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### Book Note

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## BOOK NOTE

McMahan, Jeff, *Killing in War*, Oxford: Oxford University Press, 2009, xii + 250, £19.99 (cloth).

In his latest book, just war scholar Jeff McMahan argues compellingly against what he calls the 'orthodox view' of killing in just war theory. Above all, he challenges the thesis of the moral equality of combatants, according to which combatants of all warring parties have an equal right to employ (lethal) violence against each other.

Contrary both to the 'orthodox view' and to many people's intuitions, McMahan argues that not only political and military leaders may be held morally responsible for participating in an unjust war. Rejecting the thesis that ordinary soldiers or combatants are responsible only for their conduct *in war* (*jus in bello*), he claims that they are morally responsible also for fighting *at all* in a war that lacks a just cause, i.e. an unjust war. According to McMahan, soldiers are morally required to ensure that they participate only in wars that satisfy the *jus ad bellum* conditions; they should refuse to serve in wars that do not satisfy these conditions and are therefore unjust. Epistemic uncertainty may excuse soldiers who wrongly believe themselves to be fighting in a just war, but, if in doubt, soldiers should still refuse because the risk of being wrong about a war's being just is greater than the risk of being wrong about a war's being unjust. If soldiers are nevertheless participating in an unjust war, McMahan continues, all their actions in the course of that war become unjust, i.e. morally wrong, even if they comply with the rules of *jus in bello*. McMahan concludes that while unjust combatants may legitimately be targeted, just combatants are not legitimate targets in war, because the latter are fighting for a just cause and so have not forfeited any right not to be attacked unless they have violated the rules of *jus in bello*. Soldiers, therefore, are not morally equal. More generally, McMahan argues convincingly against double standards in morality, showing how moral standards upheld outside of war should apply equally to warfare.

McMahan's book is a uniquely comprehensive and concise analysis of one of the central problems of traditional just war theory and a successful attempt to overcome some of its major flaws. Independently of whether or not one agrees with all implications of his argument, one cannot but acknowledge its outstanding contribution to contemporary just war theory. McMahan's thought-provoking theses will greatly benefit the debate among all just war scholars. It is certainly a book anyone interested in questions related to the ethics of warfare and military interventions should read.

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