

Deploying Racist Soldiers: A critical take on the ‘right intention’ requirement of Just War Theory



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Abstract

In a recent article Duncan Purves, Ryan Jenkins, and B.J. Strawser¹ argue that in order for a decision in war to be just, or indeed the decision to resort to war to be just, it must be the case that the decision is made for the right reasons. Furthermore, they argue that this requirement holds regardless of how much good is produced by said action. In this essay I argue that their argument is flawed, in that it mistakes what makes an agent morally good for what makes an act morally good. I argue that the main thrust of Purves et al.’s argument in fact undermines the conclusion they wish to draw, and that the reasons for one’s action do not make an *in principle* difference to the morality of actions in war. I further argue that this position undermines the traditional *ad bellum* just war constraint of right intention, and that the morality of actions in war is, at core, only concerned with outcomes. I conclude by clarifying that one’s reasons for action do in fact matter when deciding to enter war or kill in war, but only because one’s reasons significantly impact the way in which one acts. The purpose of this paper is to clear the theoretical space by showing why intentions/reasons do not *in principle* matter when assessing the morality of war (or killing), but this should not be taken as an argument that we should ignore intentions/reasons altogether.

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1 Introduction

According to St. Thomas Aquinas, three things are necessary for a war to be just: first, the authority of the prince; second, a just cause; and third, “it is required that those who wage war should have a righteous intent”.² In contemporary just war theory, the first requirement, right authority, has seen much criticism, as non-state actors and civil uprisings are increasingly seen as legitimate (or at least capable of acting

legitimately in a military capacity).³ The second and third requirements have, however, retained their status as cornerstones of what it means for a war to be just.

In this essay I challenge the third requirement, right intention, and argue that within the morality of war, intentions only matter insofar as they affect the actions one chooses to undertake, thereby altering outcomes. I proceed by examining the argument presented by Purves et al. [14], which attempts to demonstrate that within the morality of war, an agent's reasons for action can decisively alter the moral assessment of the actions carried out by said agents. I argue, *pace* Purves et al., that if two agents will carry out exactly the same actions bringing about exactly the same consequences, then those agents' *actions* must be found equally moral or immoral. This, however, should not be taken as an indictment of intentions altogether. Indeed, I argue that intentions do matter, as they provide the basis for determining the *moral character* of an agent. Put differently, intentions matter morally, but not with respect to the permissibility of actions, only with respect to the moral assessment of an individual's character. I close by clarifying that, practically speaking, intentions will have an impact on the moral assessment of most acts of killing or war, but only because the intentions driving action generally impact on the actions undertaken; i.e. the intentions themselves do not matter for the moral assessment of acts, but the effect they have on choices and outcomes does. It is also worth highlighting at the outset that the arguments provided only deal with moral assessments in war. As such, the critique of intentions should not be confused with more general debates concerning intentions and morality.

2 *Just War Theory and Right Intention*

As mentioned above, the requirement that war be undertaken with a right intention is an old one, found in the works of Aquinas and Augustine before him,⁴ and it is still accepted by prominent theorists today.⁵ Right Intention is an *ad bellum* constraint, which maintains that for a war to be just, it must, among other things, be fought with the right intention.

Generally, this is understood as demanding that a war be fought *for the sake of its just cause*.⁶ That is, if my country is invaded by an aggressive neighboring state which is bent on exterminating some of our population, then this provides a just cause for defensive war. Our war would be fought with a right intention if we entered it *for*

the sake of this just cause, and not for some other ulterior motives, like economic advantage or a plan to annex some of our aggressive neighbor's territories. It is important to point out here that this does not necessarily mean that these other reasons for war must be absent. After all, one can enter a war in order to resist aggression or assist others in doing so, as the United States did in entering World War II, while also welcoming the fact that war will help improve one's economic situation. Instead, what right intention requires is that the effective motive be securing the just cause, and that any other possible motives be given a lexically lower rank, such that they cannot impinge on the right intention.

However, right intention, while often only listed as an *ad bellum* requirement for war to be just⁷ also comes in an *in bello* formulation as well.⁸ After all, if a war's being just requires that it be entered *for the sake of the just cause*, then an action in war's being just should also be taken *for the sake of furthering the just cause*. Moreover, *in bello* right intention is also a cornerstone of the traditional notion of a just war, for as Augustine says, "[t]he desire to do harm, the cruelty of vengeance, an unpeaceable and implacable spirit, the fever of rebellion, the lust to dominate, and similar things: these are rightly condemned in war".⁹ What *in bello* right intention demands is that each soldier and commander make his or her decisions with the intent of securing or furthering some moral goal. However, it does not necessarily mean that each soldier and commander actually in fact furthers a moral goal, because the war they are fighting may lack justification altogether. Right intention is a subjective requirement, concerned only with what is inside an agent (in that it concerns mental states and attitudes), and so it may be satisfied even by agents who fight patently unjust fights. All that is required is that they have a personal intent to do good or promote good, even if they are mistaken.

For example, suppose one of Rommel's soldiers firmly believes that Germany was wronged in the Treaty of Versailles, and that Hitler's war is thereby justified as a means to redress that past wrong. We may roundly reject this claim, but the soldier believes it, and has some reasons to substantiate his position (even if they are weak or false reasons). Based on this "just cause", the soldier joins the *Wehrmacht* and goes out to fight, *with the intent of helping to redress that past wrong*. In this case, the soldier acts *for the sake of furthering a just cause*, even though there is in fact no just cause to be furthered.

This may seem counterintuitive at first, but it becomes clear if we concentrate on the fact that the requirement is about *intentions*, and

not *justifications*. Rommel's soldier fights with a good intent, but his ignorance or misapprehension of the facts makes him unjustified nonetheless.¹⁰ In this way, right intention can come apart from just cause or justified action, because the two deal with different categories of things: the former concerns internal mental states, whereas the latter deals with facts and outcomes as well.

So, according to the requirement of right intention, for a war to be *ad bellum* just, it must be the case that the war is entered *for the sake of securing the just cause*. For an action in war to be just, it must be the case that the agent acts *for the sake of furthering a just cause*. Put differently, a just war is one entered *with the intent of securing justice*; a just act in war is one which is carried out *with the intent of furthering justice*. However, neither of these requirements imply that the war or act really are just. All that matters for these requirements are the intentions and expectations internal to the agent. Whether those intentions and expectations track to anything true or morally good in the world is another matter, and one which is captured by other just war constraints (e.g. just cause, proportionality, necessity).

A final point worth noting is that the *ad bellum* and *in bello* formulations of right intention are structurally identical. Both say that an agent (either a state or an individual soldier) is required to have the right intentions (either securing or promoting what the agent determines to be just) when doing what is normally a forbidden act (entering war or killing others). If this is satisfied, along with all other just war criteria, then the act may be deemed permissible. Given that the two conditions are identical in form and content, and differ only in scale, any problems found with one formulation will imply problems for the other as well. This point will become important in the arguments to follow.

3 *Acting for the Right Reasons*

Now, with right intention and its *in bello* variant spelled out, we can begin looking more closely at the argument provided by Purves et al. Their argument focuses on the morality of using autonomous weapons in war, but in making their case they present a more general claim about how reasons affect the morality of actions in war. The core of their argument is the thought experiment *Racist Soldier*, which is set up as follows:

Imagine a racist man who viscerally hates all people of a certain ethnicity and longs to murder them, but he knows he

would not be able to get away with this under normal conditions. It then comes about that the nation-state of which this man is a citizen has a just cause for war: they are defending themselves from invasion by an aggressive, neighboring state. It so happens that this invading state's population is primarily composed of the ethnicity that the racist man hates. The racist man joins the army and eagerly goes to war, where he proceeds to kill scores of enemy soldiers of the ethnicity he so hates. Assume that he abides by the *jus in bello* rules of combatant distinction and proportionality, yet not for moral reasons. Rather, the reason for every enemy soldier he kills is his vile, racist intent.¹¹

Purves et al. contend that given the state of this man's intentions, we have a strong moral reason to not deploy him to the front, *because of the fact that he will be killing for such heinous reasons*. More than this, they contend that "if we had a choice between deploying either Racist Soldier or another soldier who would not kill for such reasons, and *both would accomplish the military objective*, we would have a strong moral reason to choose the nonracist soldier."¹²

Now, it is important to make clear exactly what Purves et al. are claiming, as the thought-experiment conjures up a number of emotional responses and intuitions. First of all, the point is not that the racist soldier kills more people, or innocent people, or uses means which are unnecessarily harmful. Obviously, any of these things would present a problem for deploying such a man, but these various actions would be problematic on a number of just war theoretic grounds. Furthermore, those actions would be condemned on both strictly consequentialist and strictly deontological grounds, and so the example would not help illuminate the supposed moral value of *acting for the right reasons*. What the example maintains is that the racist soldier acts *in precisely the same way* as a non-racist soldier would act. The things he does and the outcomes he brings about are identical with those that any other soldier in his position would bring about, even if he were replaced by the most virtuous soldier available. The problem then is not *what* he does or even *how* he does it, but rather *why* he does it.

Second, Purves et al. are arguing not just that the racist soldier acts in a way which is morally problematic, but also that those who send him into combat act in a way which is morally problematic. After all, the claim is that if *we* were choosing between racist soldier or some other soldier, "we would have a strong moral reason to choose the nonracist

soldier”.¹³ The fact that “we... have a strong moral reason” not to send him means that his racist intent changes the moral decision that we make as well.

Finally, it is crucial to note that the point Purves et al. are arguing for is not that the character of the racist soldier is morally flawed (though I am sure they would agree to this), but rather that his actions are. It is obvious that there are moral deficiencies to the character of the racist soldier, since he is, *ex hypothesi*, racist. However, Purves et al. want to argue for more than this. They maintain that there is something wrong with us sending him to fight, and also with his fighting, because “he *is acting for the wrong reasons*”.¹⁴ If their argument was only meant to indicate some flaw in his character, then they could provide the title of the thought experiment – *Racist Soldier* – and leave it at that. However, they aim to show more; that his racism affects the moral assessment of his actions as well. More than this, they argue that his actions are wrong, *even though they are the same actions another nonracist soldier would be carrying out*. Given this, it is clear that the argument of Purves et al. is meant to show that two identical actions with identical outcomes can have different moral statuses, simply because the agents had different reasons for carrying out those actions.

4 *Right Actions - Right Agents*

However, have Purves et al. gotten things right? Is it really true that the intentions an agent has when acting affect the moral status of *the action*? More importantly, can two actions with identical outcomes really be judged to have different moral statuses? I argue that the answer to all of these questions is “no”.

Let us proceed by examining where intentions matter most, and then seeing whether this can help us to understand the role, or lack thereof, of intentions in evaluating actions.¹⁵ It should be uncontroversial that intentions clearly and significantly impact our moral assessments of an agent’s character. If there are two people who do the same thing, but do so for radically different reasons, there may be disagreement about whether or not both actions have the same moral value or status, but all would agree that the moral character of these two agents differ greatly. To see this, let us briefly consider an example.

Suppose that two men see a young boy floundering in the waves and both rush in to save the him. The first man does so simply because he saw a child drowning and knows he has a moral duty to save drowning

children (even if it means the copy of “Famine, Affluence, and Morality” stuffed into his pants pocket is ruined). The second man, however, only swims out in the hopes that the boy’s grateful parents will give him some sort of reward. He is what we might call a “bounty lifeguard”.¹⁶ Now, I take it that most would say both men act correctly, i.e. they perform the *right* action, though I am sure there are some who might quibble about that judgment. However, one thing that is obvious in this case is that the second man is not nearly as good as the first. Put in less colloquial terms, he demonstrates a flawed moral character, because his only reason for action is personal gain, and moral considerations hold no motivating power for him, even when he sees a child drowning and could save that child with virtually no negative consequences for himself (other than having wet clothes for a bit).

So, intentions definitely do matter morally, at least with respect to the evaluation of an individual’s moral character. Acting for the right reasons demonstrates a well developed moral sense, and is to be praised, while acting for the wrong reasons demonstrates an atrophied or even absent moral sense, and is to be blamed or even perhaps punished.

What of the actions themselves though? How are we to judge these given differences in the reasons which motivate them? Let us again consider a pair of cases, what I will call the *noble kamikaze* and the *sadistic marine*. The *noble kamikaze* fights in WWII for the imperial Japanese army out of a sense of honor, loyalty, duty to country, and so forth. Put shortly, he fights for whatever reasons the reader finds to be *good civic/moral traits*. His fighting is helping to sustain a war machine that has ravaged China, Southeast Asia, and the Pacific Islands, but he fights for good reasons. The *sadistic marine*, on the other hand, fights because he gets a kick out of hurting others. Since he was a small child, he has always loved hurting others, and the opportunity to crawl through the jungles with a rifle and little oversight gives him exactly what he has always wanted. However, in fighting, he is helping to thwart tyranny, liberate conquered peoples, and halt grave human rights abuses in Southeast Asia and China.

In these two cases, there are three things we can already say with confidence and without (great) controversy. First, the *noble kamikaze* acts wrongly, because, no matter what his intentions are, he is furthering grave injustice by assisting in the wholesale subjugation and destruction of entire populations.¹⁷ In fact, we need know nothing about his intentions to make this judgment, because his actions are already in violation of a number of other criteria of just war theory.¹⁸ Second, despite the

wrongness of his actions, the *noble kamikaze* does have a good intention, and on this ground should be judged as having a *good moral character*, or at the very least, as having a better moral character than agents who fight for self-interested or possibly even sadistic reasons. He is wrong in thinking that it is acceptable to fight for Japan, but he just wants to do what is right. The indoctrination he received as a child may have hindered his ability to recognize what *is* objectively right, but one cannot doubt that that is his goal. This renders his character *morally good*, or at least better than the character of agents without such motivations and intentions.¹⁹ The third thing we can say with certainty is that the *sadistic marine* displays a *bad moral character*. He acts for no other reason than to harm others, simply because he finds this amusing. Such sadism shows one of the very worst characters we can imagine, and is something to be roundly condemned.

There is still one thing we have not spoken to though; the actions of the *sadistic marine*. We know *he* is bad, but are *his actions* bad as well? In fighting he contributes to the liberation of many people, helps to bring down a regime which is tyrannical not just to those it conquers, but to its own people as well, and he assists in the halting of genocide and grave rights abuses throughout Southeast Asia and China. These are all undoubtedly good things, and good things of a significant moral value.²⁰ However, he only does these things because it allows him to harm others without fear of punishment. Does this make *the actions themselves* morally bad?

I believe not. It would certainly be better if he had a good intention while doing these things, but the mere presence of a bad one cannot negate all of the good these actions produce. To see this more fully, consider the following example:

Ignorant Racist Politician: Suppose there is a politician who wants to keep minorities down, and ignorantly believes the best way to do this is to provide them with many social goods. He thinks that having all these things given to them will make them dependent on the government, and thereby lower their self-reliance and long-term welfare. However, as would be expected, the presence of better schools, stronger infrastructure, and better medical care all conspire to improve the welfare and opportunities of these minorities, thwarting the politician's plan.

Now, this scenario is structurally similar to *racist soldier* (but not identical). Both act in ways which produce goods, but only act based on

bad reasons. The main difference is that *racist soldier* imposes harms based on bad reasons, whereas *ignorant racist politician* distributes goods based on bad reasons. However, both effect a net positive state of affairs via their actions, and both base their actions on racist sentiments. I do not believe anyone would honestly or sincerely say that the *ignorant racist politician* has *done something bad*. That is to say, *his actions* are good ones. His character is not good, given that his main aim is to harm minorities, but his ignorance leads him to consistently help those he so hates. In such a case, his motives will only matter to us insofar as we are concerned with his *moral character* or believe that those motives will impact his future decisions. Therefore, we may seek to replace *ignorant racist politician* with another politician who is not racist, but we will not do this because the former's *actions* were bad or wrong. In fact, all of his actions were good ones which improved the lot of some of society's worst off. No, we will seek to replace him because we *expect him to do bad in the future*, because of his bad intents or bad reasons for action. This, however, says nothing regarding the actions he has already carried out. *Ignorant racist politician* is simply a bad man who has done good things accidentally.

Before moving on, it may be worthwhile to consider one final argument against the position of Purves et al., and one which does not rely quite as heavily on intuitions and constructed thought-experiments. Let us return to *racist soldier*, but restate the main elements in a slightly more schematic fashion.

Racist Soldier (Revised): Suppose we have two soldiers, one who is racist and the other who is not. Call them S_R and S_{NR} , respectively. If we send S_R to war he will do X . If we send S_{NR} to war he will do X . The actions they will perform (X) are identical and the results will likewise be identical.

By hypothesis, Purves et al. claim that the X performed by S_{NR} would be morally right. This however, is by their own admission the exact same thing that would be performed by S_R . Therefore, it must also be morally right for him to do it, even if he is doing it for some other reason. There is nothing that distinguishes one action X from another, so there cannot be any moral difference between them. Put differently, if you and I both do the same thing, and what I *do* is right, then what you *do* must be right as well, because of the fact that *we both do the same thing*.

Furthermore, we can say this and still maintain that there is some truth to the sentiment that there is something less good or perhaps

morally problematic about sending S_R to war instead of S_{NR} . However, the truth behind this sentiment has nothing to do with actions. Rather, it is grounded in the fact that, all things considered, we prefer good moral characters over bad ones. This, however, does not entail that the actions performed because of a bad character are inherently bad. As such, intentions do not, *in principle*, matter for the evaluation of acts.

So, an act in war can be morally right even if performed for the worst of reasons. This is because reasons do not affect the morality of acts, rather they affect the morality of agents. Two identical acts must have identical moral statuses. The agents who perform those acts, however, may have very different moral statuses *because of the reasons they had for acting*. In this way, reasons will matter morally, just not with respect to acts.²¹

5 Re-examining Right Intention

So far we have been examining individual acts performed by individual agents who possess some particular moral characters. We have argued that the intentions of an individual will not affect the moral assessment of any acts that individual carries out, in virtue of the fact that intentions only matter for the assessment of moral character. What, if anything, can this tell us about the traditional just war requirement of right intention?

Recall that right intention is the demand that war be fought *for the sake of its just cause*. It is an *ad bellum* requirement which must be fulfilled in order for a state's decision to go to war to be just.²² This, however, implies that right intention is a requirement on actions, because the decision to go to war is an action which a state carries out. More than this, failure to abide by right intention does not imply that a state is wrong, but rather that the state *acts wrongly* by waging a war without having the appropriate motives. This clearly shows that the requirement is concerned with actions.

However, if what has been argued above holds any truth, then right intention cannot be maintained, because the intentions of a state do not matter for the moral assessments of that state's actions. Just as an individual agent may act for bad reasons but do a good thing, a state, which is nothing more than a collective agent, may enter a war for bad reasons but do a good thing. For example, a state may enter war purely for territorial gain, but in doing so halt an ongoing genocide in the region it is annexing. In such a case, we clearly have a reason

to criticize that state, morally speaking, given that it values territorial expansion over the preservation of human lives (this is evident in that its motive is expansion rather than other-defense), but this criticism is aimed at the state itself, not its war. A war which does good is a good thing to do, and if there is also a just cause for war, then it is the *right* thing to do. This is the case irrespective of the motives which lead a state to enter war.

This is not to say that a state's motives are wholly irrelevant though. We may praise the war itself for saving lives or ending injustice, but a state which enters war for morally repugnant reasons should be condemned and perhaps even punished afterwards. This is because the state demonstrates a bad moral character, and this bad character gives us reason to expect that state to be the cause of future wrongs. Again, as before, the intentions and reasons offered indicate the *moral character* of the agent (in this case, the state), but this does not automatically translate to the moral assessment of acts, including war, carried out by said agent.

Therefore, right intention, as it is traditionally understood, cannot be sustained. It is indeed a good thing, or at least a better thing, for states to enter wars with good intentions, but only insofar as this makes *the states themselves morally better*. Wars, as actions, cannot be judged based on the internal mental states of those who wage them.²³ Rather, wars, like all actions, must be judged good or evil based on what they bring about.

6 *The Value of Intentions in War and Peace*

So far, there has been much argument regarding the ways in which intentions do *not* matter to the ethics of war and killing. However, there are numerous ways in which they do matter, and a proper treatment must make mention of these as well.

We have already indicated throughout that intentions do matter insofar as they inform us of the character of an agent. All things considered, it is morally better to have good moral agents than to have bad ones. This would even be the case if both types of agents performed exactly the same actions, all of which were morally good or right. The reason for this is simple; more good things is better than less. If only the actions were good, but not the agents themselves, then there would be less good than if *both* the actions *and* the agents were good. For this reason alone, it is morally preferable to have morally motivated agents rather than

agents who are motivated by immoral or amoral reasons.

A second reason why intentions do (or may) matter in war, and the reason which I believe Purves et al. are ultimately getting at, is that agents who act for the right reasons perform actions which have *moral worth*, or at the very least, which have *more moral worth*.

This idea is rooted in the Kantian ideal that a morally worthy action is one which is performed from duty. What this means is roughly that the agent performing the action does so simply because it is the right thing to do, and not because the agent wants to, or will gain from it, or is afraid of punishment or social ostracism. The agent recognizes that the moral law demands a certain response, and acts accordingly, without requiring any other impetus. This is what, according to Kant, gives an action moral worth.²⁴ I believe there is some truth to this sentiment, and to the related idea that actions done for the right reasons are morally worthier than those which are done for other, perhaps selfish, reasons.²⁵ For example, if I bring my wife flowers to ingratiate myself with her so that I can get a back rub later, then this seems much less *worthy* than if I had done so simply to brighten her day. An act done for purely selfish reasons, with no regard for the wellbeing of others, does simply seem to have less moral worth than one which has altruism (or duty) at its core. In fact, some might reject this scalar notion of moral worth altogether, going so far as to say that acts of this kind are completely *unworthy*.

However, the fact that the selfishly motivated action has less moral worth (or even no moral worth) does not thereby imply *that it is wrong*. This is where Purves et al.'s argument goes wrong. They conflate the *moral worth* of something with its *moral status*, but these are distinct valuations. To see this fully, let us consider a classic example that Kant himself discusses: helping one's friends. If I carry out some action to help my friends because they are my friends, and not because duty demands it, then this constitutes an action without moral worth. However, this does not automatically make the action wrong! What makes an action wrong, according to Kant, is that it violates the requirements of duty, not that it fails to be motivated by duty. As long as my action is in accordance with duty, it is permissible (perhaps even obligatory), regardless of my motivations. However, my motivations determine whether this permissible (obligatory) act is also a morally worthy act. Thus, the two are distinct and cannot be treated as one and the same. To do so would absurdly imply that the only morally permissible acts are those that are morally required, because those are the only actions which can theoretically be motivated by duty. Anything we do which is morally optional

is incapable of being done *from duty* – that’s what makes it optional – and so would by default be wrong if moral worth and moral rightness were the same. Therefore, the moral worth of an action cannot be used as an ersatz evaluation of its rightness.²⁶

Another, less heavily Kantian way to explain the distinction is by way of the concepts of blame and praise. Right and wrong are simply evaluative. Actions which are right are right, but we do not necessarily praise those actions. The same holds for actions which are wrong. However, actions which are done for the right reasons are deserving of praise, *even if they are wrong*.²⁷ This is because, by focusing on the reasons for action, we look to the character of agents, and a good character can (perhaps ought) to be praised, even when it does evil. We may (perhaps should) attempt to explain why the wrong action was in fact wrong, but it still holds a sort of moral worth,²⁸ and this makes it praiseworthy. The contrary holds for actions which are right but done for the wrong reasons; we should evaluate them as right, but blame the agent for being motivated by bad reasons.

To see how this would function, let’s return to the examples of *noble kamikaze* and *sadistic marine* discussed above. We argued that *noble kamikaze* acts wrongly, because he furthers grave injustice and violence, while the *sadistic marine* acts rightly, because his actions help to save many and deliver even more from tyranny and oppression. However, the actions of *noble kamikaze* are praiseworthy, because they are done from a motive of duty, honor, loyalty to one’s people or family, etc. Likewise, we ought to praise the *noble kamikaze* for no other reason than *that he acts for good reasons*. We also have reason to try to convince him he is acting wrongly, and failing to do that, to fight him, but we can recognize in him an opponent deserving of respect and honor, and indeed praise. This sentiment is one which has a long tradition in the history of war and conflict. Generals and soldiers alike have always differentiated between *just wars* and *honorable* or *praiseworthy soldiers*. What makes a soldier honorable or praiseworthy is nothing more than that he fights *for the right reasons*, giving his actions a sort of moral worth, and rendering him worthy of our praise.

The *sadistic marine*, on the other hand, acts in quite the opposite way. What he does is right, and we have good reason to encourage him to continue to do those things. However, his actions hold no moral worth because they are motivated by the vilest of sentiments. For this reason, we should disdain him and try our best to help him cultivate a stronger moral character, which is more inclined to act for the right reasons. We

shouldn't hinder his actions which promote the just cause, but we should try to make him see that his reasons for actions are, morally speaking, very flawed.

In this way, right actions and morally worthy actions can come apart. It may be the case that those motivated by the right reasons are more likely or inclined to do the right thing (and vice versa), but it is equally possible that good motives lead to wrong actions or that bad motives lead to right ones.

7 *Intentions and Practical Considerations*

Before concluding it will be useful to also examine how intentions affect the practicalities of moral decisions in war. This is especially important because war is such an uncertain enterprise, and purely theoretic discussions which only deal with cases of perfect knowledge or perfect foresight are likely to lead us astray. A satisfactory account of the just war must not only tell us what an ideal observer would do or judge to be right, but must also be useful to those of us who actually have to make wartime decisions under situations of uncertainty and risk. In discussing the practical considerations associated with intentions and war, we will explore two main points; first, a further objection to the argument of Purves et al., and second, a practical argument for how intentions *do* matter for the moral assessment of acts in war.

As argued above, the position of Purves et al. is flawed in that it mistakes the morality of an agent's character or the moral worth of an act with what makes an act right. These are all separate concerns which relate to different evaluations and different morally relevant things (acts, outcomes, mental states, intentions). However, the fact that we are concerned with morality *in war* gives rise to a practical problem with the position of Purves et al. as well.

War is a dangerous enterprise, with the possibility of death looming for nearly every soldier deployed to a combat area, as well as many of the civilians who regularly accompany fighting men (e.g. security contractors, analysts, engineers, medical professionals, etc.). No matter how much technological or material superiority a fighting force enjoys over its enemy, there is always the possibility that one be unlucky enough to be fatally wounded. Now, all other things being equal, if a certain number of men will inevitably die as a result of some military engagement and we are in a position to choose which will die, we have good moral reason to choose those men who are, as agents, least moral. Put differently, we

have moral reason to distribute harms to the *immoral*. To be clear, this is not to say that immoral agents are deserving of harm or death, or that we ought to harm or kill them. What this says is that *if some must be harmed or die, better the bad than the good*.

At first glance, this likely seems a harsh sentiment, but it is one which is well grounded in both consequential and deontological ethical theories. On consequential grounds, the agents with flawed moral characters are more likely to cause harms (or, more generally, bads) than those with good characters. At the very least, a good moral agent is more likely to follow moral rules which, regardless of their particularities, generally promote welfare, freedom, autonomy, and mutual respect. In short, good agents promote goods of a wide variety, whereas bad agents may not. On deontic grounds, we have reason to put bad agents in harm's way rather than good ones, because the good ones, in virtue of their moral development, will almost certainly be more morally innocent and therefore harms to them will be harder to justify. This is not to say that all harms to a morally bad agent are by default justified, as this would undermine much of the morality of war. However, it does mean that the justification for harming or killing a bad agent need not be as strong or overwhelming as that needed to justify harming or killing a good agent, because *ex hypothesi* the bad agent is less innocent than his good counterpart. The underlying deontic logic at play here is the idea of *discounting* harms based on one's liability to be harmed. Now, both the concepts of discounting and liability are well-developed in the literature and cannot be satisfactorily explored here, but suffice to say that harms to a fully innocent agent will always count fully, whereas harms to a partially non-innocent agent may be discounted (as per your preferred deontic notion of discounting), and as such these harms are easier to justify morally.²⁹

Now, under the example *racist soldier*, upon which Purves et al. build their argument, the racist and non-racist soldiers act in exactly the same fashion, bringing about exactly the same results. We have already argued above that this renders their actions exactly the same, morally speaking. We can now add to this that, *pace* Purves et al., it would actually be *morally better* to deploy racist soldier than it would be to deploy his non-racist counterpart, because the deployed soldier might die in combat. Because we know that anyone we send is under a risk of death, we have good moral reason to send the less moral of two agents *provided they will act in the same ways*. In everyday life, this may not be true – we may always be better off picking the morally superior agent

in day-to-day affairs. However, because wars involve significant risks of harm and death, we ought to lay those risks and harms at the feet of those who are generally morally bad agents *provided they will act the same as morally good agents would*.

The caveat, “*provided they will act the same as morally good agents*”, brings us to the final point, why intentions *do* matter morally in the assessment of actions in war. In all the examples discussed so far, we have simply assumed that the agents will act in certain ways and have certain intentions, without making any mention of how the latter may impact the former. Now, simply assuming that intentions and actions can be wholly separated and treated in a completely independent fashion is fine for a theoretical discussion, and can help illuminate subtle distinctions which are normally not apparent. However, a complete account must bring them together again, as one’s motivations for action usually do impact on the actions themselves.

It is *in principle* possible for a racist and non-racist soldier to both act in *exactly* the same way when they fight in war. However, this is highly unlikely. If a soldier viscerally hates those he is killing, as does the racist soldier from Purves et al.’s example, then it becomes difficult to believe that he really will act in *exactly the same way* as another soldier who does not share this hatred. We suspect, and rightly so, that the racist soldier has likely used more force than necessary, or miscalculated in his proportionality judgments (perhaps because he highly discounts the moral value of pain inflicted on so-called “lesser” people), or perhaps targeted those he should not have. In short, we expect him to violate one of the many norms of war already on the table (e.g. necessity, proportionality, discrimination) because of his hatred and the fact that he is only fighting as a result of that hatred.

This is why the intentions and reasons for action do matter in war, because they alter the courses of action one is likely to take. The racist soldier will almost certainly *not* act in the same ways a non-racist soldier would, and for this reason we believe we should not send him. Granted, it is natural to say (and perhaps even think) that his bad intentions are what make it wrong to send him, but when looking to his intentions we are simply using a shorthand for expressing what we *expect him to do*. Because he is racist, we (likely accurately) believe he will violate the *in bello* norms of war. This is what makes his actions wrong, not his intentions. Now, it is true that any violations of the norms of war are likely a result of his bad intentions, given that another soldier without those intentions would likely act better. However, what is (possibly)

wrong with his actions is that they are more likely to violate norms, not that he has some bad reasons for them.

This is the sense in which intentions do matter to the ethics of action. Acting based on morally bad reasons increases the likelihood of carrying out actions which are patently wrong, and this grounds the intuition that we should not deploy racist soldiers or elect racist politicians. It is not simply the case that everything the racist soldier or racist politician does will be wrong because of their racism, but we have good reason to believe that their racism will make them overlook morally salient features of certain actions. This is what grounds the belief that their actions are wrong *because they are based on the wrong reasons*. However, this does not say that intentions matter *in principle*, merely that intentions matter insofar as they affect actions and outcomes, a conclusion that is at odds with the claims of Purves et al.

8 *Concluding Remarks*

If at all possible, we should not deploy racist soldiers, or sadistic marines, or any agents who we know are acting for the wrong reasons. This, however, is not because their actions are *by default* morally wrong. Rather, agents who act for the wrong reasons are far more likely to act in ways which are morally problematic. Agents who demonstrate good moral characters, on the other hand, are likely to follow the norms of war and only fight as long and as hard as is necessary to secure the just aims. This is precisely what a theory of the just war demands, and grounds our thinking that intentions do matter. However, we must always bear in mind that the intentions only matter for actions *insofar as the intentions actually affect the actions*. If two agents really will do *exactly the same things* in war, then we ought to deploy the less morally developed of the two, given that every soldier faces serious risks of harm and death. In order for it to be plausible that intentions matter *in principle*, it must be shown that it is better to impose a risk of death on a virtuous agent, *even though his evil counterpart would have done just as well in his place*. Until such an argument is presented, we ought to judge actions in war³⁰ based on outcomes alone, and only use intentions to judge the character of agents.

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Notes

- 1 [14].
- 2 [1] pp. 240–241.
- 3 See, e.g., [5, 6, 15].
- 4 See [1] p. 240 and [2] p. 217.
- 5 Right Intention is explicitly discussed in [13, 12] and [18], and finds its way into many discussions of morality and war via the doctrine of double effect. See, for example, [4] and [8].
- 6 A notable exception to this understanding is provided in [16]. Steinhoff persuasively argues that “a just cause is not an end to achieve, but a set of conditions that the war satisfies” (p. 39), and as such, one can at most fight *with* a just cause, but not *for* a just cause. Steinhoff’s arguments are compelling and I fully agree with his conclusions, but they represent a minority position, and so I choose to follow the standard interpretations of just cause and right intention in order to make the arguments as broadly applicable as possible. At any rate, the conclusions I reach align perfectly with Steinhoff’s.
- 7 See, e.g. [7] p. 67.
- 8 [16] pp. 39–41.
- 9 See [1] p. 241, citing Augustine. Augustine and Aquinas both make further mention of *in bello* conceptions of right intention. See, for example [2] pp. 217, 226 and [1] pp. 218, 241–242.
- 10 Some so-called just war “traditionalists” may take issue with the claim that Rommel’s soldiers fight *unjustly*, as the justness of a war itself is argued to be irrelevant to the justness of particular acts in war. However, for the sake of brevity, we will ignore this debate. For the classic formulation of the traditionalist position, see [18], esp. ch. 3. For more current exposition of the traditionalist position, as well as objections to it, see [3] and [11] respectively.
- 11 [14] pp. 860.
- 12 *Ibid*, emphasis added.
- 13 *Ibid*.
- 14 *Ibid*.
- 15 I begin in this way because arguments attempting to *directly* show that intentions do (not) matter morally for the evaluation of action tend to be circular and

- unconvincing. For example, Purves et al. simply assume that their thought-experiment, *racist soldier*, demonstrates that intentions matter in this way, when in fact it could be used to demonstrate the exact opposite, provided one has contrary intuitions. By starting with the examination of where intentions clearly do matter, it will be possible to more conclusively say where they do not matter.
- 16 Thanks to an anonymous reviewer for suggesting this example to me.
 - 17 Again, just war traditionalists like Walzer may take exception to this, because of their commitment to the *moral equality of combatants* thesis, which maintains that the justness of conflict is irrelevant to the permissibility of individual soldiers' fighting in that conflict.
 - 18 In this way, there is also a disturbing asymmetry to the principle of right intention or acting for the right reasons, because while bad intentions/reasons supposedly taint the moral status of an otherwise good act, such that it becomes impermissible, good intentions cannot raise an otherwise bad act to the level of permissibility.
 - 19 Some may think that the kamikaze's failure to recognize the unjustness of the war he is fighting renders his moral character "bad". Put differently, failure to reason well about moral facts is, according to the objection, a flaw in one's moral character. However, this confuses *epistemic* flaws for *moral* ones. The kamikaze fights because he wants to do what is right, but he is epistemically unable to correctly judge what is in fact right (likely due to factors outside his control; e.g. propaganda). This epistemic failing does not necessarily or implicitly translate to a moral failing. At the very least, the epistemic failing cannot wholly taint his moral intentions, so his character is at least *better* than that of another agent without such motivations.
 - 20 Whether we are concerned with value in terms of *quality* or *quantity*, the goods the *sadistic marine* contributes to are certainly of a high order.
 - 21 Compact arguments along similar lines reaching similar conclusions can be found in [16] pp. 39–41 and [17] pp. 27–28.
 - 22 Note that the traditional aim of right intention was not ensuring that a state acted justly, but rather reconciling the practice of war with Christian values and principles. "Hence Augustine says: 'Among true worshippers of God, those wars which are waged not out of greed or cruelty, but with the object of securing peace by coercing the wicked and helping the good, are regarded as peaceful.'" ([1] p. 241) Thanks to an anonymous reviewer for reminding me of this.
 - 23 Whatever it may mean to discuss the "internal mental state" of a state.
 - 24 [9], 4:390 and 4:398.
 - 25 For an insightful exploration of the value of intentions and reasons for action, as well as the distinction between acting from duty vs. acting for the right reasons, see [10].
 - 26 For an excellent treatment of Kant's moral philosophy, see [19]. For the explicit discussion of the differences between *from duty* and *in accordance with duty*, as well as work on how motivations and moral worth relate to these concepts, see sections 3–4 of chapter 1, pp. 26–42.
 - 27 Note that it is crucial that we discuss actions done *for the right reasons* and not *morally worthy* actions, as moral worth is conferred only on actions which are done *from duty*, and so presupposes that the action is morally right. Therefore, it does not allow for this type of fine-grained examination.

- 28 Again, the qualification is necessary in virtue of the point made in the above endnote.
- 29 For an in-depth influential discussion of discounting and liability see [11], especially Chapter 4.
- 30 Again, it is worth stressing that the arguments presented are only meant to apply to cases of war and killing. Intentions *may* matter in principle in everyday moral decisions, as there is no, or at least less, risk for the agent acting.

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