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WAR AND PEACE

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ETHICS AND THE USE OF VIOLENCE IN WAR

The thinking of policy-makers about issues of war and peace, as well as that of the intellectuals whose work is most influential in the policy-making process, is normally structured by a framework of assumptions that is largely amoral. The problems are conceived of as "practical" in nature: policy options are compared solely in terms of their expected consequences, and consequences are evaluated solely in terms of their impact on the national interest. To the extent that ethical issues are raised at all, they are presented in a crude and oversimplified form best suited to the manipulation of public opinion, which, interestingly, tends to reject the amoralism of the policy-making elites.

In this article we will briefly explore the theory on which most national security policies are founded and then go on to consider several alternative views which insist that ethical principles must have a prominent role in the formulation of these policies. Next we will examine the justification for the resort to violence and killing in warfare, and will explore the grounds for the claim that there are limits to the permissible use of violence in war. In the second half of the article we will discuss the ethical issues raised by the practice of nuclear deterrence.

Realism

The theory that generally underlies the formulation of policy is called "political realism." It holds that moral norms do not apply to the conduct of states, which should instead be guided exclusively by a concern for the national interest. This position faces an immediate objection. There are limits to what I, as an individual, am permitted to do in order to protect or promote my interests. The same is true of you. So how could it be that, by banding together and declaring ourselves a state, we acquire the right to do things to protect or promote our collective interests which neither of us alone would be entitled to do? The formation of the state may (like the creation of a club) create new rights, but all are derivable from rights which individuals possess independently of their membership in the state. Hence the rights and prerogatives of states can extend no further than those of their individual members taken collectively.

The realist may attempt to meet this challenge in one of three ways. He might embrace moral nihilism, deriving the claim that moral norms do not apply to states from the broader claim that moral norms have no application at all, even to the conduct of individuals. Or he might argue that the condition of anarchy that structures relations among states is such as to suspend the requirements of morality that would apply in other conditions. Or, finally, he might claim that there is some peculiar alchemy in the formation of the state that makes the state more than just a collective composed of individuals; that the state is a higher and altogether different sort of entity that transcends the constraints that apply to individuals. As I will often have to do in this short article, I can only gesture at the arguments rather than present and discuss them in detail; but I am

persuaded that none of these replies is defensible and that realism, though influential, is untenable.

Given the fact that national policies tend to be founded on purely prudential reasoning, it should not be surprising that discussions of the ethics of war and nuclear deterrence generally endorse positions and policies quite far removed from the actual practices of states. Careful and conscientious ethical reflection tends to be deeply subversive of established ideas about war, peace, and security.

Pacifism

According to the realist view, war is justified when it serves the national interest, unjustified when it is against the national interest. The interests of other states or nations are considered to be largely irrelevant, except instrumentally. But, just as individuals are not morally permitted to ignore the interests of other individuals, so too states are required to give some weight to the interests of other states (or, rather, to the interests of people in other states). It seems implausible, however, to suppose that states are required to be perfectly impartial, giving as much weight to the interests of people in other states as they give to those of their own citizens. In short, neither absolute partiality nor perfect impartiality seems appropriate. It remains an unsolved problem of moral theory to determine in what conditions and to what extent a state is entitled give priority to its own interests and concerns over those of other states or national groups. (Some forms of partiality seem to us morally justified. For example, parents seem to be not merely permitted but required to be partial, at least in some respects, to their own children. But other forms of partiality, such as favoring the interests of members of one's own race, are morally arbitrary. It seems that nationalism and patriotism are in some respects analogous to familial loyalty, but are in other aspects analogous to racism. A deeper investigation of these analogies might help to illuminate the problem of determining the scope and limits of justified national partiality.)

Most people believe that the justifiability of war depends, not just on considerations of actual or expected consequences, but also on what are often called matters of principle. On this view, the rightness or wrongness of an act may be, at least in part, a function of the inherent nature of the act itself, which is independent of what its consequences are. Some people (called "absolutists") even believe that there are certain acts which can never be justified, simply because of the kinds of acts they are. Persons who are absolutists with respect to acts war are called pacifists. They believe that it is never permissible to engage in war. While virtually everyone believes that there is a strong moral presumption against the violence and killing involved in war, pacifists differ from most of us in their belief that this presumption cannot be overridden, that the challenge to provide a moral justification for war can never be met.

Like realism, however, pacifism is a difficult position to sustain. While it is not implausible to hold that the burden of justification falls on the person who claims that it may be permissible to engage in war, the situation is reversed in the case of certain uses of violence at the individual level. If I am the victim of an unjust and potentially lethal attack, the burden of justification falls, not on those who believe that I am entitled to use violence to defend myself, but on those who would deny this. Many pacifists would reply that what they reject is *war* and not all uses of violence; hence individual self-defense may be justified even though war is not. It is doubtful, however, that an *absolute* rejection of war can be coherently grounded on anything other than an absolute

prohibition of certain types of act necessarily involved in war - eg, intentional violence and killing. And any prohibition of certain types of action that will rule out war in all instances will almost certainly rule out the use of violence in individual self-defense. Indeed, the acceptance of individual acts of self-defense may itself imply an acceptance in principle of certain types of war, since certain wars may simply consist, on one side, in the collective exercise of individual rights of self-defense.

Just-War Theory

Over a number of centuries a tradition of thinking about the ethics of war has developed which attempts to define a defensible middle ground between pacifism and realism. The resulting view - known as the theory of the just war - provides a defense of the use of violence in war that parallels both the common-sense justifications for the use of violence by individuals and, perhaps more to the point, common-sense justifications for the use of violence by the state for the domestic defense of rights. Just as domestic police violence may be legitimate provided both that it is intended to serve just and well-specified goals and that it is governed and constrained by rules, so too the state's use of violence against external threats may be legitimate provided that the ends are just and the means subject to proper limitations.

The theory of the just war, which provides the framework within which most contemporary treatments of the ethics of war are developed, has two components: a theory of ends and a theory of means. The first of these, known as the theory of *jus ad bellum*, defines the conditions under which it is permissible to resort to war. The second theory, that of *jus in bello*, sets the limits of permissible conduct in war.

Both theories are too complex to be rehearsed here, even in outline. We should, nevertheless, consider some of their more important provisions. The principal component of the theory of *jus ad bellum*, for example, is the requirement that war must be fought for a just cause. While just-war theorists are virtually unanimous in the belief that national self-defense may provide a just cause for war, there is little agreement beyond that. Other candidates for just cause include the defense of another state against unjust external aggression, the recovery of rights (that is, the recovery of what may have been lost when earlier unjust aggression was not resisted, or when earlier resistance ended in defeat), the defense of fundamental human rights within another state against abuse by the government, and the punishment of unjust aggressors.

If, as I have claimed, the rights of states are derived from and cannot exceed the rights of the individuals who make up the state, then the right of national self-defense will be compounded out of the rights of individual self-defense of the citizens. The state is simply a vehicle through which its individual members collectively exercise their individual rights to self-defense in a coordinated fashion. The limits to what the state may do in national self-defense are therefore set by the limits to what individual citizens may permissibly do to defend themselves.

The theory of *jus in bello* consists of three requirements. (1) *The requirement of minimal force*: The amount of violence used on any occasion must not exceed what is necessary to achieve one's aim. (2) *The requirement of proportionality*: The expected bad consequences of an act of war must not outweigh, or be greater than, its expected good consequences. (3) *The requirement of discrimination*: Force must be directed only against persons who are legitimate targets of attack.

The Requirement of Discrimination

Each of these requirements raises formidable problems of interpretation. Consider, for example, the requirement of discrimination. What determines whether a person is a legitimate or illegitimate target of violence in war? It is often claimed that the distinction between those who are and those who are not legitimate targets coincides with the distinction between combatants and noncombatants, or with the distinction between the morally innocent and the morally guilty. These latter distinctions do, of course, have moral content: moral innocence entails an absence of liability to punishment and, according to certain theories at least, noncombatancy entails an absence of liability to self-defensive violence. But the relevance of these notions to the permissibility of attacking certain types of people needs to be established more directly. What is it about certain types of people that confers on them a moral immunity to attack?

Our beliefs about discrimination are a function primarily of [1] our theory of why violence and killing are normally wrong and [2] our theory of how, on occasion, violence and killing may be justified. The latter tells us not only what sorts of grievance can justify the resort to violence but also how people may be rendered liable to attack through being connected to the relevant grievance in certain ways. In short, it is our theory of how violence can be justified that tells us which people are liable and which are innocent - innocent in the generic sense that they are not connected with the grievance which provides the justification for engaging in war in a way that makes them liable to attack. (For example, if the justification for the use of violence is self-defense, then our theory of self-defense will tell us who is liable and may be attacked.) Our theory of why violence is normally wrong then tells us the precise way in which the distinction between those who are innocent and those who are liable functions to limit permissible violence.

The justification for the violence and killing involved in war is given by the theory of *jus ad bellum*. The requirement of discrimination is thus in part a corollary of the theory of *jus ad bellum*. This contradicts the standard view that *jus ad bellum* and *jus in bello* are logically independent. (Walzer, p. 21.) According to the standard view, soldiers fighting in a just cause and those fighting in an unjust cause are both permitted to use violence within the same constraints. On the view that I have sketched, this is a mistake. Soldiers fighting in a just cause are justified in using violence within certain limits. But soldiers fighting in an unjust cause are *not* morally justified in using violence, even against enemy combatants, in the service of their country's war aims. For no one has a right to use violence as a means to the achievement of immoral aims. Of course, if, as is usually the case, a soldier's participation in an unjust war is the result of some combination of deception, indoctrination, and coercion, then his wrongful action may be to some extent excused and his use of violence for the purpose of individual self-defense may even be justified. But it remains the case that the range of legitimate targets is narrower for the soldier fighting in an unjust cause than it is for the soldier fighting in a just cause. (McMahan, 1990.)

The requirement of discrimination has been challenged in a variety of ways. It is sometimes claimed, for example, that, once a state of war exists, all moral requirements are suspended, at least for the belligerent whose cause is just. (This is an extreme variant of the view that *jus ad bellum* and *jus in bello* are logically related.) If, however, the rights of states are derived from and thus cannot exceed the rights of individuals, then this view must be false; for there are always limits to what individuals are morally entitled to do even in pursuit of ends which are morally just. Apart from doctrines of collective

responsibility which hold that wars are fought between states as wholes, so that no one within a belligerent state may claim a right of immunity to attack, the main challenge to the requirement of discrimination comes from the view that, in some cases at least, considerations of consequences are more important than matters of principle. According to one such view, while attacking the innocent (in our generic sense) is normally wrong, it may be permissible in circumstances in which the probable consequences of refraining from attacking would be considerably worse than the consequences of attacking. (Walzer, chapter 16.) A more radical view is that the conduct of war should be entirely governed by considerations of consequences. On this view there simply is no class of people who enjoy a general moral immunity to attack in war.

Those who hold that only consequences matter need not, however, consider the issue of innocence irrelevant. They may distinguish between innocence and noninnocence in terms of whether or not a person has done anything which renders him or her liable to attack. And they may coherently believe that, other things being equal, it is a worse outcome when an innocent person is killed than it is when a noninnocent person is killed. But they are nevertheless committed to the view that there may be cases in which it is permissible or even morally required to attack and kill the innocent - for example, when this is necessary to prevent an even greater number of killings of the innocent.

These people - to whom we will refer, somewhat misleadingly, as "consequentialists" - might argue as follows: "The wrongness of killing is to be explained in terms of the effects of killing on the victim. It is a function of both the harm involved in the victim's loss of the future goods of life and the harm involved in the violation of the victim's autonomy. But the requirement of discrimination, as it has been traditionally understood, presupposes that the wrongness of killing cannot be explained in this way. According to the requirement of discrimination, the wrongness of killing is at least in part inherent in the nature of the act itself. This does not mean, however, that the requirement of discrimination holds that the *act* of killing is itself a bad *event* or *occurrence*. A killing need not be regarded as more horrible *as an event* than an accidental death. (Thus one may believe that one's reason to prevent the killing of an innocent person is no stronger than one's reason to prevent the accidental death of an innocent person.) But, if it is wrong to kill because of the nature of the act, but not because of the nature of the act considered as an event, then the wrongness of killing must have something to do with the nature of the relations between the agent, his or her action, and the consequences of the action. This, however, shifts the focus of moral concern away from the victim of killing and towards the agent, thereby distorting our understanding of the ethics of killing. Killing is wrong because of what it does to the victim, not because of some fact about the way in which the agent is related through his or her action to the death of the victim."

The defender of the requirement of discrimination may reply that our moral intuitions favor the agent-centered rather than the victim-centered account of the wrongness of killing. Consider the following example drawn from the area of ethics and war. Most people distinguish between terrorism, which is wrong, and legitimate acts of war. But what is terrorism? Insofar as the term retains any descriptive meaning, it refers to the intentional use of violence, for political purposes, against persons who are innocent in our generic sense, normally as a means of influencing the behavior of some other

person or group of persons. Terrorism, in short, consists in the violation of the requirement of discrimination. Thus, if we are to uphold our unequivocal condemnation of terrorism, we will have to accept an agent-centered explanation of the wrongness of killing. For what we find particularly repugnant about terrorism is not simply that it involves harming the innocent. Many legitimate acts of war also foreseeably harm the innocent. What distinguishes terrorism from legitimate acts of war is rather that terrorism *aims* to harm or kill the innocent, whereas legitimate acts of war, when they do harm the innocent, do so *unintentionally*. Thus the difference between terrorism and legitimate acts of war is not a difference of expected consequences. It is, rather, a difference in the inherent natures of the two types of act, as defined by their respective intentions.

The question whether only consequences matter is among the deepest problems of ethical theory, and cannot be resolved here. It is perhaps worth noting, however, that consequentialists are not necessarily committed to the view that terrorism is no worse than ordinary acts of war that foreseeably harm the innocent are generally thought to be. For an alternative view that is equally compatible with consequentialism is that ordinary acts of war that harm the innocent are just as objectionable as terrorism is ordinarily thought to be.

ETHICS AND NUCLEAR WEAPONS

The ethical questions raised by nuclear weapons may be divided into two groups: questions concerning the actual use of nuclear weapons in war and questions concerning the possession of nuclear weapons for purposes of deterrence. Questions of the first sort are normally answered by reference to the requirements of *jus in bello*. Could the use of nuclear weapons satisfy the requirements of discrimination and proportionality? It has seemed to most (though by no means all) moral theorists that there are some *possible* uses of nuclear weapons that would not violate either requirement. As it has actually been practiced, however, deterrence has always involved threats to use nuclear weapons for the intentional destruction of civilian populations, and this use would clearly violate the requirement of discrimination and almost certainly that of proportionality as well. (Finnis, *et al*, chapter I.) This fact raises fundamental questions for the morality of nuclear deterrence: Does deterrence depend on threats to use nuclear weapons in ways that would be immoral? If so, what does this imply about the morality of deterrence?

There are both moral and strategic issues here. Suppose we knew which possible uses of nuclear weapons would be morally acceptable. We would then need to ask whether those uses are sufficiently extensive that the threat to use nuclear weapons *in those ways only* could effectively deter whatever threats we think it necessary to deter. This is a question of strategic theory. Given the fact that all actual deterrent policies have involved explicit or implicit threats to destroy civilian populations, together with the fact that there has been no significant challenge within the strategic community to the idea that these threats are necessary, it is reasonable to conclude that there is a broad consensus among strategists that viable and effective deterrence requires threats to use nuclear weapons in ways that would be condemned by the requirements of *jus in bello*.

The Wrongful Intentions Argument

If we assume that deterrence depends on threats to use nuclear weapons in ways that would be morally wrong, then we confront a problem that has generated considerable discussion in the literature on the ethics of deterrence. For it seems that, to be credible, nuclear deterrent threats must be sincere - that is, they must be backed by an intention

(given institutional expression in the elaborate plans and preparations for the firing of nuclear weapons) to fulfill them in the event that they are defied; hence deterrence involves a conditional intention to use nuclear weapons in ways that would be immoral. If, further, we accept the principle that it is wrong to intend to do that which it would be wrong to do (usually referred to as the "Wrongful Intentions Principle"), then it follows that deterrence is wrong.

This argument, which we may call the Wrongful Intentions Argument, has been enormously influential, especially in theological circles where it is widely accepted that the moral character of an act is principally determined by the intention which defines its inherent nature. (It is defended, for example, in Finnis *et al.*) Critics, however, have assailed all three of the argument's premises. Some have sought to establish the claim that deterrence could be adequately based on sincere threats to use nuclear weapons in morally permissible ways only. These critics have, for example, proposed deterrent strategies which renounce any intention to harm the innocent and instead threaten the destruction of military assets only. (See, for example, Ramsey.) These proposals often appeal to the idea that deterrence would in part be guaranteed by the fact that potential adversaries could never be entirely confident that one's renunciation of immoral uses was sincere. (Kenny.) These sanitized strategies have, however, been forcefully criticized on the ground that even most uses of nuclear weapons against purely military targets would violate the requirement of proportionality, either directly through their immediate incidental effects on civilian populations or indirectly through the risk of escalation to levels of violence that would be directly disproportionate. Other critics of the Wrongful Intentions Argument have claimed, rather lamely, that deterrence is or could be based on threats which are in fact bluffs, so that deterrence need not involve wrongful intentions. (See Hare in Cohen and Lee.) Still others have either rejected the Wrongful Intentions Principle or else claimed that it fails to apply or is overridden in cases in which the formation of a putatively wrongful intention would be likely to prevent the occurrence of disastrous consequences, as many claim is true of the intentions required by the practice of deterrence. (Kavka, chapters 1 and 2.)

This latter view seems to have the endorsement of common-sense morality. If there is a moral objection to deterrence that is not based entirely on considerations of consequences, it is not that deterrence involves people having wrongful intentions (which, in any case, are not *our* intentions, since we, as ordinary citizens, cannot control the use of nuclear weapons and hence can have no intentions regarding their use). The objection to deterrence is, rather, that it involves a serious risk that we will, through the agency of those whom we hire to implement the policy, someday engage in terrorist violence on an unprecedented scale by fulfilling our deterrent threats. Furthermore, in risking this future wrongdoing, we now deliberately impose a risk of death and injury on millions of innocent people as a means of reducing the risks that we ourselves face. If we believe that consequences are not all that matter (and even perhaps if we believe that they are), then these related facts about deterrence establish a strong moral presumption against it.

Some people believe that the presumption against deterrence is absolute - that is, that it cannot be overridden by countervailing considerations. These people often seek to defend their position by appealing to the traditional Christian principle that one may not do evil that good may come - for example, in order to prevent greater evil from being

done by others. Most of us, however, believe that the objection to deterrence can in principle be overridden by considerations of consequences (or perhaps by some other countervailing duty, such as the duty of the state to protect its citizens). The presumption against deterrence could be overridden if the expected consequences of abandoning deterrence would be very much worse than those of continuing to practice it. Therefore even if we believe that consequences are not all that matter, we will not, unless we are absolutists, be able to avoid examining deterrence in the light of its expected consequences.

Deterrence and Consequences

The conventional wisdom is that the expected consequences of abandoning deterrence would in fact be considerably worse than those of continuing to practice it. This view is, however, far from obviously true. To see why this is so, it will be helpful to introduce a technical sense of the term "war." As the term is ordinarily used, an attack to which there is no military response may count as a war. But, for the purposes of our discussion, let us stipulate that a *war* must involve attacks by each of two sides against one another. The term "conflict" can refer to either an attack or a war in our sense.

The principal aim of a policy of nuclear deterrence is to prevent the loss or compromise of a state's political sovereignty and independence, primarily through the prevention of attacks against the state (since it is through being attacked that a state is most likely to have its independence compromised). But deterrence is only one means of reducing the risk of attack. What the best means of preventing attack are depends on what the likely causes of attack are. For prevention of an attack requires suppressing the cause, and there are various possible causes of attack. For example, if the threat of attack derives from the possibility of a calculated act of aggression intended to achieve some political aim, then one must aim to *deter* attack, either by driving up the costs and risks to the attacker or by demonstrating a defensive capacity so robust as to convince potential aggressors that an attack would be futile. (Here and elsewhere I am assuming that the attack would be unjust.) If, on the other hand, the threat of attack arises because a potential adversary appears likely to strike preemptively as a result of a fear of being attacked first, then seeking to strengthen deterrence may be counterproductive. For it may be one's own deterrent posture that is the problem. What is necessary is instead to take action to reassure the potential adversary that one's intentions are not aggressive. (The recognition that military preparations may provoke an attack rather than deterring it has led to proposals, primarily in Western Europe, for a restructuring of non-nuclear forces in such a way that they physically could not be used for offensive operations.) There are other possible causes of attack which a policy of deterrence may be largely powerless to eliminate - for example, attack by accident, or inadvertence, or as a result of some other form of misunderstanding. As in the case of preemptive attack, the practice of deterrence may even exacerbate the risk of attack arising from these sources.

Not only is deterrence not the only means of attempting to prevent war, but the prevention of war is not the only goal of a security policy. Another important goal, for example, is to reduce the expected costs (including the costs to people outside of one's own state) of any conflict that might occur. There is, however, an antagonism between this goal and the goal of deterring attack. Deterrence works by driving up a potential attacker's expected costs from the attack. For the more likely it is that an attack would lead to a war that would be costly to the attacker, the more reluctant (other things being

equal) it will be to attack; while the lower the expected costs of attacking are, the safer and more rational it will seem for a state to resort to attack as a means of achieving its ends. But a state that practices deterrence cannot drive up the costs of aggression to an attacker without driving up the costs to all parties. So there is a trade-off to be made between the two goals of reducing the likelihood of attack and reducing the magnitude of the damage that both sides are likely to suffer in the event of a conflict. Deterrence resolves this trade-off by giving more weight to the goal of preventing attack.

The common view that deterrence reduces the risk of nuclear war is therefore misleading unless what is meant by nuclear war is simply a one-sided nuclear attack. The practice of deterrence by a state in fact *increases* the probability of large-scale nuclear war relative to what it would otherwise be. By threatening nuclear war as the penalty for an attack, a state manipulates the risk of nuclear war *as a means of preventing attack*.

It is important to bear in mind that the trade-off between the likelihood of attack and the costs of conflict is not to be made on the basis of prudential or self-interested criteria alone. Should war occur between major powers, the effects would be suffered by people the world over. Consider, for example, the situation in Europe. The West European defense establishment is concerned to link the fate of the US to that of Europe by arranging matters so that any attack on Western Europe will have a high probability of escalating to global nuclear war. These theorists want the Soviets to believe that they could not fight a war confined to European territory, but would instead become embroiled in a strategic nuclear war with the US should they ever initiate a war in Europe. It is, they believe, this prospect of large-scale nuclear war involving the Soviet Union itself that will provide the most effective deterrence of Soviet aggression. But notice that what increases the deterrence of conventional aggression is the deliberate creation of a risk of large-scale nuclear war. (Thus the risk of conventional attack is greater the more stable relations of mutual nuclear deterrence are; while the risk of conventional attack is lower the greater the risk of escalation to nuclear war is. The choice between a lower risk of conventional attack and lower expected costs in the event of an attack is an instance of the type of trade-off identified earlier.)

The important point here is that the practice of deterrence in Europe puts the entire world at risk for the sake of West European security. Admittedly, the risks to innocent people outside the Soviet bloc are not intended. So in this respect they are unlike the risks the US imposes on innocent people within the Soviet Union. Nevertheless the voluntary creation of these risks is profoundly unjust. To see this we need only consult our own beliefs about the problem of nuclear proliferation. Consider the conflict between Israel and the various Arab nations. The outcome of this conflict is of tremendous importance to both groups. It cannot be considered a trivial affair. Yet we would regard it as monstrous if the various states within the region were to acquire major nuclear arsenals, thereby imperilling the lives of people everywhere, and putting at risk the very existence of future generations, for the sake of their interests and parochial concerns. But, if our indignation at being put at risk in this way would be justified, then the people of the world who are endangered by the policies of the present nuclear powers are equally entitled to condemn the practices that unjustly expose them to risk.

Let us now return to the question whether deterrence can be justified on the basis of its expected consequences. While the conventional view is that any moral presumption against deterrence can be defeated by the overwhelming value of deterrence in preventing

catastrophe, it seems that, on the contrary, a consideration of expected consequences establishes yet a further presumption against deterrence. The argument for this claim may be stated in greatly oversimplified terms as follows. Suppose we consider two broadly defined possible policies of the US and its allies - namely, deterrence and non-nuclear defense - and the two most salient of their possible disastrous outcomes - namely, Soviet domination and large-scale nuclear war. It seems clear that nuclear war would be a worse outcome than Soviet domination, even if we take into account only the interests of the US and its allies, leaving aside those of the Soviet bloc, neutral countries, and future generations. It is also the case that deterrence involves a greater risk of large-scale nuclear war than non-nuclear defense does. It follows that deterrence involves a *greater risk of the worse outcome*. Thus the onus is on the defender of deterrence to show that this fact is outweighed by other considerations.

Some defenders of deterrence have sought to do this by arguing that non-nuclear defense has a greater overall risk of disaster. The argument is that the probability of domination under a policy of non-nuclear defense is *considerably* higher than the probability of large-scale nuclear war under deterrence, while the probability of domination under deterrence is either lower than or roughly equal to that of large-scale nuclear war under a policy of non-nuclear defense. Let us suppose that these claims are true, as they may well be. A dilemma remains. Should we opt for a *lower* probability of *some* disaster at the cost of a *higher* probability of the *worst* disaster, or should we aim to minimize the probability of the worst disaster at the cost of accepting a higher overall probability of some disaster? In short, we face the sort of trade-off identified earlier between minimizing the *likelihood* of disaster and minimizing the likely *magnitude* of disaster. (Kavka, chapters 3 and 6; and McMahan 1989.)

Given the nature of states and international society, no policy concerned with problems of war, peace, and security is without grave risks. It may, however, make a moral difference whether the risks associated with our policies are primarily ones we choose to accept or whether they are primarily ones that we impose on others. If we believe that there is a principled objection to imposing risks on the innocent in order to reduce the risks to ourselves, then there will be a moral presumption against deterrence. And, if there is such a presumption, it will not be easy to overturn. For, as we have seen, not only is it not obvious that abandoning deterrence would have consequences that would be considerably worse than those of continuing to practice it; it is not even clear that the abandonment of deterrence would have worse consequences at all.

References

- Cohen, A. & Lee, S., eds. 1986. *Nuclear Weapons and the Future of Humanity*. Totowa, NJ: Rowman & Allanheld.
- Finnis, J. *et al* 1987. *Nuclear Deterrence, Morality, and Realism*. Oxford: Oxford University Press.
- Kavka, G. 1987. *Moral Paradoxes of Deterrence*. Cambridge: Cambridge University Press.
- Kenny, A. 1985. *The Logic of Deterrence*. London: Firethorn Press.
- McMahan, J. 1989. "Is Nuclear Deterrence Paradoxical?" *Ethics*, January 1989.
- McMahan, J. 1990. *The Ethics of Killing*. Oxford and New York: Basil Blackwell Publishers.

Ramsey, P. 1968. *The Just War*. Lanham, MD: University Press of America.

Walzer, M. 1977. *Just and Unjust Wars*. Harmondsworth, UK: Penguin.

Further Reading

Beitz, C. *et al*, eds. 1985. *International Ethics*. Princeton University Press.

Blake, N. & Pole, K., eds. 1984. *Objections to Nuclear Defence*. London: Routledge & Kegan Paul.

Child, J. 1986. *Nuclear War: The Moral Dimension*. Transaction Books.

Copp, D. ed. 1986. *Nuclear Weapons, Deterrence, and Disarmament*. Calgary: University of Calgary Press.

Hardin, R. *et al*, eds. *Nuclear Deterrence: Ethics and Strategy*. Chicago: University of Chicago Press.

Holmes, R. 1989. *On War and Morality*. Princeton: Princeton University Press.

Johnson, J.T. 1984. *Can Modern War Be Just?* New Haven: Yale University Press.

Lackey, D. 1984. *Moral Principles and Nuclear Weapons*. Totowa, NJ: Rowman & Allanheld.

Mack, E. *et al*. 1985. *Social Philosophy & Policy* 3: special issue, *Nuclear Rights/Nuclear Wrongs*.

MacLean, D., ed. 1984. *The Security Dilemma*. Totowa, NJ: Rowman & Allanheld.

Shue, H., ed. 1989. *Nuclear Deterrence and Moral Restraint*. Cambridge: Cambridge University Press.

Teichman, J. 1986. *Pacifism and the Just War*. Oxford: Basil Blackwell Publishers.