

Toward a Collectivist National Defense

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Abstract

Most philosophers writing on the ethics of war endorse “reductivist individualism,” a view that holds both that killing in war is subject to the very same principles of ordinary morality (reductivism); and that morality concerns individuals and their rights, and does not treat collectives as having any special status (individualism). I argue that this commitment to individualism poses problems for this view in the case of national defense. More specifically, I argue that the main strategies for defending individualist approaches to national defense either fail by their own lights or yield deeply counterintuitive implications. I then offer the foundations for a collectivist approach. I argue that such an approach must do justice to the collective goods that properly constituted states make possible and protect through certain acts of defensive war; and that any such picture of national defense must make room for some form of national partiality.

1. Introduction

Most philosophers writing on the ethics of war nowadays are *reductive-individualists*. The first part of this approach, *reductivism*, holds that killing in war is subject to the very same principles that apply elsewhere in morality (Fabre 2012; Frowe 2014; McMahan 2009a; Rodin 2002). Typically this is taken to mean that justified killing in war is essentially a series of justified acts of individual self- or other defense. More generally, the core idea is that war is not a *sui generis* moral domain. The second part of this approach, *individualism*, rejects the idea that states or collectives have any special moral status as such, and holds that individuals are the primary locus of moral worth. When taken together, as they generally are, this pair of commitments generates a view according to which war is seen as an agglomeration of individual acts performed by individual actors, subject only to the constraints of interpersonal morality.

This view is in many respects appealing, but it yields certain deeply counter-intuitive conclusions. In particular, its defenders have trouble accommodating what I take to be one of our core intuitions concerning when war is justified—namely, certain cases of national defense. This

problem illustrates the need for an alternative approach to the morality of war—in particular, one that makes room for the special status of collectives. While there are a few collectivist proposals on offer, these generally involve rejecting reductivism altogether by relying on the idea that the moral criteria applicable in war are effectively *sui generis* (Kutz 2005; Walzer 1977; Zohar 1993). That is, these views tend toward a view that denies both parts of reductive-individualism, a view we might call *non-reductivist-collectivism*. In this essay, I offer the framework for a middle-ground alternative. That is, I will sketch a collectivist view of national defense that relies on certain moral principles we already have independent reason to accept. This view is compatible with a broad form of reductivism: it is still true, on my view, that the principles that apply elsewhere in morality apply here too—though perhaps there are rarely other instances in interpersonal morality in which they would be applicable.¹ But the view is also collectivist: certain collectives may themselves have a certain special status that is not entirely reducible to the individuals that comprise it.² Many states or nations, I argue, have such status.

I begin the discussion by considering two influential reductivist-individualist accounts—namely, David Rodin’s account, which rejects national defense as a just cause, and Cecile

¹ Seth Lazar has argued that a view such as the one I articulate in this essay—namely, one that employs collective or impersonal goods (i.e., those goods that cannot be wholly reducible to specific individuals)—would be, for that reason, non-reductivist. This is because, according to such a view, “The goods that it is worth killing for in ordinary life simply are not sufficient to explain the permissibility of killing in war” (Lazar 2014, p. 33). So, even though the moral principles are the same as those of interpersonal morality, the context of war creates a shift in their application. I think the answer to this terminological question is far from obvious, in part because it is not always clear what distinguishes reductivism from an alternative like the one Lazar envisions. For this reason, I will continue to call the view I propose here ‘reductivist’, even if, in the end, it turns out not to be. This terminological issue is not ultimately central to the arguments in what follows.

² Some reductive-individualists have recognized the need for a view like this, though the terms they apply to it, or the way they frame the view, are somewhat different. See, for example, Jeff McMahan: “[E]ven the most reductive form of individualism must take account of distinctively collective goods, such as collective self-identification or collective self-determination, and thus recognize that there may be wrongs that are not entirely reducible to wrongs against individuals because they have a collective as their subject” (McMahan 2005, p. 12).

Fabre's account, which attempts to accommodate it. In my view, the former conclusion is too revisionist, and the latter fails to secure a sufficiently robust version of national defense. I then explain the two central desiderata for a collectivist alternative—i.e., that it can explain both the value of collective goods and the degree of national partiality required to render certain acts of national defense justified. I then offer a defense of these points that is compatible with a broadly reductivist approach.

2. Two Reductivist-Individualist Accounts of National Defense

2.1: Rodin's Reductivist-Individualist Account

In *War and Self-Defense*, David Rodin defends a reductivist-individualist account of the ethics of war based on the claim that lethal force is only proportionate in defense of one's *central rights*, a category that includes the rights not be killed, maimed, or enslaved (Rodin 2002, pp. 127–132). Lethal force is not, therefore, proportionate in defense of one's lesser rights, a category within which Rodin includes such things as an individual's right to his country's territorial integrity, political independence, and other *purely political rights*. In other words, purely political rights are not, in and of themselves, sufficiently important to render the use of lethal force in their defense justified.

Rodin illustrates this idea with an example known as the argument from *bloodless invasion* (Rodin 2002, pp. 131–132). Imagine that a foreign military plans to invade our country to annex some of our territory. Suppose they pose no direct threat to the lives of our civilians; they will only use violent force against those who manifestly resist their invasion.³ Since none of our citizens' central rights are directly threatened by this invasion, the use of lethal force is therefore impermissible. Of course, a successful annexation will entail the violation of some of

³ Perhaps the 1982 Falklands War is, at least in many important respects, a real world case that most closely mirrors this hypothetical example.

our purely political rights. But even though lethal force may be *necessary* to prevent this rights violation, it would not, on Rodin's view, be *proportionate*, for the violated right is simply not important or central enough to justify killing in defense of it.

Rather than concluding that this so-called reductive strategy must be jettisoned, Rodin uses this argument as grounds for rejecting the supposed right to national defense, at least insofar as it is understood as a defensive right.⁴ In later work, he draws a comparison with companies, like Cadbury, who have a distinctive culture that is threatened upon being bought out (or subject to a "hostile takeover," as he puts it) by larger, more aggressive corporations (Rodin 2014). On his view, there is no significant moral difference between the value of communities like those at many companies, and those of nations. Just as it would be impermissible to use lethal force to defend against the forced changes to Cadbury's workplace community, so too would it be impermissible to use lethal force to defend one's sovereignty against external forces.

These conclusions are extremely revisionist. Not only has the tradition of just war theory long held to the importance of national defense, but such a right is also central to the international law of armed conflict.⁵ Rodin is aware of this: his conclusions are, in his words, both "surprising and disconcerting" (Rodin 2002, p. 162). But as Lazar reminds us in his discussion of this case, one person's *reductio* is another's *Q.E.D.* (Lazar 2014, p. 19). And in my view, which of these two we take the *bloodless invasion* example to demonstrate is in large part determined by whether alternative accounts fare any better. Rodin's *Q.E.D.*, then, relies on his claims that collectivist alternatives are implausible. In sections 4 and 5, I will challenge Rodin on this point. Before doing so, however, I want first to discuss a more recent attempt to

⁴ But see chapter 8, in which Rodin argues that military action against aggressor states may nevertheless be justified on alternative grounds—in particular, as an exercise of law enforcement. Rodin notes, however, that this would require a much more extensive international state than currently exists, and so would not likely qualify as a justified defense at present.

⁵ See, for instance, Chapter VII, Article 51 of the United Nations Charter.

accommodate the *bloodless invasion* example.

2.2: Fabre's Cosmopolitan Reductivist-Individualist Account

Cecile Fabre argues for a cosmopolitan account of national defense on which individuals may be permitted to fight in defense of their purely political rights—or, what she calls, “jointly held rights to political self-determination and territorial integrity” (Fabre 2012).⁶ At the core of Fabre's argument is the claim that individuals may use lethal force in defense of what is necessary for them to live a minimally decent life. This claim serves to widen the scope of permissible self-defense to include not merely direct threats against one's life, but also certain non-lethal harms, such as unlawful invasions into one's home and gross interference with certain sorts of valuable property. Most relevant to our present discussion is the idea that, on Fabre's view, one of the ways a life can be rendered less than minimally decent is when one does not have “control over one's social and political environment” (Fabre 2012, p. 19).

It may look as though this claim allows her view to avoid the undesirable conclusion that wars against bloodless invasion are impermissible. However, I doubt Fabre can so easily avail herself of this conclusion for two reasons. First, it seems implausibly ad hoc to claim that bloodless invasions necessarily render an individual's life less than minimally decent, at least when “minimally decent” is understood in the way Fabre generally uses it throughout her discussion. And in a more recent discussion, Fabre claims that sovereignty rights are “not important enough to justify the taking of lives”—that is, the lives of combatants_A, i.e., those who

⁶ Like most other reductivist-individualists, cosmopolitans reject any special status that may be thought to accrue to collectives, such as states. Cosmopolitanism applies to domains outside of the ethics of war, and so is much more far-reaching than reductivist-individualism. Nevertheless, when we speak of cosmopolitanism about war, as we will at points throughout this essay, the two views are essentially in agreement.

carry out this threat (Fabre 2014, 104).⁷

Moreover, it seems clear that Fabre herself sees control over one's social and political environment as inapplicable to such cases, since her response to bloodless invasion cases is not to invoke this claim, which would seem to justify using lethal force, but rather to develop a new argument that attempts to justify the eventual use of force through a series of escalating intermediate uses of force. This argument, however, faces significant problems. It begins by introducing a distinction between two types of just cause: *narrow* and *wide*. As she puts it:

A narrow just cause is a justification for killing wrongdoers, whilst a wide just cause is a justification for using non-lethal force even though one plausibly foresees that wrongdoers will counter this defensive move by lethal means—the use of which is not warranted and provides victims with a narrow just cause for killing (Fabre 2012, p. 70).

So, suppose the combatants of country A—let us follow Fabre and refer to them as combatants_A—invade country V at T₁, but will only use force (at T₃) if combatants_V attempt to prevent their advance with force (at T₂). On Fabre's view, this gives combatants_V a *wide just cause*, which means they are only permitted to use non-lethal force at T₂ in response to this initial act of aggression at T₁. Then, if combatants_A respond to this with a threat of deadly force at T₃, this gives combatants_V a *narrow just cause*, which permits them to use lethal force to defend themselves against combatants_A at T₄. In other words, the initial threat by combatants_A is not, by itself, sufficient to grant combatants_V a permission to use lethal force, but it does warrant using other, less-than-lethal means. And if, as a result, combatants_A respond with a lethal threat, then combatants_V are permitted to defend themselves with lethal force.

But it isn't clear that the conclusion—i.e., that combatants_V are permitted to use lethal force at T₄ in response to the lethal threat posed against them at T₃—follows from Fabre's basic claim. For if combatants_A' threat is truly conditional—that is, if they will only attempt lethal

⁷ Later in this piece, she writes, “it would be wrong of combatants_V to kill wrongdoers_A in defence of their and their fellow citizens' [sovereignty] rights” (108).

force if combatants_V attempt to stop them from taking the territory—then even though they pose a lethal threat to combatants_V at T₃, it is still open to V to capitulate to the threat—that is, by ceding the territory to A, and thereby forgoing any use of lethal force at T₄.⁸ Indeed, this is what the standardly accepted criterion of *necessity* requires of them: since capitulating is, by Fabre’s own account, a less-harmful alternative available to combatants_V to secure the relevant benefits (in this case, avoiding the death of some combatants_V), they must choose capitulation over employing force. In her more recent discussion, Fabre adds that the defender may use lethal force at T₂ “if [the defender] stands a higher chance of surviving the attack by killing [her aggressor] pre-emptively” (Fabre 2014, p. 110). But again, this is unnecessary: capitulation remains an option even when, and perhaps especially when, success in later defense is less likely.

Even setting aside this problem, there are still other reasons to reject Fabre’s account. One such reason is that the move from a *wide* to *narrow* just cause fails to achieve its desired goal of justifying the use of lethal force in national defense. Recall that combatants_V may only use non-lethal force to repel a violation of V’s political self-determination. Once combatants_A respond with lethal force, however, combatants_V are then permitted to use lethal force to defend themselves. But notice that at this stage, the object of this lethal force is not the violation of V’s political self-determination, but rather the (unjust) threat combatants_A pose to the lives of combatants_V. It is therefore merely a case of *self*-defense.

To see this more clearly, consider an analogous case from interpersonal morality. Suppose Alex trespasses on Vincent’s property. On Fabre’s account, Vincent is permitted to use some minimal level of non-lethal force to remove Alex from his property. Perhaps Vincent can

⁸ (Rodin 2014) puts the point a slightly different way: “when a direct threat to a lesser interest is accompanied by a contingent threat to a vital interest, this provides a moral reason not to defend the lesser interest, even if using the same level of defensive force would have been proportional, absent the contingent threat” (82).

throw rocks in Alex's general direction, or he could issue a proportionate shove. However, once Alex resists, wields a knife, and lunges towards Vincent, Vincent is permitted to use lethal force to protect his own life (supposing there are no other non-lethal alternatives available). But it can no longer be said that Vincent is using lethal force to prevent Alex from trespassing on his property; rather, Vincent is simply defending his own life, as he is permitted to do when necessary to thwart an unjust threat. The issue with Alex's trespassing is of course causally relevant to the scenario, but it would not be accurate to say that it is the relevant end of Vincent's defensive action. The same is true of our international case as well: combatants_V act merely in individual *self-defense*—and not *national* defense—when they repel a threat of lethal force from combatants_A. In doing so, combatants_V might also happen to prevent a violation to V's self-determination. But on Fabre's account, this could only be a side effect of their action.

Even if Fabre's account can somehow overcome these objections, it would still only secure a very indirect and conditional sort of national defense: V would only be permitted to use lethal force when combatants_A employ force that threatens to render the lives of the citizens in V less than minimally decent. And yet, many have the intuition that states are permitted to use lethal force in a wider range of cases than this. As such, our present quarry is a stronger sort of view: whereas Fabre's view can secure, at most, a *weak national defense*, we should look for a view that can accommodate a *robust national defense*. On this sort of view, the use of lethal force against even a bloodless invasion may be proportionate—and therefore, subject to certain other constraints, sometimes permissible.

3. Desiderata for a Collectivist Account

The foregoing discussion has attempted to illustrate the ways in which two prominent reductivist-individualist accounts fail to capture a sufficiently robust version of national defense.

This conclusion invites us to consider whether an alternative account might fare better. But what form must such an alternative account take in order to be successful? Seth Lazar has recently outlined several desiderata for such an account (Lazar 2014, pp. 33–37). I will discuss the two desiderata I take to be most central—namely, that such a view must invoke collective or impersonal goods, and that it must provide an account of national partiality.

First, in order to accommodate national defense in cases like the *bloodless invasion example*, an alternative account will need to show how the use of lethal force in response to the initial threat can be justified. As we saw, reductivist-individualists like Rodin and Fabre are committed to saying that such force would be impermissible, since on their view, the use of lethal force in defense of one’s purely political rights is disproportionate. A non-reductive-individualist alternative, therefore, must explain how such force would in fact be proportionate. Lazar points out that the most promising way of doing so would be to introduce collective or impersonal goods, such as the collective right to self-determination, or the irreducible value of solidarity. Moreover, such an account must offer an explanation for why such goods are of sufficient value to render proportionate the use of lethal force in their defense.⁹

Second, a plausible non-reductive-individualist alternative must defend a certain kind of national partiality. This idea can be understood in at least two ways. The first concerns interpersonal relationships among compatriots, such as whether or not it is permissible to give greater weight to our compatriots’ lives and interests than to those of outsiders. In what follows, however, I will focus instead on a different kind of national partiality—namely, the preference that we (as a state) can show to our own state *as such*. This sort of partiality can manifest itself in several ways. For example, a state is sometimes permitted to direct resources toward securing or

⁹ Of course, some philosophers claim that such force is proportionate while also endorsing an individualist approach. Though in many ways persuasive, such views are not without problems. Unfortunately, I don’t have the space to treat this point in the present context.

protecting certain collective goods, like preserving its cultural heritage, instead of directing these resources toward, e.g., international aid programs, even if the latter would provide greater goods overall, when viewed impartially.¹⁰ Or, recall the case we considered earlier, when discussing Fabre's account. Without a permission to prefer our own way of doing things, or our own political self-determination as such, we would be forced to capitulate to any aggressors, like the one from the example, who would make us better (or at least no worse) off than we currently are.¹¹ In my view, this is a conclusion we ought to reject, and the alternative view I shall sketch in the following sections will provide the resources for doing so. In what follows, I shall focus on cases of this particular sort, though some of what I say will have relevance for the other cases.

4. Collective Goods

Just as any account of interpersonal partiality (e.g., between parent and child or among friends) must make reference to the relevant goods in question (e.g., the intrinsic or instrumental value of the relationship), so too must an account of national partiality explain the goods that are its object. As such, I will offer a brief sketch of these goods—which, on my view, must be *collective* in nature. Before turning to this, however, let me first discuss a problem for the individualistic approach to these goods.

4.1 Against Mere Aggregation

One significant problem with individualism is that it generates counter-intuitive results when we aggregate the values within states and compare them to other states (Lazar 2014, pp. 30–31). To take a simple case, suppose that state A has one million citizens and state B has two million

¹⁰ This is a controversial claim, and I don't intend to defend it here. My point is simply that there are other sorts of actions and scenarios that could reasonably be labeled as cases of national partiality.

¹¹ There are, to be sure, limits to the exercise of this partiality. In particular, states that fail to satisfy a certain threshold of value will have a correspondingly diminished right to exercise this partiality. I shall have much more to say on this point when I discuss national partiality in greater detail in section 5.

citizens. If the value of the state is just reducible to the aggregate value of the individuals that comprise it—and if we assume that, all else being equal, individuals are of (at least roughly) equal moral value—then it seems we must conclude that B is (roughly) twice as valuable as A.¹² This is because the value of the constituents of B adds up to more than those of A—twice as much, in fact—and therefore, B has more total value than A. This conclusion will strike many as implausible. I find it hard to accept that, all else being equal, Australia (with a population of about 23 million) is of more value than New Zealand (with a population of about 4.5 million)—and certainly not of *five times* more value.¹³ On its own, this may not be that troubling a conclusion; indeed, it is one most individualists will welcome. The problems start to appear, however, as soon as we consider what this type of conclusion can and cannot justify.

For one thing, while certain reductivist-individualists like Rodin deny national defense in bloodless invasion cases, others, like Helen Frowe, argue that citizens' political rights may in some cases be sufficiently strong, when taken in aggregate, to override the prohibition on using lethal force (Frowe 2015). As she puts it:

I don't think that I may kill you to stop you from breaking my arm. But if you're going to break lots of people's arms, it seems to me that there will come a point at which these harms can aggregate to make it proportionate to kill you to prevent them (of course, other conditions such as necessity would also need to be satisfied for killing you to be overall permissible)[...] I think this is also true when it comes to my political rights (Frowe 2015, p. 187).

Thus, while each individual right of this sort is comparatively weak, and does not suffice to justify using lethal force, a significant enough number of violations of this right will justify such

¹² There are, of course, several imprecisions here. Nevertheless, I think it serves to show the general worry about aggregation.

¹³ Of course, in some cases, population size taken in aggregate *does* matter. For example, if we could save either Australia or New Zealand—but not both—from an imminent catastrophic natural disaster that would wipe out each nation's entire population, most of us would think that we ought to save Australia in virtue of the larger number of individuals that would be saved as a result. I do not think this constitutes an objection to the view I endorse here; there is nothing in what I've said that precludes my account from fitting with these intuitions.

force.

While this view avoids the difficulty that other reductivist-individualist views, like Rodin's have in being unable to explain the justification to resist bloodless invasions, this view introduces a new set of problems. For one thing, this aggregative approach would confer a systematic advantage on larger states merely in virtue of their population size. To see why, imagine that state A and state B—the same two states from the previous example—are identical in every way, with the exception of their population size—which, recall, is one million people in A and two million people in B. As such, when we calculate whether or not each state is permitted to use lethal force in its defense, the only unique variable between them will be the aggregate value of the individuals of each state—for A: x , and for B: $2x$ (assuming a positive, non-zero value for x). And it seems that, within a certain range of possible cases, the value of $2x$ in B's calculation will be sufficient to justify force, while A's total (with x alone) will remain insufficient.¹⁴ In cases of this sort, B is permitted to use lethal force in its defense while A is not, and this would be so in virtue of B's population size alone. Therefore, an individualist account that aggregates in this way will systematically favor larger states like B over smaller states like A. This is implausible.¹⁵ Surely the right to defend against unjust aggression, even bloodless invasions, should not depend in this way on the country's population size.

In response to this, it may seem more reasonable to claim that there is some general threshold of value beyond which the use of lethal force is permissible, but below which it is not.

¹⁴ To put this a bit more mathematically: Suppose the disvalue of using lethal force has some value, y . (Let's also assume, as the individualist does, that x and y are measured along the same metric.) So, there is some range of cases such that $2x > y$ but $x < y$.

¹⁵ Compare Walzer (1977, 253): "But communities, in emergencies, seem to have different and larger prerogatives. I am not sure that I can account for the difference, without ascribing to communal life a kind of transcendence that I don't believe it to have. Perhaps it is only a matter of arithmetic: individuals cannot kill other individuals to save themselves, but to save a nation we can violate the rights of a determinate but smaller number of people. But then large nations and small ones would have different entitlements in such cases, and I doubt very much that this is true."

Perhaps once a state has a population over, say, two million, it can be said to have a sufficient value such that lethal force is permitted. In other words, perhaps two million of these political rights taken in aggregate are enough to overcome the prohibition on using force in national defense. This idea, however, invites several familiar objections to cases in which thresholds are applied to phenomena that vary only in degree. For one thing, we ought to ask what makes such a threshold of permission normatively significant: What's so special about *this* threshold rather than some other one? Moreover, we ought to consider the implications of this claim for marginal cases. For instance, this claim has the strange implication that a medium-sized state could lose its right to use lethal force in defense of its political self-determination in the middle of a battle, if casualties reach a certain point such that their civilian total falls below the threshold. Perhaps there are certain reasons for thinking that a high number of casualties is morally relevant in such cases; this is, after all, a basic feature of the proportionality calculation. But I see no compelling reason for thinking it determines the status of the more general right to political self-determination in this way. States are justified in using lethal force to defend themselves even doing so will cost many of their own soldiers' lives in the process.

To be clear, I do not mean to deny that some amount of aggregation must be part of any view of national defense, collectivist or otherwise. For one thing, proportionality is inherently aggregative. What I do deny, however, is the idea that the goods at stake in national defense should be understood merely as aggregated individual rights. Let me now offer a proposal for how a collectivist view can better explain the justification for national defense.¹⁶

¹⁶ To be sure, this is not the only possible approach. There are other views according to which we can recognize the value of the collective, such as those that emerge from the social contract tradition. The classic defense of a view that most closely approximates this is found in Rousseau, but more recent defenses of views inspired by the classic versions of the social contract view that connect with the points I raise here include (Benbaji 2008, 2009, 2011, 2012; Benbaji and Statman 2019; Statman 2015). Thank you to a reviewer for pointing out this connection.

4.2 In Defense of Collective Goods

Collective goods are prevalent throughout all corners of human activity; this much is difficult to deny. Consider the following non-state example—which, though disanalogous from the state case in certain respects, should nevertheless helpfully illustrate the basic point. Imagine the New York Philharmonic masterfully playing a beautiful selection. Such a collective produces a value (e.g., harmony) that extends beyond the aggregate total of all the contributions of the individual musicians. Of course, this harmony cannot be achieved without these individuals' contributions. But it doesn't follow from this that the value of what they create together is necessarily a mere aggregation of each of their inputs. Rather, when certain conditions obtain (i.e., precise coordination, every musician's complete mastery of her instrument, etc.), the whole becomes something greater than the sum of their individual parts.

This point about certain collectives having a value greater than the sum of their parts is what G.E. Moore called the “principle of organic unities”. The basic idea, in Moore's own words, is that, “the value of such a whole bears no regular proportion to the sum of the values of its parts”, and that, “The value of a whole must not be assumed to be the same as the sum of the values of its parts” (Moore 1903, pp. 27–28). Moore's primary example is the value that arises out of conscious contemplation of a beautiful object.¹⁷ On his view, when combined in the right sort of way, the two constituent parts—namely, the existence of beauty itself and conscious contemplation of (what the beholder takes to be) a beautiful object—generate an overall value that is greater than their mere aggregation. For Moore, the value of each part remains the same whether it is part of an organic unity or independent of it, and the additional value emerges from the combination of the two parts *as a whole*. In other words, if two parts A and B, with values of

¹⁷ Moore's example is that the conscious perception of the beautiful object is *intrinsically* valuable, which, though it may be true in that case, needn't be assumed to be true in the state case on which we're primarily focused.

x and y , respectively, are combined to form an organic unity, then the value of each part taken individually must be added to their value taken as a whole—say, z . Thus, the value of the whole is $x + y + z$, a value greater than the mere sum of $x + y$.

This same point can be applied, *mutatis mutandis*, to many states or nations. That is, when individuals join together to form a state, this unification can sometimes yield an overall value greater than the sum of the values of its parts, i.e., its individual members. This is the result of the collective projects that citizens undertake together within the context of a particular political society, and it is determined by the value of the collective goods they together produce. And so, on this view, the value of the state as a whole is, in certain cases, greater than the sum of its constituent parts, since an effective state generates collective goods that cannot be entirely reduced to the individual citizens themselves.

To be clear, this approach allows that the overall value of larger states will be greater than that of smaller states. After all, the initial values are greater—there are more people in larger states—and the values only increase on this model; so we should expect this conclusion. My point is not that the organic unity approach renders all states equal in value in all ways, no matter their size; this would be implausible. Rather, I am suggesting that the collective goods of a state have a distinct value that does not rely on direct aggregation from the individuals that comprise it: subject to a range of constraints (e.g., minimally just), the additional value—namely, z —is roughly similar for all states, and does not shift in accordance with changes to its population. It is this point that allows us to resist the appeal to straightforward aggregation of reductive-individualism.

This approach to the value of an organic unity is what Thomas Hurka calls the “holistic interpretation” (Hurka 1998). This is the view Moore endorses, but it is not the only possible

interpretation. Another, which Hurka calls the “conditionality interpretation”, says that there is no value attributed to the whole *as a whole*; rather, their being combined in this way changes the value of one or both of the constituent parts to create a value greater than the two values taken independently. In other words, the two parts A and B have values of x and y respectively, prior to their combination. But when these two parts are unified, the value of each becomes p and q respectively, where either $p > x$, or $q > y$, or both. Although the two interpretations do not differ with respect to their verdicts on the overall value of a given organic unity, it is important to note that they do differ with respect to how they differ with respect to the value they attribute to the parts of the whole. In rejecting the idea of an emergent value, the conditionality interpretation is much more palatable to those with reductivist sympathies. Thus, defenders of that approach might agree with the appeal to organic unities, but deny the specifics of the approach I take here.

Yet I think in this context, we should follow Moore in assuming the holistic approach. This is because the conditionality interpretation appears to require that the constituent parts of the whole must increase in value once they become part of the whole. But it is implausible that individuals might come to have greater value themselves once they are part of a state. For one thing, this implies that stateless persons are of less value than those who belong to states. More generally, it is hard to understand why we should think that the change in value occurs at the individual level.

At any rate, the foregoing is not the only way of defending an account of collective goods that is not strictly aggregative, in the way the reductive-individualists suggest; but it offers an intuitively plausible alternative to that approach. The next question to ask is: What exactly are these supposed “collective goods” as applied to the state? In the remainder of this section, I shall

offer a very general sketch.¹⁸

A helpful place to begin is with the arguments of those who reject such goods. In his discussion, Rodin claims that the most plausible version of non-reductivism is one that argues that states possess the right of national defense in order to defend against violations of their “common life”. He canvasses several interpretations of this idea, such as state legitimacy, and its culture and history.¹⁹ State legitimacy, he says, cannot ground the right to national defense because it offers no reasons for defending *our* legitimate state *as such* when threatened by those who would also impose an alternative legitimate state.²⁰ What makes a state legitimate, on his view, is its ability to provide some level of order over the affairs of its citizens. And since there may be a case in which an intervening state would more effectively provide order over our affairs, we cannot appeal to the ability of our present state to do so as a justification for the use of force against this threat.²¹ This thought points to a more general worry that accounts of this sort

¹⁸ It is important to keep in mind that different types of collectives will generate altogether different collective goods. Surely whatever collective goods a beautifully conducted orchestra brings about are different not just in *degree* but also in *kind* from those brought about by a political collective like a well-functioning state. Accordingly, a one-size-fits-all approach to collective goods would be inappropriate.

¹⁹ Rodin also mentions and rejects the idea that self-determination and autonomy provide plausible grounds for the right of national defense, though his reasons for rejecting it are somewhat obscure. His primary target is Walzer’s view of self-determination, which holds that intervention is always wrong, for the exercise of state autonomy is of paramount importance in creating and sustaining a political system that is, as he puts it, “commensurate with one’s national culture, even if this results in an illiberal and authoritarian regime” (Walzer 1977, p. 87). Rodin argues that such a view requires several dubious claims, such as reducing political self-determination to morally arbitrary factors like the ability (understood descriptively) to coerce others. But while Walzer’s view has been quite influential, I see no reason for assuming that it is the best representative for a view about political self-determination. Indeed, to base one’s rejection of the good of political self-determination on Walzer’s account of it is to ignore the many subtleties and moderate versions of the account that many have defended. Walzer’s account is by no means a defense of the constitutive features of any plausible view of political self-determination.

²⁰ It is worth noting, however, that while both the goods of culture and history and those of political self-determination will vary in degree (the former more so than the latter), the good of legitimacy appears to be a threshold case. The upshot of this is that even states that don’t pass the threshold of legitimacy, they can still have sufficient goods of the other two kinds to warrant the use of defensive force.

²¹ It is perhaps odd that Rodin argues for this point with this particular view of legitimacy in mind, for it strikes me as somewhat tendentious. In particular, I see no reason for thinking that legitimacy is best understood this way. If instead we understand legitimacy as having something to do with consent to a

often face: If a state's right to resist political aggression is grounded in its ability to secure certain goods—that is, if it is understood as *instrumentally* valuable—then the right will cease to apply in cases in which the intervening state can equally or better secure those goods.

Rodin also rejects the second interpretation—a state's culture and shared history—in two different ways. He first argues that the value of a particular culture or shared history offers a subjective rather than objective value. This is because, given the nature of these goods, there is no reason to suppose that those who are external to the state in question must appreciate and respect their value. As I will explain in section 5, Rodin's claim here fails to appreciate that a plausible account of agent-relative permissions is one on which such permissions can be endorsed objectively. That is, to reject a view of this sort, it is not enough to point out that some particular good has a subjective character; rather, one must show that this good is not such that it can be valued objectively at all. The challenge, then, is to explain how these goods can be understood as appropriately objectively valuable.

In his more recent writing, Rodin has argued that the idea of a common life understood in this way fails to offer a justification for national defense because not because it is incoherent, but because it is of insufficient moral value to justify the harms it causes, particularly to innocents (Rodin 2014). As I noted briefly in section 2.1, Rodin arrives at this conclusion by drawing an analogy with certain companies. Like nations, many companies have values and a shared history, and they sometimes face threats from the outside—e.g., being purchased by a conglomerate, being put out of business, etc. Rodin denies that there are any morally significant differences between nations and companies on this point, so we ought to treat them similarly. Since no one would claim that a company is justified in defending itself with lethal force against such threats,

particular system—and not just *any* system that will achieve a minimum level of order—then our worries about the intervening state seem appropriately placed.

we should conclude similarly for nations as well.

This more recent argument poses an important challenge for any defender of national defense, as it calls for further discussion of both the weight of national goods, and the distinctiveness of nations as opposed to other collectives. I do not have the space to take up these arguments here, though I believe Rodin's challenge can be met.²² Since my task in this essay is merely to provide the framework for a collectivist view, and not to answer all objections to its application, we can postpone discussion of this point for now.

So, to recap: Rodin's two most central reasons for rejecting the non-reductivist approach founded upon the value of the "common life" are that such a view cannot explain why we are permitted to prefer our own state non-instrumentally, and such goods are valuable only subjectively rather than objectively.²³ The challenge, then, is to provide an account of collective goods that can avoid these pitfalls. It is essential to notice, however, that there is nothing inherent in these three variants of the idea of collective goods that necessarily entails their failing to overcome these problems. Rather, these problems, at least as Rodin discusses them, seem to stem largely from either explanatory incompleteness or one's prior commitments to other principles. Of course, to claim that a view provides no explanation for some phenomenon can be read as an invitation to provide such an explanation, rather than as an objection to the view as such.²⁴ Thus, the most promising response to Rodin's challenge is to be found not in providing more detail

²² For one thing, Rodin makes short shrift of the idea that a nation is a more wholly encompassing collective—one that secures and encourages a more thoroughgoing way of life. It is precisely for this reason that many see greater value in nations as opposed to companies.

²³ In Rodin (2014), he takes a somewhat different tack. He argues that we do not afford defensive rights to certain other non-state communities, such as companies, even when they have what appear to be the same or other relevant features (intimacy, communal values, etc.). I do not have the space here to reply directly to this argument; however, I think the arguments I make herein will be an important step toward rebutting his argument.

²⁴ And such an explanation's failure to accord with one's prior commitments—e.g., to a certain view about when lethal force is permissible—do not count decisively in favor of rejecting the explanation, and instead may count against a view with such commitments.

about the goods themselves, but rather in elucidating the additional aspects that are necessary for a complete defense of collective goods.

5. National Partiality

The second desideratum for a plausible non-reductive-individualist alternative is that it must defend some account of national partiality. By now, it should be clearer why this is so. As we just saw, none of the most plausible ways of defending collective goods can explain on their own why a state would be permitted to defend itself against regimes that would be at least as successful in securing these goods. Thus, a plausible alternative account must make adequate room for the idea of national partiality. In order to overcome Rodin's objections, the account must not only explain why we are permitted to prefer our own state non-instrumentally, but also why the goods in question can be valued from an objective standpoint. The goal of this section is to offer a sketch of such an account.

Before turning to this task, I first want to mention a possible objection. As I said in section 3, national partiality can be understood in two ways: either as the preference we show toward our compatriots over outsiders, or the preference we can show to our own state as such. The focus of the following discussion will be the latter of these two.²⁵ Some may object to my characterizing national partiality in this way. To see why, recall that one of the central features of this characterization is that states are permitted to resist even those interventions that will leave them better off (or at least no worse off). According to the objection, it is true that states are permitted to resist such interventions; however, it isn't the idea of national partiality that explains this—rather, it is the more basic right to resist paternalistic interference. And this difference is

²⁵ While I suspect there are compelling reasons to support partiality among compatriots, this question is somewhat orthogonal to our present inquiry, so I shall leave it aside for now. But, see my concluding section for some thoughts about this point.

significant, for the two differ with respect to the permissions they afford to third parties. As with other forms of partiality, national partiality permits only the state under threat to resist; third parties are not permitted to do so. However, the objection goes, the right against paternalism is not restricted to the agent in this way; indeed, it also permits third parties to intervene to prevent the intervention. That this is so can be seen by an appeal to our intuitions about interpersonal cases: Al is permitted to resist Bob's paternalistic interference, but so too is Charles; and this is because preventing paternalistic acts is a right afforded to all, even those not directly affected by the act (like Charles). Thus, the objection holds that what I'm calling "national partiality" is really not a form of partiality at all, but rather, a specific instantiation of the more general (agent-neutral) right of a state (and third-party states) to resist paternalistic intervention.

To fully treat this objection would require an investigation into the nature of permissions to resist paternalism; however, this would take us too far afield. Instead, let me offer three very brief points that I hope will help to disarm the objection. First, I suspect that the objection gets much of its bite from an appeal to intuitions about interpersonal cases of this sort. Of course, this isn't itself problematic. However, if these intuitions are caused by one's existing commitment to the notion that the ethical principles applicable at the interpersonal level must also be those applicable at the international level, then this assumes reductivism from the start, and would seem to simply beg the question against my view.

Second, regardless of the source of these intuitions, I don't see any obvious reason for endorsing them. Indeed, it seems to me entirely plausible to say that, both in interpersonal and international cases, only the party subject to the paternalistic action is permitted to resist (unless, of course, this party has requested assistance, or if others have preexisting agent-relative

permissions to aid this party already).²⁶ Finally, even if the right to resist paternalistic interference is what grounds the permission to resist the intervention—which, of course, I want to resist—national partiality might still have a role to play at the level of determining what responses are proportionate and for whom. That is, suppose A is permitted to prevent B’s paternalistic intervention, and C is permitted to do so as well. Even so, it may be that A is permitted to use greater force than C in order to thwart B’s intervention. If this is right, then even if it isn’t the entire explanation for a state’s permission to resist paternalistic interference, national partiality nevertheless still has an important role to play.

Let us set aside this worry and turn now to the central task of this section—namely, offering a defense of national partiality. There are myriad views on offer that defend some version of national partiality (Hurka 1997; Lazar 2013; Miller 1995, 2005; Scheffler 1995; Seglow 2013; Tan 2004). But rather than assuming one of these views at the outset, I want to begin by considering certain arguments from the ethics of self-defense.²⁷ Consider the following case, adapted from Robert Nozick:

Innocent Threat: Alex has been pushed from a tall building and will land on Vincent, killing him in the process, if nothing is done to stop him. Alex is morally innocent of this threat. Unfortunately for Vincent, he cannot move or otherwise employ less-than-lethal means to prevent Alex’s threat. Fortunately, though, he wields a special gun that could

²⁶ Indeed, depending on how the circumstances of the case are presented, it might reasonably be thought that a general permission to resist paternalistic actions would necessarily yield further cases of paternalistic action. This is because if C intervenes to (ostensibly) help A resist B, then it looks as though C is, in at least one relevant sense, interfering paternalistically in A’s affairs. Whether this is so, of course, depends on the particular way of defining paternalism.

²⁷ Of course, one plausible non-reductive-individualist approach would be to argue that the state is analogous to the individual in self-defense cases, and thus, the permissions afforded to individuals in self-defense cases are analogous (*mutatis mutandis*) in cases of national defense. This sort of approach—sometimes referred to as the *domestic analogy*—is one favored by certain just war theorists, most notably (Walzer 1977). I do not discuss this view in what follows, primarily because my focus here is on providing a view in contrast to both Rodin’s and Fabre’s respective accounts. I should say, though, that I see my collectivist account as being distinct from Walzer’s in several important respects. For one thing, I want to deny his view that states have a right to defend themselves regardless of the value of the goods they can be said to have produced.

vaporize Alex, preventing him from killing Vincent (Nozick 1974, p. 34).

Is Vincent permitted to use the gun, or must he allow himself to be killed by Alex? There is hardly any philosophical consensus on this question, though there are many views on offer. Some philosophers believe that, since the threat Alex poses comes about through no fault of his own, he cannot be said to have done anything to make himself liable to being killed (McMahan 2009a). Since Alex is not liable to being harmed, it would be wrong for Vincent to harm him. Others believe that Vincent is not permitted to kill Alex because Alex is morally equivalent to a bystander, and we are not permitted to kill bystanders (Otsuka 1994). Some philosophers, however, defend the opposite conclusion. One prominent view of this type holds that, though Alex is not liable to being harmed, he is nevertheless the threatening object, and so may be permissibly killed (Frowe 2008; Tadros 2011, pp. 253–255).

While there are many possible views, the bulk of them focus primarily on the moral status of the attacker to determine whether or not the victim is permitted to defend himself (Davis 1984; Quong 2009). By doing so, these accounts fail to adequately respect the limits of what victims can be morally required to do in such cases. Jonathan Quong puts the point this way:

Your life is your own, and so morality does not require that you give it up or put it at significant risk for another person or even several other people. By appealing to the *agent-relative value* each person's life has for them, I therefore mean nothing more than the following: that each person is understood to have a powerful *agent-relative permission* to avoid sacrificing or significantly risking their own life for the sake of others (absent any obligations voluntarily incurred) (Quong 2009, pp. 516–517).

On Quong's view, we ought to conclude that, since Vincent has done nothing to forfeit his right not to be harmed (nor, incidentally, has he done anything to be liable to being harmed), and adding the fact that he has an agent-relative permission to avoid self-sacrifice, he is therefore

permitted to use lethal force in defense of his life.²⁸

I think Quong is right here, and I think we can extend his point even further. The core of his agent-relative permission in such cases is the idea that, “the permission to act in self-defense is justified by appeal to the agent-relative value that each person’s life has for them” (Quong 2009, p. 516). But one’s own life is by no means the only thing of considerable agent-relative value. To see this, consider the following variation on *Innocent Threat*:

Innocent Threat 2: The circumstances are identical to *Innocent Threat*, except it is not Vincent but Vincent’s wife, Valerie, who wields the vaporizer gun. No lesser harmful means are available to either Vincent or Valerie for preventing Alex’s threat from being realized.

My intuition is that Valerie is permitted to kill Alex in defense of Vincent’s life. And the justification seems to be of the same general sort as that which Quong provides in *Innocent Threat*—namely, an appeal to agent-relative value. The only difference now is that the object of value is not the agent’s own life, but rather, the life of an individual with whom one stands in a particularly valuable sort of relationship. And as this case illustrates, the agent-relative value that a marital relationship confers will often be of nearly the same general strength as the value to oneself of one’s own life—and sometimes even greater.

In other words, Quong’s agent-relative permission can—and in my view, should—be expanded to include more than merely a permission to defend one’s own life. Indeed, since agent-relative permissions are grounded in agent-relative values, and many agent-relative values

²⁸ It may be objected that Quong’s example is simply inapplicable to the cases with which we are presently concerned. That is, while his case involves an innocent threat, the *bloodless invasion example*—and probably all historical examples of political aggression—involves a threat from an aggressor who does not resemble the innocent threat. In response to this, let me make two brief points. First, I don’t see anything inherently problematic in extracting from Quong’s example his description of agent-relative permissions, even if I take them to apply to a different sort of case than the one he describes. And second, even if it is true that, as a matter of historical fact, all cases of political aggression have involved non-innocent aggressors, I see no evidence for thinking this is a necessary truth; it seems possible to conceive of a case of intervention in which the intervening party more closely resembles the innocent threat of Quong’s example.

extend beyond one's own life and limb, it seems we ought to conclude that individuals sometimes have agent-relative permissions to defend certain of these agent-relative values with lethal force.²⁹ Call this the *wide agent-relative permissions thesis*. As it stands, this claim is considerably underspecified. Unfortunately, I cannot offer here a thoroughgoing defense of all features of the view; however, I shall nevertheless discuss some of those most salient to our present discussion.

First, in its current state, the thesis seems to entail that *all* agent-relative values are candidates for generating agent-relative permissions. But this cannot be right, for surely an individual's perverse values cannot ground moral permissions to use lethal force in their defense. Moreover, if my account allowed any agent-relative values to ground such permissions, it would fall victim to the charge that Rodin has issued against views of this sort, which I aim to avoid—namely, that such views only identify subjective values. As such, an explanation is needed for how the *wide agent-relative permissions thesis* can overcome this problem.

I believe the explanation can be found in a closer inspection of the contours of agent-relativity. Notice that a permission can be both agent-relative and objective. To say that a permission is agent-relative is just to say that it is indexed to a particular individual; outsiders generally do not have similar permissions—or, at any rate, certainly not permissions of the same strength as that of the individual herself. But the permission is also *objective* in that all can reasonably endorse it, or can see it as providing the individual (and all others in the

²⁹ There is an interesting related question concerning the distinction between defending and attacking to prevent threats. On my view, thus far described, it may seem that there is no difference: if a state has an agent-relative permission to defend itself against threats to its collective goods, then it would seem it also has an agent-relative permission to attack to prevent these threats. But notice that such permissions are also constrained by the other standard criteria for just action in war; and typically, threats for which one would need to attack rather than defend haven't yet satisfied the criterion of *necessity*.

circumstances) with a justification to so act.³⁰ And the same general point also applies to agent-relative values: the value of an agent's own life to her is something that is both indexed to that agent—and so, in the circumstances in which there is no further agent-neutral permission to defend it, third parties may not be permitted to intervene to defend it on her behalf—as well as the sort of value that outsiders can endorse.

Some alleged agent-relative permissions, however, might indeed be nothing more than subjective, either because they are based on agent-relative values that are not objectively endorsable, or because, though the value is objectively endorsable, the proposed defense of this would be objectively disproportionate. For example, the agent-relative value of a particular agent's pursuit of human trafficking certainly cannot be objectively endorsed. And whatever the agent-relative value may be of eliminating irritations, it would certainly be disproportionate to kill those whom one finds irritating, which means that one would not possess an objective permission to do so.

The foregoing points suggest the following limitation on agent-relative permissions: one has an (objective) agent-relative permission to perform some act only if the agent-relative value in question is the sort of value that can be objectively endorsed. I realize that this is still somewhat underspecified. After all, exactly what sorts of value can be objectively endorsed? I am unable to offer much a sufficiently precise explanation, but I think it is relatively clear in most cases. Consider again our earlier spousal example. What drives our intuition that Valerie is permitted to kill Alex in defense of her husband Vincent in *Innocent Threat 2* is that the goods under threat—namely, those that emerge from her and Vincent's marital relationship—are of considerable value, both agent-relatively and objectively. But we will surely be inclined to

³⁰ In other words, agent-relative permissions should not be construed as merely offering excuses for certain actions, but rather, justifications so to act.

conclude differently if Vincent is not Valerie's husband but rather her next-door neighbor. Whatever goods may be thought to exist between neighbors are typically of considerably lower (objective) value than those that exist between devoted spouses.³¹ For this reason, while Valerie may permissibly exercise this level of partiality towards her husband, she may not do so towards her neighbor.

Some may be inclined to posit an additional criterion for permissible partiality—namely, that the ties between the agents in question be sufficiently strong. On this view, part of why it is permissible for me to show greater partiality towards my sibling than my second cousin twice removed is the fact that I have (we can suppose) established considerably greater ties with the former than the latter.³² But while this may be true in many cases, I suspect this is more due to the nature of the particular goods in question rather than evidence of a separate criterion that necessarily must be satisfied. In many relationships—such as those that occur between family members or among friends—securing the relevant goods often requires the establishment of close ties. In the friendship case, for example, this closeness is constitutive of the relationship; it is therefore difficult to imagine the goods of that relationship without it. But not all relationships require this level of connection. Members of certain solidarity movements, for example, may show certain levels of partiality towards those with whom they stand together, even if they have no deep interpersonal ties between them.³³ More generally, many collectives can secure the

³¹ This would change, of course, if the two became friends. Surely the goods that emerge between good friends are candidates for objective endorsement.

³² Of course, it's not difficult to imagine cases in which I am estranged from my sister but quite close with my (nominally) 'distant' relatives.

³³ Of course, the value of the goods in jeopardy determines the level of force permissible. Thus, the value of goods of solidarity among, say, members of the Occupy Wall Street movement was not sufficiently high to justify the use of lethal force against those who sought to disrupt their unity. Also, it is important to remember that, when discussing cases of this sort, I am only concerned with the partiality a collective (or members of that collective) may show to the collective. So, the question of what amount of partiality individuals within a collective may show to another member *qua* member must be set aside for another

goods relevant to them without such ties; in my view, the state or nation is a good candidate for one such collective. As such, this additional requirement—that, in addition to securing the goods of the relationship, members of such collectives also establish these ties between them before partiality is permissible—would be superfluous in many cases, and unnecessarily limiting in others, and must therefore be rejected.

I mention this point because it seems to provide the basis for an intuitively appealing way of rejecting national partiality. It is sometimes thought that the ties between compatriots are far too weak to justify national partiality (Hurka 1997). After all, I haven't met, nor will I ever meet, most of my compatriots. As such, the ties between compatriots seem considerably weaker than those between, say, siblings or spouses.³⁴ To invoke national partiality as the reason for why I'm permitted to use lethal force in their defense will therefore strike many as troubling. But as I have just argued, this point ought to be recast as one about the value of the goods under threat. And if what I have argued for earlier regarding the collective goods that emerge within a state is correct, it is not at all obvious that we ought to resist the invocation of national partiality in such cases.

This example, and much of the foregoing discussion, has concerned the question of the whether or not lethal force is permissible in cases where it is necessary to prevent lethal harm. I have tried to show that partiality generates special permissions that stem from agent-relative values: The more (objectively) valuable the goods in question, the stronger the (agent-relative) permission to act in defense of such goods. And certainly, a threat to the life of someone with whom I stand in a certain sort of valuable relationship poses a significant threat to the goods that our relationship may bring about. Of course, not all threats to these goods must take the form of lethal threats. Indeed, it is rather easy to conceive of cases in which extremely valuable goods are

occasion.

³⁴ Indeed, some might see this as reason for skepticism concerning the extent of the applicability of national partiality. See: Fabre (2012); Lefkowitz (2009); Miller (2005).

threatened, but individuals' lives are not. Certain parts of our cultural heritage—such as monuments, art, architecture, or, more broadly, ways of life—have considerable agent-relative value for us. Indeed, this value is so significant that we have a special justification for employing force in defense of it than individuals for whom these artifacts are not nearly as significant.

The same point applies to the case of the state as well: Even if the lives of the individuals within a state are not threatened, they may nevertheless be permitted to use lethal force in certain cases to defend against threats to those goods that emerge from their relationships with one another as compatriots, i.e., as members of this particular collective.³⁵ The relevant goods are those collective goods we explored in the previous section—namely, state legitimacy, and its culture and shared history. These particular goods provide citizens in the state in which they are present with a considerable agent-relative permission to defend them, on account of their agent-relative value to these individuals.³⁶ In other words, to connect this point to our much earlier discussion regarding the *bloodless invasion objection*, individuals may be permitted to use lethal

³⁵ It is worth emphasizing here that many cases in which national partiality arises involves the actions of individuals acting *qua* state agents. This is one way of understanding soldiers' roles, but it extends to other agents of the state, such as police, diplomats, elected officials, and others. In these cases, national partiality is not best—or at least not completely—understood as individuals preferring their co-nationals; rather, it ought to be understood as the state, through its agents, showing partiality toward its members. This also has important implications for how we should understand combatant responsibility. Some have argued that there are limits to how agents of the state, like soldiers, bear responsibility for the acts that are part of their official duty. On one view, made most famous by Walzer (1977), soldiers who act in accordance with the *jus in bello* criteria act justly, regardless of the justice of their state's cause. Others have argued against this thesis, most notably McMahan (2009b). See also Stilz (2011) and May (2005). Thank you to a reviewer for prompting me to address these points.

³⁶ It is worth noting here another way in which Rodin's more recent view (2014) is mistaken. The agent-relative value of the collective goods of a state—that is, the common life, in Rodin's terms—are different from such goods for companies, even those with important values. This is partly because the agent-relative value—or the most significant part of it, at any rate—of such companies for most employees is almost entirely instrumental and substitutable. To see this, witness the ease at which most people take up work elsewhere for even the most marginal gains in pay or benefits. This suggests that people see their role in collectives that present those values as important, but easily commensurable with other values elsewhere. Now, this may be true for some members of some states, and the mere fact that people believe this does not suffice to make it true, but I hope the general point here will suffice to reveal some difference between the two collectives.

force to defend the collective goods of their states against acts of political aggression, even if no civilians' lives are in danger.³⁷

Let us now return to our earlier discussion regarding the problems that Rodin identified for any non-reductivist account of national defense. Recall that on his view, non-reductivist accounts cannot explain either why we are permitted to prefer our own state non-instrumentally, or why such goods are valuable only subjectively rather than objectively. As I argued then, these problems are not inherent to all versions of non-reductive-individualist; by making certain alterations to the basic account, we can overcome these problems. And in my view, this is what my account of national partiality does. That is, by supplementing a non-reductive-individualist account of national defense with the account of national partiality just described, we overcome Rodin's objections and provide a coherent and plausible account of robust national defense. Let me now explain why.

First, such an account explains why we are sometimes permitted to prefer our own state. The collective goods that emerge within a particular state generate agent-relative values, which in turn ground agent-relative permissions. Thus, I am permitted to prefer the collective goods of my state, as opposed to some other, in the same way that I can prefer the goods that emerge within my marital relationship, as opposed to some other. Second, as we saw, though agent-relative values do not provide every individual with a reason to act on them, it does not follow therefore that they are merely subjective. Indeed, it is conceptually possible for agent-relative values and permissions to be endorsed objectively. If I am permitted to exercise partiality towards my spouse in some scenario, then, *mutatis mutandis*, so are you. And this is because the

³⁷ This claim makes no reference to the culpability of the aggressor. It is difficult to imagine a case of political aggression in which the aggressor is innocent; at most, the aggressor would be in possession of some form of partial excuse. (To my mind, acting on false yet reasonable intelligence would qualify as wrong but excused.) At any rate, no matter the case, I am inclined to believe that the citizens are nevertheless permitted to use lethal force to defend these collective goods.

agent-relative value of my spouse to me is but one instantiation of the more general value of one's own spouse to oneself—a value that everyone can recognize and endorse.

To be sure, not all proposed agent-relative values are suitable candidates for this objective endorsement. But, as we saw, whether they are is a question to be answered from an objective rather than subjective standpoint. Throughout my arguments, I have referenced what I take to be intuitively plausible cases of such goods within the realm of interpersonal morality—e.g., the goods that arise between spouses—and I have attempted to provide some reasons for endorsing the value of the goods that arise within certain collectives—e.g., the state. But the reasons I offered were always of a general sort, one that privileges no particular community or relationship over any other. That is, my arguments have focused on the objective foundation of this sort of agent-relative permission.

This point is particularly important in addressing another of Rodin's worries, namely, that systematically unjust states will be permitted to use lethal force in their defense, despite our strong intuitions that they not be so permitted. On my view, it seems most plausible to deny that the collective goods that such states produce—if indeed there are any at all—are of significant enough value to generate agent-relative permissions to use lethal force in national defense.³⁸ In particular, if a state systematically fails to respect human rights, or doesn't possess a monopoly on the use of force, then it seems plausible to say that it fails to generate many of the relevant sorts of collective goods (in particular, legitimacy and self-determination seem lacking here). In other words, when certain conditions obtain, outside forces may be justified in intervening in such systematically unjust states. Of course, much will depend on the circumstances of the case; even systematically unjust states will likely still produce *some* collective goods, such as a shared

³⁸ But it doesn't follow from this that such states forgo their right to self-defense altogether. Perhaps they still possess agent-relative permissions to defend themselves in particular cases, such as attacks from even more systematically unjust states, or those that would make them even worse off than they already are.

culture; and if an outside intervention threatens them, the state may still have an agent-relative permission to defend them, though perhaps the proportionality constraints will place considerable limits on what level of force can be used. There are, of course, many complicated issues here that deserve greater attention; however, I shall bracket them for now. The core idea here is simply that my account does not presuppose a wholly subjective picture of agent-relative values, and thus, can overcome Rodin's objection.

If these arguments are correct, then a non-reductive-individualist account, supplemented with a plausible form of national partiality, can overcome Rodin's challenge. Moreover, it provides us with a plausible response to the question that was the primary motivation of this discussion—namely, whether national defense is permissible in the case of bloodless invasion. According to the account just sketched, a state may be permitted to use lethal force (when necessary) to defend against a threat to its political self-determination because this is a (non-reducible) collective good of considerable agent-relative value.

6. Conclusion

Those wishing to offer a justification for national defense are faced with a choice. The first option is to endorse the reductivist-individualist approach and attempt to accommodate a robust national defense—though, as I have shown, this will require tending to the problems I have discussed. Another option is to defend an alternative approach that improves upon the problems of the reductivist-individualist approach. My version of this view embraces the reductivist claim that the ethics of war can be entirely understood by applying the principles of morality. That is, we do not need to claim that war is *sui generis* in order to defend a robust version of national defense. Rather, this view rejects the individualism that often accompanies reductivism. The value of the goods under threat in cases of national defense is cannot be entirely reduced to the

value of the individuals of that nation.³⁹

³⁹ [Acknowledgements]

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