject purports to fight. The principles of cosmopolitanism, equality, and democracy do not permit the dismissal of those with whom one disagrees as morally stupid.

<sup>52</sup> Addams, *Peace and Bread*, p. 133.

Addams agrees with McMahan that war is not a separate moral universe, but not because it is simply a larger scale version of murder or justified self-defence. For Addams war is embedded in the same conflicts between more and less progressive moral standards that characterise all of our social and political practices. It is not an aggregation of lethal actions but an array of institutions, identities, practices, and values (including ones specifically related to killing), which is in turn part of a broader, complex, and changing historical condition. The moral and empirical factors to be taken into account in evaluating the justice of war necessarily range beyond any particular war, and they require a very different standpoint of judgment. From Addams's perspective, nationalism, chivalry, military culture, and gendered relations of power are just as important to the moral evaluation of war as practices of killing and injuring, and indeed cannot be separated out from that killing and injuring, since they both make it possible and are reproduced by it. If they are necessary to the possibility of war as such, then this matters morally even when wars may be being fought for democracy or to overcome tyranny. To treat the killing and injuring inherent in war in isolated and instrumental terms misses a good part of the moral significance of war.

There is no straightforward way either to reconcile the arguments of McMahan with those of Addams or to show that one is more correct, on moral grounds, than the other. These are arguments resting on very different accounts of moral reasoning and the foundations of moral principles, not susceptible to logical or empirical validation. However, if we think more modestly about what we might gain in terms of making moral judgments about war from an encounter between the two thinkers, then I suggest that the way in which we are enabled to think about *war* on Addams's account opens up possibilities for moral thinking that are blocked by McMahan's insistence on conceiving war as an aggregate of lethal interpersonal encounters which are morally defined by the ends which they serve. Addams enables us to think ethically about two issues which McMahan's approach to war closes down. The first is the nature of war itself, not a specific war as a means to a particular end. The second is how drawing the line between just and unjust killing is internal to war as a practice, a part of what sustains rather than limits war as such.

We must start with the 'conditions of war' and what sets them apart, as this will have already established something critical about how moral principles are to apply, if at all. However, what must be stressed is that those 'conditions' are not confined simply to the battlefield. Instead they embrace also how people have thought about war, and the grounds on which they have indeed recurrently believed that it is different from other violent activities. While war has been self-evidently a means of political struggle, the concept has served also as a key site of it.<sup>53</sup>

Ian Clark's recent edition of *Waging War* has reminded us that war is not in any sense a self-evident object of analysis for moral philosophers. Although Clark's analysis is focused on a more narrowly articulated conceptual history of war than is suggested by Addams's approach, his argument, like hers, highlights how claims about wars in particular are parasitic on claims about war in general, whether or not those are articulated. McMahan's arguments treat war as a chosen, discrete, instrumental activity, equivalent to any other individual acts of killing and self-defence. This is necessary in order for war to be subject to morally intelligent judgment in the way that McMahan understands it. But it is also disingenuous, since the very recognisability of the idea of war as war depends on a range of factors that are missing or highly attenuated in McMahan's account. At the same time, his references to actual conflicts, his catalogue of the kinds of mistakes that may be made or excuses that may be offered by combatants in relation to their participation in war presupposes a range of institutional and ideological conditions that his stipulative definition of war leaves outside

<sup>53</sup> Ian Clark, *Waging War: A Philosophical Introduction* (2<sup>nd</sup> edn, Oxford, Oxford University Press, 2015), p. 13.

of moral scrutiny. In treating war simply as a scaled-up version of individual killing and injuring, McMahan is able to leave a great deal of what makes war as war out of the moral equation, from how it is that people may be motivated to fight, to the particularist, hierarchical, and undemocratic nature of the institutional contexts within which fighting is conducted, to the gendered and racialised imaginations of ‘killable’ others without which no war is complete. The point here is not only, as Clark would insist, that different conceptions of war have different moral agendas already embedded within them, but that to use the language of war is to invoke meanings and connotations that exceed that use, and that pertain to war in general and not simply to specific wars. In this respect, Addams’s much more expansive conceptualisation of war is both more adequate and more honest than any approach that tries to trim the category of war to fit a specific model of justice.

From Addams’s perspective, however, there is more to draw attention to in terms of what is missed by the way in which the morality of war is conceived by McMahan’s intelligent moral agent. Not only does this agent not have to think about the moral standards inherent in maintaining the institution and practice of war itself outside of the prosecution of any particular war, neither does he have to be reflective about the effects of his own just war theorising. These effects include the way the practice of war is sustained as an ever-present possibility through the endorsement of just war theory, and the specific ways in which just war discourses are embedded in, reflect and reproduce, the discursive conditions of war. At the heart of both of these kinds of effect is the production of distinctions between those whom one may legitimately kill and those whom one may not.

Famously, McMahan identifies just combatants with the category of those immune to attack, only unjust combatants are legitimate targets, and even in their case they may not all be liable to attack in the same way or to the same extent. McMahan’s way of drawing the distinction between those whom may be legitimately killed and those whom may not is at radical odds with the assumptions of the so-called ethical ‘symmetry’ between combatants enshrined within the laws of war. But at the same time as he puts tighter boundaries around the category of legitimate killing in war than the contemporary legal boundaries, McMahan also empowers the just war imaginary in ways that extend those legal boundaries. Were it to be the case that all unjust combatants were ‘criminals or villains rather than the victims of duress or delusion’, then a just war could permissibly be less restrained, since proportionality judgments will be different depending on the relative liability of those being harmed and killed.<sup>54</sup> Paradoxically, a critique of the permissibility of killing in war under contemporary international law becomes the permissibility of killing under another regulatory order. As in all just war theory, the injustice of some, or even all, actual wars never becomes the injustice of war as such but only of particular wars, in large part because wars are analysed as discrete, if complex, events, whereas standards of justice are understood as continuous and unchanging. To treat war as a chosen discrete activity, subject to transcendent principles of justice is to keep the possibility of war permanently open.

McMahan’s responsibility criterion when it comes to the differential position of just and unjust combatants, and between different unjust combatants also implies a moral evaluation of the liability to attack of unjust non-combatants at odds with the norm that all non-combatants are immune from attack. Even though this is morally true, McMahan argues that the epistemic challenge of distinguishing heavily responsible from marginally or non-responsible moral actors, plus the probable harmful effects of identifying civilians as legitimate targets, mean that in this particular respect the laws of war should not follow the morality of war.<sup>55</sup> This means that there are two sets of principles

<sup>54</sup> McMahan, ‘The ethics of killing in war [iii]’, pp. 34–5.

<sup>55</sup> *Ibid.*, pp. 35–40; McMahan, ‘The morality of war’, pp. 19–43.

operating at two different levels that should govern the conduct of war: deep morality, on the one hand and the conventional laws of war on the other. McMahan resists the conclusion that this means that the articulation of the deeper morality of war *in bello* is a pointless exercise: 'If nothing else, the deep morality of war is a guide to individual conscience.'<sup>56</sup> In the case of clashes between deep morality and the laws of war, the morally intelligent combatant could be morally justified in following the former rather than the latter. And even if the exercise of such moral heroism is exceptional and problematic in practice, it is required in theory, and keeps the beacon of just war, and therefore the potential necessity of war, alight regardless of practice.

Setting aside the degree to which deep morality provides an incitement to violence *in bello*, both the moral and the legal standards that McMahan suggests should govern conduct in war rely on the possibility of distinguishing between those whom it is morally acceptable to kill and injure and those whom are immune to attack. Without such a principle of discrimination the project of just war becomes unintelligible. Feminist research has shown how moral and legal discourses of discrimination between legitimate and illegitimate targets, from the traditional distinction between the innocent and the guilty, to the contemporary distinction between combatants and civilians, have been enmeshed in, and reproduced gendered and civilisational assumptions. Women and children have traditionally served as a proxy for the meanings of 'innocent' and 'civilian', even in a world in which women and child soldiers and male civilians are common.<sup>57</sup> Helen Kinsella has drawn attention to the ways in which the principle of discrimination acts to constrain and enable the practice of war depends heavily on decisions about how the characteristics of the relevant categories are interpreted, which in turn depends heavily on the world of meaning into which those categories are released.<sup>58</sup> Rather than being neutral descriptions, the meanings of innocent or civilian have been produced as actionable by being tied to gendered and civilisational hierarchies, which have clarified, differently in different contexts, whom one may be permitted to kill and whom not, and the difference between just and unjust warfare, and thereby legitimated the practice of war *per se*.<sup>59</sup>

McMahan reworks the principle of discrimination in war in terms of a rights-based understanding of the distinction between liability and immunity to attack. This distinction is presented as politically neutral, with no gendered or civilisational implications. But the world of meaning into which that distinction, in whatever form, is released is not neutral, even in the context where one might expect it to be most neutral, that is to say in the ways in which the philosopher himself expounds the distinction in all its complexity. Because McMahan understands war as a magnified instance of interpersonal violence, much of his careful moral reasoning is worked out by analogy with the implications of hypothetical cases of individual killing or harm in the defence or preservation of self or others with varying degrees of liability, so-called thought experiments. It is assumed that such reasoning is substantively apolitical, and often the hypothetical cases considered are deliberately fantastical in their construction in order to enable moral reasoning in abstraction from everyday prejudices. Yet even abstract moral reasoning takes place within an established universe of meaning. And there is a gendered politics at work in representations of the world of interpersonal interaction

<sup>56</sup> McMahan, 'The ethics of killing in war [ii]', p. 40.

<sup>57</sup> R. Charli Carpenter, *Innocent Women and Children: Gender Norms and the Protection of Civilians* (New York; London: Routledge, 2016 [orig. pub. Ashgate, 2006]).

<sup>58</sup> Helen Kinsella, *The Image Before the Weapon: A Critical History of the Distinction between Combatant and Civilian* (Ithaca: Cornell University Press, 2011). See also, Laura Sjoberg, 'The inseparability of gender hierarchy, the just war tradition, and authorizing war', in Lang Jr, O'Driscoll, and Williams (eds), *Just War*, pp. 81–96.

<sup>59</sup> Kinsella, *The Image*, p. 139.



that is reflected in the ways in which McMahan illustrates, for example, degrees of liability of those posing a threat to innocents. The full-blown culpable attacker, carrying full liability for his actions is generally gendered male and the victim female.<sup>60</sup> As the position gets more mixed, so do the genders of attackers and victims get more mixed, though there is still a prevailing tendency for victims to be gendered female, and this is always the case when rape or sexual violence is at issue.<sup>61</sup> Moreover, when analogies move to identities within the real world, gendering tends to follow along traditional lines – miners are male, drivers may be male or female, and soldiers are usually male.

The point here is not to suggest that there may not be reasons to represent the world in these gendered terms, but rather to show that the reworking of distinctions between legitimate and illegitimate targets in terms of liability and immunity to attack at the level of individuals, in the realm of thought experiment, is already gendered. The new basis for discrimination already resonates with common-sense understandings of gender as a marker of difference in war between those liable to harm and those not. Likewise, the McMahan's insistence on the ethical asymmetry of just and unjust combatants is not intended to map onto familiar civilisational hierarchies, any more than onto gendered ones. Nevertheless, the world into which it is released is one in which it is all too easy to match just combatants with liberal militaries, unjust combatants with racialised non-liberal others, and those immune to attack with feminised civilians. From Addams's point of view, in which just war theory is one of the elements of the moral and empirical reality of war, the points of similarity between the imagined world of philosophical experimentation, and the distinctions drawn within it between different types of moral actor, and an actual world of asymmetrical wars, humanitarian intervention, and responsibility to protect is itself morally significant.<sup>62</sup> Just war theory is not simply a commentary on war, it is part of war, and it depends on discursive resources that are themselves bound up with the institutions, practices, and ideologies of war.

## Conclusion

In his work, McMahan regularly draws attention to degrees of moral obtuseness and stupidity in otherwise intelligent people when it comes to the ethics of war. The task of the moral theorist is to detach war from moral stupidity and clarify the precise criteria for war to be just for the benefit of those whom participate, in particular those whom fight. Addams also uses a language of moral intelligence/stupidity in thinking about the morality of war. She argues for pacifism because she identifies the task of the moral theorist espousing values of cosmopolitanism, equality, and democracy as being to practice consistency between her aims and the ways in which she struggles to fulfil those aims.

For both thinkers, Wittgenstein's decision to volunteer to fight is incompatible with the moral standards that they espouse. For Addams, however, the inadequacies of Wittgenstein's patriotic and existential endorsement of war are rooted in the broader moral reality of war and its pervasive presence across public and private life. From Addams's point of view, the ethical problem is not that Wittgenstein was irrational, but that in order for wars to continue to be fought, fighters and those whom support the war are necessary and have to be able to make sense of what they do. That sense

<sup>60</sup> McMahan, 'Self-defence and the problem of the innocent attacker'.

<sup>61</sup> *Ibid.*, pp. 11, 255–6.

<sup>62</sup> This is not to suggest that McMahan's approach to the morality of war is particularly permissive in relation to liberal interventionism, just that his profoundly asymmetric moral imaginary when it comes to the just and the unjust does not exist in a vacuum, but in relation to other profoundly asymmetric moral imaginaries at work in contemporary world politics. See McMahan, 'Humanitarian intervention, consent and proportionality', in N. Ann Davis, Richard Keshen, and McMahan (eds), *Ethics and Humanity: Themes From the Philosophy of Jonathan Glover* (Oxford: Oxford University Press, 2010), pp. 44–72.

is enabled, among other things, by gendered and nationalist institutions, identities and ideologies, but also by the priority given to distinguishing between just and unjust violence in how particular wars are defined by their participants. She was struck by the degree of attachment that all people of different nationalities she met in Europe in 1915 had to the justice of their cause, even as they deplored the existence of war. Even if some of those people were right about the justice of their cause, participating in war required them to be and to act in ways incompatible with practices of cosmopolitanism, equality, and democracy. Paradoxically, it is the possibility of moral intelligence about specific wars in McMahan's sense that sustains the moral stupidity of war in Addams's sense.

From McMahan's point of view, Addams is guilty of a twofold moral stupidity. When it comes to morality she is insufficiently attuned to our deep moral intuitions about the ethics of killing and embraces a dangerous relativism and contextualism in her moral thinking. When it comes to war, she makes the mistake of opposing all war even though not all wars partake of the stupidity and barbarity of the First World War. However, critical consideration of the latter charge provides a basis for challenging McMahan's claims about war, which in turn provides a basis for challenging his account of just war. It is only possible to confine stupidity and barbarity (in Addams's case, particularism, inequality, and hierarchy) to certain wars as opposed to others, if one abstracts wars not only from the institutional and discursive conditions of war but also from the identities of those, like Wittgenstein, who are willing to fight in them. It is also only possible to abstract in this way if one assumes that the invocation of justice operates externally to war, rather than being immanent to how war is able to remain a permanent possibility in our political repertoire. But if war is inseparable from its conditions and practitioners, which there is good reason to suppose that it is, and if ideas of justice are one of war's conditions, which there is good reason to suppose that they are, then it seems reasonable to encompass the above in a morally intelligent evaluation of war.

Once we have made this move, as feminist and pacifist scholars such as Addams have urged us to do, then it is not only McMahan's 'revisionist' version of just war theory that becomes open to ethical question. Not all forms of just war theory offer as stark an illustration of an 'applied ethics' model for thinking about the morality of war as McMahan's. Many of them rest on a much more Aristotelian account of moral reasoning,<sup>63</sup> and engage much more extensively with the complexities of war in theory and practice. Nevertheless, I suggest that what differentiates McMahan's arguments from others that embrace Walzerian or more 'traditional' just war approaches is largely a matter of degree rather than of kind. What links all versions of just war theorising together is a focus on how war can be conducted ethically, either entirely in accordance with justice or in the way that is most just in a necessarily imperfect world. In this respect, the focus is always on the rules or norms of the game in question. Different just war theorists will give us different answers to questions about what the rules are or should be, whether the rules have been obeyed, whether the game has been played well (by the rules, intelligently or chivalrously) or badly (against the rules, barbarically or stupidly). However, as an older Wittgenstein showed us, rules are not about prohibition, they are about permission. Arguing over rules or standards of play never puts the permissibility of the game into question, but only the permissibility of some instances of the game. As long as the ethical focus is on the rules and norms that govern the game (in theory or practice), the game itself evades moral scrutiny.<sup>64</sup> Addams's understanding of what moral intelligence means in relation to war directs our

<sup>63</sup> See Chris Brown, 'Just war and political judgment', for a defence of just war *thinking* as opposed to just war *theory* in Lang Jr, O'Driscoll, and Williams (eds), *Just War*, pp. 35–46.

<sup>64</sup> This is not an argument that war should or should not be deregulated. For Addams, questions about the regulation of war in the context of a world still ridden with war would need to be approached pragmatically,

ethical attention to the game itself and demands that the morally intelligent subject thinks about the moral stakes not only of winning or losing, but of playing the game at all. Unlike the vast majority of work in the ethics of war, she takes *war* seriously. And precisely because she takes war seriously, she opens up the ethical possibility of transformation, though with full recognition that such a transformation entails the difficult political work of challenging a matrix of particularist, unequal and hierarchical institutions, practices, and beliefs.

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but with full awareness that such regulation in no way renders the particularist, unequal and hierarchical logics of war just, nor lets the moral subject committed to values of cosmopolitanism, equality and democracy off the hook of political struggle for the eradication of war.