

Right Intention and Emotion in War

“Brother, let me ask you one more thing: can it be that any man has the right to decide about the rest of mankind, who is worthy to live and who is unworthy?”

“But why bring worth into it? The question is most often decided in the hearts of men not at all on the basis of worth, but for quite different reasons, much more natural ones. As for right, tell me, who has no right to wish?”

“But surely not for another's death?”

“Maybe even for another's death. ...[A]s for my wishes in the matter, these I reserve complete freedom for myself.” – Alyosha and Ivan Karamazov in Fyodor Dostoevski, *The Brothers Karamazov*

“But Oxley [CO of 50 Squadron in Bomber Command] knew how to drive men, and he detested the enemy. Every new crew at 50 Squadron was given a CO's pep-talk on 'the need to work up Hun-hate.' Oxley's passionate commitment to the business of killing Germans had become a sort of legend in 5 Group, and not only there. A 50 Squadron gunner shot down in early 1942 was astonished by one of the first questions put to him by a fascinated German interrogator at Dulag Luft: 'Who is this man Oxley?'" – Max Hastings

1.0 Introduction. I take moral formation to be a central concern of the Just War Tradition (JWT). I assume that we human beings are beset by a whole host of inducements to wage war absent the constraints of justice, that we need to be formed in such a way as to resist those inducements, and that the JWT is supposed to aid in that formative process. More particularly, the JWT's primary purpose, or at least, a main purpose, is to shape the way in which we 'perceive' or 'construe' violent communal conflict – to discipline our minds and emotions so that we are cognitively and emotionally equipped to wage war with justice.¹ None of the JWT's core claims address formative concerns more directly than the so-called right intention requirement. My primary aim in this paper is to reflect on that requirement – and so to shed a bit of light on the formative aspirations at the heart of the JWT.

I begin by explicating a 'narrow' understanding of what makes for 'right intention,' viz., that those who wage war must be motivated to do so by morally appropriate reasons (2.0). I explore that core 'motivational mandate' by reflecting on its justification, scope, and stringency (3.0). For many advocates of the JWT, the right intention requirement is exhausted by that core mandate. But this is too cramped an understanding: we have excellent reason to incorporate into the JWT an understanding of the right intention requirement that applies not only to motivating reasons but also to a variety of other internal, subjective states (4.0). I explore that 'broad' understanding by reflecting on its implications for appropriate emotion in war (5.0). In a concluding section, I briefly mention a question that is naturally raised by my argument and that I hope to address in a subsequent paper, viz., whether 'just soldiers' ought

1. I do not suppose that all advocates take the JWT to have this purpose, though some do. See, for example, Daniel Bell, *Just War as Christian Discipleship*, (Grand Rapids, MI: Brazos Press, 2009), pp. 19-20 and throughout; Darrell Cole, *When God Says War Is Just*, (Colorado Springs, CO: Waterbrook Press, 2002); David Fisher, *Morality and War: Can War Be Just in the Twenty-First Century?*, (Oxford: Oxford University Press, 2011); Richard B. Miller, “Just War, Civic Virtue, and Democratic Social Criticism,” *The Journal of Religion* 89/1 (January, 2009): 1-30; Paul Ramsey, *War and the Christian Conscience*, (Durham, NC: Duke University Press, 1961, pp. 128ff. For what I regard as a profound theological articulation of this point, see Charles Matthews, “Just War and the Theology of Evil,” *Nova et Vetera*, 10/4 (2012): 1157-82.

to sorrow over or regret the death and suffering that they inflict on 'unjust soldiers' (6.0).

2.0 The Narrow Interpretation of the Right Intention Requirement. Let me begin to articulate my understanding of the right intention requirement by explaining why it is directly relevant to the JWT's formative aims. In order to do so, it will be helpful to contrast, in a rudimentary way, the very different 'satisfaction conditions' of the just cause and right intention requirements.

2.1 Just Cause and Right Intention. As I understand it, the just cause requirement is satisfied only when one community inflicts some egregious violation on another. More particularly, if C1 possesses a just cause for war against C2, then this is a function of violative acts performed, not by the members of C1, but by the members of C2. Because perpetrated by communal outsiders, those violative acts can obviously be inflicted whatever goes on in the hearts and minds of C1's members. Matters are very different with respect to the right intention requirement. Not action on the part of outsiders but 'appropriate response' to those actions by insiders makes for 'right intention' in war. That is, the right intention requirement can be satisfied only by the members of a violated community and only when they exhibit some morally appropriate 'internal, subjective' response.

What kind of internal, subjective response is able to satisfy the right intention requirement? By common (though by no means unanimous) consent, that requirement is understood to include a mandate that binds together just cause and proper motivation. That core mandate is easy to formulate: warring parties must be motivated to wage war by the reasons that make war permissible.² According to the JWT, the reasons that make war permissible are those relevant, egregious violations that satisfy the just cause requirement. Consequently, those who wage war must be motivated to do so by the violations that provide a just cause: the moral fact that a polity has committed a relevant violation must figure in some appropriate way in the motivational states of those who respond to that violation with military violence.³ I believe that this is a correct, although limited, understanding of the right intention requirement. More on that shortly.

2. This core understanding of the right intention requirement has been discussed by various theorists. See for example, Nigel Biggar, *In Defense of War*, p. 252; Joseph Boyle, "Just War Doctrine and Military Response to Terrorism," p. 164; Joseph Boyle, "The Necessity of 'Right Intent' for Justifiably Waging War," in *Just War: Authority, Tradition, and Practice*, Anthony F. Lang, Jr., Cian O'Driscoll, and John Williams, eds., p. 189; James Childress, *Moral Responsibility*, p. 78; C. A. J. Coady, *Morality and Political Violence*, p. 99; Stephen Coleman, *Military Ethics: An Introduction with Case Studies*, (Oxford: Oxford University Press, 2012), p. 77; Bruno Coppetiers and Boris Kashnikov, "Right Intentions," *Moral Constraints on War*, 2nd ed., Bruno Coppetiers and Nick Fotion, eds., (Lanham, MD: Lexington Books, p. 73, 78; Nicholas Fotion, *War and Ethics*, p. 20; Stephen P. Lee, *Ethics and War: An Introduction*, (Cambridge: Cambridge University Press, 2012), p. 83; William O'Brien, *The Conduct of Just and Limited War*, (New York, NY: Praeger Publishers, 1983), p. 34; Brian Orend, *The Morality of War*, p. 46; National Conference of Catholic Bishops, *The Challenge of Peace: God's Promise and Our Response*, (Washington, DC: United States Catholic Conference, 1983), p. 41.

3. Now it might seem that the narrow understanding that I discuss in this section cannot capture anything properly described as a right intention requirement. After all, intentions and motivations are very different kinds of mental state and so it cannot be the case that what makes for right intention requirement is a function of proper motivation. But I judge that advocates of the JWT have often understood the notion of an intention very loosely, in such a way as to encompass a very wide variety of subjective mental states, with different theorists associating the requirement with different mental states. My narrow construal of the requirement is supposed to provide it with a clear core meaning. Thereafter, I expand that core meaning to a broader, more amorphous understanding that applies to intentions ... as well as a number of other subjective, mental states.

2.2 Normative and Motivating Reasons. For now, note that this 'easy formulation' implicitly employs a distinction between two kinds of reason.⁴ The violative acts that satisfy the just cause requirement are *normative* reasons. Violations are 'reasons' in the respect that they 'count in favor of' war: certain acts performed by particular human beings violate the rights of other human beings, those violations generate, as a matter of normative fact, a *prima facie* permission right on the part of their victims (and others) to use military violence, and so those violative acts count in favor of the use of military violence. They do so by virtue of the responsive rights to which they give rise. But violative acts are not *motivating* reasons. As with normative reasons generally, the violations that provide a just cause are motivationally inert unless they register in the subjective, internal states of those involved in war, that is, unless particular human beings know about them, judge that they are egregious, care enough about those violations to stop them, and so care enough to act as they are permitted to act. Consequently, the right intention requirement can be satisfied only when the violations that satisfy the just cause requirement are taken up into the minds and hearts of human beings as knowledge, care, and conviction about those violations and only when that knowledge, care, and conviction plays some appropriate motivational role in leading their possessors to wage war. I will specify more exactly just in what that 'appropriate' role consists in the next section.

2.3 An Initial Case. Before I do so, it will be helpful to fix the content of the right intention requirement by reflecting on a particular, stylized case. So, suppose that the Sudanese government adopts a policy of refusing to protect vulnerable populations in Darfur from the depredations of its Janjaweed henchmen, as a planned and entirely predictable consequence of which the Janjaweed pillage, rape, murder, and displace on a genocidal scale. Suppose that this array of violations – the sin of governmental omission and the campaign of depredations made possible thereby – provides other polities with just cause, and so *prima facie* moral permission, to use military violence to prevent the Janjaweed from committing further violations. Suppose, finally, that the United States responds to that array of violations by adopting war aims narrowly tailored to prevent and deter Janjaweed attacks. In order to achieve those war aims, the United States engages in 'drone warfare': a number of drone pilots, lodged behind computers in various command centers around the world, surveil Darfur to determine when Janjaweed marauders violate innocents, lock on and track them to their point of origin, and then fire missiles that kill both the marauders and their leaders.⁵

I take as a given that drone strikes directed at Janjaweed marauders constitute acts of war that must satisfy the JWT's various *ad bellum* requirements, including the right intention requirement. I also take as given that the right intention requirement applies to at least some of the human beings who play a role in effecting the drone strikes against the Janjaweed. Given the central role of the President of the United States in authorizing those drone strikes, the right intention requirement applies to whomever inhabits that social role if to anyone. (I will discuss this claim in more detail shortly.) It mandates that he

4. Vattel articulates a similar distinction in his *The Law of Nations*, pp. 482ff.

5. As I understand it, this use of drones was one of the most effective means employed by the United States military during the 'surge' in Iraq. See "How Technology Won Sadr City Battle," *60 Minutes* accessible at http://www.cbsnews.com/8301-18560_162-4511800.html. For a broad description of drone warfare in recent conflicts, see David Sanger, *Confront and Conceal: Obama's Secret Wars and the Surprising Use of American Power*, (New York, NY: Crown Books, 2012), pp. 243ff.

authorize drone strikes for the 'right reasons.' Decisive in that regard are the violations inflicted by the Janjaweed on innocent Darfurians: the President must be motivated to authorize drone strikes against the Janjaweed by the violations for which they are responsible. At the least, he must believe that the Janjaweed have committed egregious violations and he must care enough about those violations that he is thereby moved to authorize drone strikes in response. If he does in fact order the drone strikes in response to the violations that the Janjaweed inflict on innocent Darfurians, then, in his case, the normative reasons that provide a just cause for war play the required motivational role.⁶

Suppose, however, that the President is aware of the gross violations inflicted by the Janjaweed, regards them as such, proffers those violations to various audiences as sufficient reason to attack, but that he could not care less than he does that the Janjaweed violate their Darfurian victims. As a consequence, he isn't even slightly motivated to attack the Janjaweed for the reason offered. In fact, the reason he actually authorizes drone attacks is that doing so increases his chances for reelection (say, by distracting his home population from their economic immiseration – nothing quells domestic dissent more effectively than conflict with outsiders). In this case, then, the President's aim in authorizing the drone strikes is to stop the Janjaweed's depredations and the reason that actually motivates the President to adopt that aim is a normative consideration – that authorization furthers his electoral prospects – that is utterly unable to satisfy the just cause requirement. Despite his worthy goal, he violates the motivational mandate at the heart of the right intention requirement and he does so by virtue of the fact that no 'right reason' leads him to authorize a plan that achieves that goal.

As political leaders have done from time immemorial, the President uses “pity for the endangered as a cloak for [his] own advantage.”⁷ Although very common, I should note that deceptive cloaking of this sort is only one way to wage war absent right intent. After all, even if, for whatever reason, the President forthrightly acknowledges that his actual reason for authorizing the drone strikes is that doing so helps with his reelection, he still violates the right intention requirement, for he is not motivated to wage war by the violations that actually provide a just cause for war.⁸ More realistically, even if the President admits that he is solely motivated by considerations of national interest, he still violates the right intention requirement, for considerations of national interest cannot provide a just cause for war. Inadequate motivation is one thing, deceiving others about inadequate motivation is another, the narrow interpretation of the right intention requirement forbids the former directly and the latter only derivatively.⁹

6. I will shortly argue for a somewhat stronger formulation: the President must not only be actually motivated by right reasons, his motivations must be principled, such that the right reasons play a *decisive* motivational role: he would not authorize strikes against the Janjaweed absent the violations they commit against innocent Darfurians – even when other, morally insufficient inducements count in favor of attacking the Janjaweed anyway.

7. This is a gloss of a Syracusan king's assessment of Roman intervention into Sicilian affairs. Richard Miles, **Carthage Must be Destroyed: The Rise and Fall of an Ancient Civilization**, (New York, NY: Viking Books, 2010), p. 247.

8. The fact that the right intention requirement can be satisfied without any deceptive cloaking is particularly obvious in the case of “monsters” like Genghis Khan, Tamerlane, and Attila, who make war “only for the pleasure of making it,” and whose “supreme delight is battle,” and so who feel no need to prevaricate. (Emer de Vattel, **The Law of Nations**, p. 487.)

9. Many advocates of the JWT seem to overlook this point. See, for example, Joseph Boyle, “Just War Doctrine and Military Response to Terrorism,” p. 163; A. J. Coates, **The Ethics of War**, p. 161; Steven P. Lee, **Ethics and War**, p. 49.

3.0 *Four Questions About the Right Intention Requirement.* As I understand it, then, the right intention requirement, narrowly understood, is the mandate that warring parties must be moved to wage war by the “wrong specified in the just cause.”¹⁰ This formulation raises a number of questions. In this section I address several: what compelling reason do we have to incorporate a motivational mandate into the JWT (3.1), to which human beings does that mandate apply (3.2), to which reasons does that mandate apply (3.3), and how stringent is that mandate (3.4)?

3.1 *Justifying Rationale for the Right Intention Requirement.* Pretty clearly, the just cause requirement *can* be satisfied even when the right intention requirement is not: the President's authorization of drone warfare against the Janjaweed is a case in point. But the reverse is not the case: the right intention requirement *can not* be satisfied when the just cause requirement is not also satisfied. After all, the violations that provide for a just cause must actually have been committed if their victims are to be properly motivated by those violations. So 'just cause' has an important conceptual and substantive priority over 'right intention.' This naturally raises the question: why affirm an understanding of the JWT that includes not only the just cause but also the right intention requirement? Given that we can have just cause without right intention, why affirm the additional requirement?

As I see it, (at least) two arguments count in favor of doing so. The first is a quasi-deontological appeal to due respect for human worth. For one human being to be motivated to kill another human being by morally trivial reasons, and not by sufficiently grave reasons, is for the first implicitly to deny the great worth of the second and thereby to commit a serious moral wrong, even should it turn out to be the case that there exist sufficiently grave normative reasons for the first to kill the second.¹¹ Plausibly, this general claim about the bearing of due respect for human beings on motivating reasons applies no less to military violence between human communities as it does to small-scale, 'face to face' violence between individual human beings. The fact that the violations committed by Janjaweed marauders play no role whatsoever in leading the President to authorize drone strikes, the fact that he would authorize them just as long as they increase his chances of being reelected and thus even were the Janjaweed to have committed no relevant violations, makes it the case that the President wrongs the marauders. He wrongs them, not by virtue of his authorization of the drone strikes, but by virtue of the assessment of their worth that is implicitly assumed by his reasons for authorizing those drone strikes. How so? I take as given that any human being, no matter how vile, rapacious, fouled by guilt, or morally corrupt, is worth

10. David Fisher, *Morality and War*, p. 72.

11. Here is a small-scale, non-military exemplification of this point. Suppose that Jack attempts to murder two children, who implore Perkin to protect them. Plausibly, Jack thereby forfeits his right to life and so Perkin may kill Jack should this be necessary to prevent Jack from killing the children. Perkin is well aware of that fact. Nonetheless, Perkin is no model of moral rectitude, as he cares not a whit about the two children and would never dream of risking his life to protect them. Perkin kills Jack anyway: knowing that he will acquire Jack's stamp collection upon the latter's demise, and consumed by philatelic lust, Perkin kills Jack, acquires his prize, and thereby happens to save the children. In this case, plausibly, Perkin wrongs Jack – not by virtue of his killing Jack, whose right to life was already forfeit, but by virtue of the reasons that led him to kill Jack. How so? Human beings are worth too much to be killed to acquire stamps, for Perkin to take the prospect of acquiring stamps as a sufficient reason to kill Jack is for Perkin to fail to accord due weight to Jack's great worth as a human being, and for Perkin to fail to accord due weight to Jack's great worth just is for Perkin to wrong Jack. This conception of what makes for due respect is articulated in great detail by Nicholas Wolterstorff in his *Justice: Rights and Wrongs*, (Princeton, NJ: Princeton University Press, 2009).

too much to be killed merely to reelect a politician. For the President to be motivated to authorize drone strikes so long as they increase his electoral prospects is for him implicitly to deny that normative fact: that he orders the drone strikes so long as they increase his electoral prospects just is for him implicitly to deny that the Janjaweed have a worth that proscribes their destruction merely to increase his electoral prospects. In short, his motivating reason for authorizing the drone strikes assumes a deficient assessment of the moral standing of the targets. We can, and should, generalize this result: respect for the worth of the human beings killed and maimed in war requires that those who wage war be motivated to do so by morally weighty reasons, such as that waging war prevents the Janjaweed from violating innocent Darfurians, and not merely by morally trivial reasons, such as that waging war improves the electoral prospects of a candidate for political office.¹²

There is also a second, quasi-consequentialist argument in favor of the motivational mandate that constitutes the normative core of the right intention requirement. As I see it, the violations that provide C1 with just cause to wage war against C2 delimit broad constraints on C1's war aims – C1 may pursue only those war aims that respond to or rectify the wrongs that provide C1 with just cause to wage war against C2. Absent the antecedent violations, pursuit of the consequent war aims is impermissible. But military violence easily escapes moral control: warring communities often pursue aims that do not respond at all to the violations that provide them with just cause for war. The initial violation is perpetrated, the navies are launched in response, the war drags on, the conditions (and opportunities) alter, and soon the navies are tasked to pursue war aims that bear no intelligible relation to the initial justifying reasons.¹³ So, sometimes, does an otherwise just war veer off into injustice.

What prevents this kind of martial drift from happening? Well, it is *logically* possible that we don't need to do anything at all. There is no doubt some distant possible world in which warring communities achieve only legitimate war aims even when their members are unaware of, care nothing about, or are otherwise unmotivated by the violations that make those war aims legitimate. The war having begun as a just response to an egregious violation, the relevant actors happen to pursue only permissible war aims even though they care not a whit about those initial violations. But in the actual world, this is a fantasy. After all, those who wage war unmotivated by the violations that make particular war aims permissible will certainly be motivated to fight by *some* reason or other – some reason that does not, by hypothesis, satisfy the just cause requirement. So, for example, if they are motivated to wage war by crass political considerations, then those crass political considerations will likely shape the aims in pursuit of which they deploy military violence. Again, if they wage war irrespective of the violations that provide a just cause but are consumed by lust for cruelty, desire for revenge, or commitment to convert, then cruelty, revenge, or conversion will likely infect their war aims. Pursuit of these infected war aims is unjust, often

12. Stephen P. Lee claims that we should understand the right intention requirement to apply not to motivating reasons but to intentions – the goals and purposes that determine the success conditions of a given war. He seems to adopt this understanding because he does not believe that moral obligations apply to motivating reasons; they apply only to intentions. Why? Intentions are “under our control in a way that motives are not” (*Ethics and War*, p. 84). But I see no reason to believe either that moral obligations apply only to intentions rather than motivations nor that we lack control over our motivations in ways that make them resistant to moral evaluation. We have the same kind of indirect voluntary control over our motivating reasons that have over our emotions.

13. Nor do they bear any intelligible relation to any subsequent violation that provides a just cause for war, which, as I see it, can alter over the duration of a war.

gravely so.

It seems to me that, in order for warring parties to wage a just war, citizens, soldiers, and statesmen must be guided in their aims, strategies, and even tactics by the violations that make war just. The disciplined pursuit of permissible war aims that is crucial to the prosecution of a just war is a difficult moral achievement, not a fortuitous happening, and human communities are able to use military violence to achieve permissible war aims only when the violated, angry, calculating human beings who wage war are committed to do so for the right reasons, viz., they are moved to act by the violations that permit them to wage war in the first place and they discipline themselves in such a way that their understanding of those violations sharply delimits the aims in the service of which they deploy military violence. In short, in the actual world, human beings can wage wars with justice only when they do so with 'right intention.'

3.2 Scope of the Right Intention Requirement. The two arguments just articulated are compatible and mutually reinforcing: each provides reason to affirm the motivational mandate constitutive of the narrow understanding of the right intention requirement. That said, they have divergent implications and those divergent implications help to answer some vexed interpretive questions about the right intention requirement. I will shortly explain how those arguments provide guidance regarding the scope of the right intention requirement.

Let me first note that the right intention requirement, as I understand it, does not apply to states or governments. This is, in significant part, because states and governments are not the kind of 'thing' that can fulfill the right intention requirement. Bluntly, motivations are mental states of a particular sort, a state is not the kind of thing that can have a mental state – no more than a rock or a tree can have a mental state, and so states cannot have motivations, and so states cannot have motivating reasons. Now I do suppose that it is possible for a state to have 'reasons': a legislature can adopt a resolution to declare war, that resolution can contain a number of 'whereas' clauses, and it's natural to think of the items included in those whereas clauses as 'reasons.' When adopted in procedurally appropriate ways as reasons for declaring war, convention makes it the case that they 'count as' the reasons for which the appropriate state wages war. And I suppose that we could understand the right intention requirement so that it mandates that each state formally adopt as its reasons for waging war what are in fact sound reasons for so doing. I have no objection to this mandate: it basically amounts to the claim that each state ought formally to recognize the reasons that actually provide a just cause for war. But this understanding would be most inadequate. So understood, the right intention requirement could be satisfied even though no-one cares about the adopted reasons, not even the members of the legislature that incorporates them into a formal declaration of war. But a legislature that formally adopts reasons for waging war that do not motivate any actual human being to wage war pretty much epitomizes the kind of pretextual employment of normative reasons that the right intention requirement is supposed to prohibit. It seems clear to me that we must therefore understand the right intention requirement in such a way that it applies to the living, breathing, desiring, hating, human beings who populate states and governments – the human beings without whose various activities no state or government would be able to do anything at all.¹⁴

14. Many thanks to Nicholas Wolterstorff for discussion of the issues raised in this paragraph.

But to which human beings does that requirement apply? I earlier assumed, with respect to the United States, that it applies to those who happen to inhabit the role of President of the United States. I take it that this is a plausible assumption. But of course it is conceptually possible that the right intention requirement applies far more broadly than to heads of state. The possibilities are legion. Its scope might extend to anyone in a position legitimately to authorize war – any statesman, tribal elder or charismatic leader who is deputized to decide for a given community that it will actually wage war. Its scope might encompass those who are authorized to deploy military violence – in a conventional military, enlisted soldiers and the officers to whom they are subordinate. Indeed, it might extend to the ordinary citizens or subjects who advocate for war, or praise their leaders for waging war, or buy war bonds to help finance war. In short, we might understand the right intention requirement to apply to a very narrow range of human beings or to a much broader range.¹⁵ Given the plethora of possibilities, to whom does the right intention requirement apply?

It is often the case that a proper understanding as to why we should affirm a given requirement helps us to assess competing interpretations (or applications) of that requirement. As I see it, the two arguments that I have adduced in favor of the right intention requirement provide some guidance as to its best interpretation. The argument from respect provides excellent reason to understand the motivational mandate as having a very wide scope: if waging war for trivial reasons fails to accord due weight to the worth of the targets of military violence, then anyone who authorizes war, actively wages war, advocates waging war, or pays for others to wage war, and who is motivated to do so only by morally trivial reasons, thereby wrongs those against whom military violence is directed. So, if the head of state authorizes drone strikes merely to get elected, or soldiers go to war just to test out their martial skills, or citizens advocate war merely to relieve boredom, then each manifests a radically deficient assessment of the worth of those killed or maimed by the military violence they support. That is, each commits the kind of motivational violation proscribed by the right intention requirement.

If the argument from respect provides excellent reason to conclude that all who wage war must do so for the right motivating reasons, the instrumental argument provides excellent reason to conclude that it is far more important that some fulfill that requirement than others. That is, it provides excellent reason to conclude that the normative weight of the motivational mandate is far greater for heads of states than for military officers, far greater for officers than for enlisted soldiers, far greater for enlisted soldiers than for ordinary citizens. How so? If motivation by the right reasons helps to insure that military violence is deployed in a way that actually serves permissible war aims, and if Presidents have far greater influence over the manner in which military violence is deployed than do officers, enlisted or ordinary citizens, then, plausibly, the President's obligation to wage war for the right reasons is more weighty than is the comparable obligation of any officer, enlisted or ordinary citizen. In short, each and every member of a warring community is morally required not to commit the motivational violations proscribed by the right intention requirement, but the normative weight of a given human being's obligation is partly a function of his causal influence over the manner in which war is waged, and this is a function, in large part, of the social or institutional role in which he is ensconced. Of course, it is an empirical question just which social roles provide its inhabitants with greater causal influence in the prosecution of war, one that will

15. See Nicholas Rengger, "The Judgment of War," p. 153; Joseph Boyle, "The Necessity of 'Right Intent' for Justifiably Waging War," pp. 186-88.

have differing answers for different warring communities.

3.3 What Kinds of Reason May Motivate War? The convergence of just cause and motivating rationale mandated by the right intention requirement raises a further interpretive question, namely, what are the implications of the right intention requirement for the diverse panoply of reasons that might play some role in motivating a statesmen, soldier, or citizen to wage war? As I see it, some normative considerations can suffice by themselves to satisfy the just cause requirement, others can help to do so, and still others cannot even help to satisfy the just cause requirement. What motivational roles might these different kinds of normative consideration play? So, for example, if it is in fact the case that C2 has committed some violation that provides C1 with just cause to wage war, do the relevant members of C1 satisfy the right intention requirement when they are in fact motivated to wage war by those violations? Or must they satisfy some more demanding requirement? And what motivational role may be played by 'extraneous,' though tempting, considerations such as that C1's waging war against C2 enables C1's soldiers to develop the martial virtues, or improves the global economy, or provides artists with inspiring material, or helps to promote a just domestic agenda? So, for example, if the President is appropriately motivated to authorize drone strikes by the violations committed by the Janjaweed, may he *also* be motivated to do so by the fact that so doing improves his chances for reelection?

Consider first the motivational role of the normative reasons that satisfy the just cause requirement. Once again, the arguments that count in favor of the right intention requirement provide helpful interpretive guidance. First, the argument from respect. As I see it, due respect is in part a function of what moral agents are willing to do and what we are willing to do is a function in part of what we would do were the considerations that count for or against some course of action to alter in relevant respects. So warring parties must respect others not only by the reasons that actually motivate them, but also by the reasons that would motivate them when the relevant considerations alter. We can capture this component of what makes for due respect by requiring those who wage war, not only to be *actually* but also to be *decisively* motivated by the normative reasons that make war permissible. Decisive motivation is a counter-factual concept: a reason R plays a decisive role in motivating war just in case those who wage war would not do so absent R. So, for example, suppose that the President is not only in fact moved to authorize drone strikes by the Janjaweed's egregious violations but also that he would not authorize those drone strikes in the absence of those violations. 'But for' those violations, he would not authorize the strikes. So he is unwilling to authorize drone strikes in the absence of sufficiently powerful reasons no matter the alluring but morally insufficient reasons that tempt him. By virtue of his principled commitment, the President's motivating reasons implicitly accord the Janjaweed the respect due them as human beings.

I take it that we may generalize this argument. If the relevant members of C1 accord decisive motivational weight to the violations that satisfy the just cause requirement, then they are willing to wage war against only those who have committed sufficiently egregious violations. They are therefore committed on principle to refrain from killing human beings for trivial reasons. Given this principled commitment, the relevant members of C1 need not disrespect those against whom they wage war on

account of their motivating reasons.¹⁶ They thereby refrain from committing the kind of violation proscribed by the right intention requirement.¹⁷

What about the many reasons that cannot even help to satisfy the just cause requirement? The argument from respect is consistent with an inclusive, as distinct from an exclusive understanding of the right intention requirement. That is, warring parties *may* be motivated to wage war by all manner of normative reasons – even decisively so – so long as they are *also* decisively motivated by the egregious violations that provide a just cause.¹⁸ Of course, this inclusive understanding assumes that human beings can be decisively motivated by multiple reasons to wage war. This assumption is correct. After all, it is possible both that the President would not authorize drone strikes against the Janjaweed 'but for' the violations committed against innocent Darfurians and that he would also not authorize those drone strikes 'but for' the consequences of inaction “for US credibility and leadership.”¹⁹ In this case, the President is decisively motivated by two reasons, only one of which provides just cause for war. Plausibly, then, so long as the President is decisively motivated to attack the Janjaweed by the normative fact that they have committed some relevant violation, and is thus committed to attack them only given such a normative reason, then he need not disrespect them should he also be motivated to attack the Janjaweed when doing so also preserves US credibility and leadership. Similarly with respect to his electoral prospects.

Now it might seem that the quasi-consequentialist argument I articulated in favor of the right intention requirement has more restrictive implications than the argument from respect. After all, it might be the case that warring parties that accord decisive motivational weight to reasons that do and that do not

16. This last qualification is important, because there are many ways that have nothing to do with our motivating reasons by virtue of which we can fail to accord human beings the respect due them.

17. The fact that the just cause requirement can be satisfied by multiple distinct considerations raises complications. I will mention two briefly. First, if normative reasons R1, R2, and R3 each suffice to provide a just cause, and if the President is independently motivated by each reason to wage war, then he will not be decisively motivated by any one of the above: because he is independently motivated by R1, R2, and R3, then he would be motivated by any one even in the absence of the other two, and so he would not wage war 'but for' any one of R1, or R2, or R3. But there is surely nothing disrespectful about that motivational profile – not so long as the President is so motivated that he would not wage war absent some sufficiently weighty reason ... R1 or R2 or R3. Second, suppose that the just cause requirement can be satisfied by a diverse array of violations, none of which suffices by itself to provide a just cause. Given that the right intention requirement is satisfied only when those who wage war are motivated to fight in response to the violations that satisfy the just cause requirement, must those who wage war be motivated to fight in response to each of the diverse violations that cumulatively satisfy the just cause requirement? I think so, for otherwise we could satisfy the right intention requirement by being motivated to wage war by manifestly insufficient reasons.

18. I have found Robert Audi's treatment of the moral importance of motivating reasons for issues of civic virtue to be most suggestive, even though I reject his favored substantive moral constraint on motivating reasons, viz., his Principle of Secular Motivation. See Robert Audi, **Democratic Authority and the Separation of Church and State**, (Oxford: Oxford University Press, 2011), pp. 134-148.

19. David Sanger, **Confront and Conceal**, p. 345. According to Sanger's account of National Security Council deliberations regarding U.S. intervention in Libya, it seems that President Obama was powerfully influenced to prevent an impending massacre by a number of considerations that had only an oblique relation to any violation that could provide a just cause for war: “If we don't act, if we don't put brakes on this thing, it will have consequences for US credibility and leadership, consequences for the Arab Spring, consequences for the international community.” None of these consequentialist considerations could even slightly help to provide a just cause for war – though they might very well be able to provide crucial motivational impetus to complete a dangerous and difficult task.

provide a just cause for war are more likely to pursue illegitimate war aims than those who accord decisive motivational weight only to reasons that provide a just cause: plausibly, the former are more likely than the latter to succumb to the ever present temptation to pursue war aims untethered to the violations that make war permissible. Thus, if the President would not order drone strikes absent their electoral benefit, then that reason will obviously be very important to him and so he might greatly desire to deploy military violence in pursuit of war aims that provide electoral benefit even when they do not further the cause of justice. Due caution on his part suggests that he 'bracket' such considerations whenever he contemplates whether or not to authorize the use of military violence.

We could incorporate this bit of practical wisdom into the JWT by understanding it to forbid warring parties to accord decisive motivational weight to any reasons that cannot provide a just cause for war. This seems to be the view taken by the U. S. National Conference of Catholic Bishops: "war can be legitimately intended only for the reasons set forth ... as a just cause."²⁰ But the premises articulated in the preceding paragraph do not vindicate the Bishops' conclusion. The fact that the President's reliance on certain reasons *tempts* him to use military violence to achieve illegitimate aims provides no compelling reason for him to refrain from relying on those reasons. After all, perhaps motivation by the same reasons that render him vulnerable to temptation also and at same time render him more likely than he would otherwise be to achieve legitimate war aims: his pursuit of a humanitarian effort that prevents the massive violation of innocent Darfurians would falter were it motivated only by concern for the rights of the violated and not also by concern for domestic political advantage. In that case, the fact that some motivational reason 'tempts' us to commit some unjust course of action provides reason to be wary of, but not to abandon, that motivating reason. So it seems to me that the demanding view advocated by the Catholic Bishops is too strong.

3.4 The Stringency of the Right Intention Requirement. One of the most important questions naturally elicited by the right intention requirement has to do with its stringency, viz., whether its violation thereby makes for an unjust war. On one prominent view, violation of that requirement cannot render unjust an otherwise just war. Rather, its violation makes it the case that a just war is viciously, or badly, or discredibly, but not unjustly, waged. Vattel articulates this position with admirable clarity: "Whoever, without justificatory reasons, undertakes a war merely from motives of advantage, acts without any right, and his war is unjust. And he, who, having in reality just grounds for taking up arms, is nevertheless solely actuated by interested views in resorting to hostilities, cannot indeed be charged with injustice, but he betrays a vicious disposition: his conduct is reprehensible, and sullied by the badness of his motives."²¹ If Vattel is correct, given the Janjaweed's campaign of depredations, the President's 'interested' authorization of drone strikes is merely vicious, rather than unjust or impermissible, even should he be motivated *only* by his electoral prospects to kill many human beings and so even should he thereby manifest a gross disrespect for their worth as human beings.

20. **The Challenge of Peace**, p. 41. I take the NCCB's position here to be that warring parties may not be motivated at all by reasons that do not provide a just cause, not the weaker position that warring parties may not be decisively motivated by such reasons. See also Joseph Boyle, "Just War Doctrine and Military Response to Terrorism," p. 164; Richard Regan, **Just War: Principles and Cases**, (Washington DC: CUA Press, 1996), p. 84-86.

21. **The Law of Nations**, p. 487.

Other affirm a more stringent alternative. So, for example, Joseph C. McKenna: "Even good acts are morally perverted if they are done with immoral motives. ...A war which is otherwise just becomes immoral if it is waged out of hatred. A war of self-defense becomes immoral if, in its course, it becomes an instrument of expansion. A war to vindicate justice becomes immoral if, as it goes on, it becomes a means of aggrandizement."²² I take McKenna here to endorse the claim that violations of the right intention requirement suffice by themselves to render unjust an otherwise just war: if C1's war against C2 satisfies all of the JWT's *ad bellum* requirements save the right intention requirement, then, McKenna seems to say, C1's war against C2 'becomes immoral.' If McKenna is correct, then, the President's authorizing drone strikes against the Janjaweed for the wrong reasons renders unjust, and so impermissible, the military violence he authorizes, no matter how many innocent Darfurians lives are saved thereby.

Both Vattel and McKenna's understanding of the moral consequences of violating the right intention requirement seem to me to be inadequate. I will make two brief points in response. First, Vattel is surely correct that those who wage war for morally trivial reasons act viciously. But this moral assessment requires an explanation. Why is it vicious? Plausibly, because doing so violates the rights of human beings not to be attacked for trivial reasons, a right grounded on the great worth indelibly possessed by the Janjaweed. If that is correct, waging war for trivial reasons is vicious, at least in part, because wrong, and because wrong, relevant to the permissibility of waging war.²³

Second, from the fact that citizens, soldiers, and statesmen commit grave injustices during a coordinated 'group effort,' it hardly follows that that group project is itself unjust. Pretty obviously, a one-off act of gratuitous violence by an exhausted American soldier on an isolated Pacific Island wouldn't nearly suffice to render the Allied effort against the Axis powers unjust overall. Equally obviously, the fact that the same soldier fights only to relieve his boredom doesn't nearly suffice to render unjust the Allied war against the Axis unjust. In both cases, the soldier commits a grave injustice, but in neither case does *his* injustice undermine the overall justice of the coordinated project to which he contributes. Correlatively, we can coherently incorporate into the JWT the requirement that citizens, soldiers, and statesmen fight for the right reasons even though their violation of that requirement needn't render unjust the war in which they fight. Correlatively again, we can coherently reject McKenna's stringent understanding of the right intention requirement and at the same time insist that waging war for the 'right reasons' is morally mandatory ... for each and every participant in war.

This last point indicates an important feature of the JWT as an encompassing moral framework, viz., the JWT includes a number of moral requirements the satisfaction of which is not strictly necessary to the overall justice of a given war. This is widely recognized regarding the JWT's *in bello* requirements: the vast majority of the JWT's advocates grant that soldiers can (culpably) violate the JWT's discrimination or *in bello* proportionality requirements without thereby rendering unjust the wars in which they participate. Similarly, I believe, with respect to some of the JWT's so-called *ad bellum* requirements.²⁴ The right

22. "Ethics and War," *American Political Science Review* 54/3 (September, 1960): 652.

23. As I see it, intentional and motivational violations can be relevant to the moral permissibility of war even though they need not be decisive. Moreover, such violations can also be relevant to the proportionality, and so permissibility, of war.

24. As with many advocates of the JWT, I doubt that the distinction between JWT's *ad bellum* and *in bello* components bears

intention requirement is a central case.

But why should we understand the JWT so that it includes *ad bellum* requirements that can be violated without necessary prejudice to the overall justice of the war in which those violations occur? As I noted at the outset, I believe that one of the JWT's main points is to shape the minds and hearts of its adherents as they wage war and that we should therefore incorporate into the JWT requirements the fulfillment of which helps to achieve that formative end. A central formative aim of the JWT is that its adherents manifest due respect for the worth of their fellow human beings even in the midst of violent communal conflict. The incorporation of moral requirements that apply to a citizen, soldier, and statesman's overall assessment of the wars in which they participate clearly serves that aim: those who comply with the motivational mandate at the core of the right intention requirement are subjectively oriented towards their fellow human beings in a way that has the greatest significance for their enduring dispositions. After all, the reasons that motivate citizens, soldiers, and statesmen to fight not only *manifest* the cares and concerns that define their moral identities; they also *shape* those cares and concerns. For one human being to kill another human being for trivial reasons is for the first to embrace corruption and thus to adopt a moral project that – given human beings as they are – easily elides into the rationalization of injustice, dehumanization of enemy combatants, indifference to the rights of human beings, loss of esteem for human life, enmity with God. In short, given the central formative aims of the JWT, we have excellent reason to include in our understanding of the JWT a moral requirement that specifies the reasons that must motivate citizens, soldiers, and statesmen to fight in a given war ... even though compliance with that requirement is not a necessary condition of the overall justice of that war.

4.0 The Broad Interpretation of Right Intention. As I understand it, the 'narrow' interpretation of the right intention requirement is narrow in at least two important respects. The first, on which I have so far focused, has to do with the kind of reason that can satisfy the right intention requirement: only those normative reasons that provide a just cause for war can perform the mandated motivational role. The second, on which I focus for the rest of this paper, has to do with the 'narrow' range of internal, subjective states to which the motivational mandate applies. As I have construed it thus far, the right intention applies only to motivating reasons. But a motivating reason is only one of the many distinct kinds of internal, subjective state that occur in, can be elicited by, or are otherwise associated with, violent communal conflict. The fact that the President is decisively motivated to authorize drone strikes by Janjaweed violations is distinct from the fact that he is angry with the Janjaweed, that he is contemptuous of them, that he feels guilty for authorizing his drone pilots to kill them, that he does so with regret or glee, that he takes the Janjaweed to have the moral status of rabid dogs, that he desires that the Janjaweed suffer a painful death, that he hopes that his protection of innocent Darfurians increases his electoral prospects, and on and on. Clearly, participation in war can elicit in human beings a whole range of internal, subjective states that are distinct from the reasons that motivate them to fight. Narrowly

any "load-bearing" weight. (See Oliver O'Donovan, *The Just War Revisited*, p. 15.) There are so many substantive and conceptual relations between the *ad bellum* and *in bello* components of the JWT that it makes sense to distinguish between the two only as a contrivance of convenience. I take my discussion of the JWT's right intention requirement to manifest the futility of any such sharp distinction: that requirement applies both to the reasons that motivate the decision to go to war (or to remain at war) and to the reasons that motivate particular tactical decisions in combat.

construed, the right intention requirement directly applies to none of these other internal states.

There are, however, a number of reasons to conclude that this narrow understanding is unduly narrow. The first is an appeal to tradition. It is clear that the narrow understanding of the right intention requirement is far more restrictive than some formulations that have figured prominently in the formation of the JWT. Consider in this regard Aquinas's paradigmatic statement:

... [I]t is required that those who wage war should have a righteous intent: that is, they should intend either to promote a good cause or avert an evil. 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.' For it can happen that even if war is declared by a legitimate authority and for a just cause, that war may be rendered unlawful by a wicked intent. For Augustine says ...: 'The 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.'²⁵

Whatever else we might say about Aquinas's articulation of the right intention requirement, he clearly takes it to apply a very wide range of internal states: "greed," "cruelty," "the desire to do harm," "vengeance," an "implacable spirit," "the lust to dominate" – all of these varied kinds of internal state Aquinas associates with a lack of "righteous intention."²⁶ Just as striking in this regard is Ralph Potter's claim that we should understand the right intention requirement as a mandate that we wage war "with a mournful sense of tragic necessity in the service of universal norms of justice."²⁷ That is, Potter takes the right intention requirement to apply most directly to the attitudinal states of those who wage war and only very obliquely, if at all, to their motivating reasons – to the attitudinal 'how' we wage war more than the motivational 'why' we do so. If continuity with tradition is an important desideratum of any contemporary formulation of the JWT, it seems that we have some reason to expand our understanding of the subjective, internal states to which the right intention requirement applies.

Second, and more importantly, it is clear that the reasons that motivate human beings to wage war are often greatly influenced by a wide variety of other internal states.²⁸ So, for example, whether or not the President is motivated to authorize drone strikes against the Janjaweed by considerations of justice or personal political benefit will surely be a function of the cares and commitments that define his moral identity. If he cares far more about his own reelection than he does about the rights of the Darfurians targeted for destruction, then that fact about his personal priorities will powerfully shape the reasons that lead him to act.²⁹ The reverse can also be the case: the President's motivating reasons can powerfully shape his own moral orientation, if for no other reason than that he will likely want to approve of his motivating reasons, and so adopt a normative posture that legitimates those reasons. Given the various

25. Aquinas, **Political Writings**, R. W. Dyson, ed., (Cambridge: Cambridge University Press, 2002), p. 241.

26. Aquinas, **Political Writings**, p. 241.

27. "The Moral Logic of War," p. 206. See also James Childress, **Moral Responsibility**, p. 78; McKenna, Joseph C. "Ethics and War," p. 652. I will return to Potter, as well as to Augustine, in the next chapter.

28. See Robert C. Roberts, **Emotions in the Moral Life**, pp. 113-134.

29. See Robert C. Roberts, "Justice as an Emotion Disposition," *Emotion Review* 2/1 (Jan 2010): 40.

causal and inferential relations between distinct kinds of internal states – motivating reasons, desires, concerns, antipathies, emotions, aspirations, etc., why limit the scope of the right intention requirement to motivating reasons? I doubt that we should.

Third, and most importantly, surely the appeal to respect that provides a principled basis for the narrow understanding of the right intention requirement has wider application than to motivational reasons: due respect has important moral implications not only for motivating reasons but more generally ... for any internal, subjective state that can be incompatible with due respect. That is, those who wage war ought not embrace, or ought to abandon if they undergo, *any* internal, subjective state that fails to accord due weight to the worth of those caught up in war – whether that internal state is a construal, motivation, goal, attitude, desire, belief, judgment, emotion, whatever. This, I believe, is the normative core of the right intention requirement, broadly conceived. Of course, there are many subjective, internal states to which the right intention requirement does not apply, viz., those that lack propositional content – urges, sensations, moods, certain feelings, and such.

It seems to me, then, that we have a number of reasons to expand the scope of the right intention requirement so that it encompasses not only motivating reasons but a wide panoply of additional kinds of internal, subjective state. Given this, it might seem that we should replace the 'right intention' appellation with a looser alternative, say, the 'right internal, subjective response' requirement. More accurate perhaps, but not in keeping with tradition, confusing, and clunky. In this case, I will stick with tradition.

5.0 Right Intention and the Emotions. I will not argue further in favor of this 'broad' understanding of the right intention requirement. Rather, I will try to give some indication of how it applies to internal states other than motivating reasons. Given the wide variety of subjective responses elicited in human beings by their experience of war, anything approaching a complete treatment would take us very far afield. Consequently, I will focus on one particularly important kind of subjective response, viz., the emotions that citizens, soldiers, and statesmen undergo in violent communal conflict.

5.1 Emotions: A Brief Sketch. In order to reflect on the emotions required of or forbidden to those who wage war, it will be helpful to have in mind a clear conception of what makes for an emotion. I will conscript the account developed by Robert C. Roberts for my purposes. According to Roberts, an emotion is a “concern-based construal.”³⁰ As this formulation indicates, an emotion has two constitutive components – a construal and a concern. Abstractly put, a construal is a “perceptual state in which one thing is grasped in terms of something else.”³¹ Most centrally, a construal involves “dwelling on or attending to ... some aspect”³² of one's circumstances in the light provided by some concept. Such a construal refers to complex circumstances: “emotions are concern-based *construals*: perceptual *constructions* of complex situations in various ways, out of the elements that the situations are taken to involve.”³³ Return to the drone strikes in Darfur. Suppose that a drone pilot, located in Utah, surveilles

30. Robert C. Roberts, *Emotions*, pp. 64ff; *Emotions in the Moral Life*, pp.46ff.; “What an Emotion Is: A Sketch,” p. 191.

31. Robert C. Roberts, *Emotions*, p. 77.

32. Robert C. Roberts, “What an Emotion Is: A Sketch,” p. 187.

33. Robert C. Roberts, *Emotions in the Moral Life*, p. 201.

the Janjaweed in compliance with the President's authorization of military violence in the Sudan. He thereby observes the killing of some human beings by others. But he is not a sociopath, and so he will not *merely* observe living human beings and corpses. Nor will he merely observe some human beings killing others. As with any decently socialized and 'properly functioning' human being, his perception of those killings will be shaped by a whole repertoire of normative concepts – victims, innocents, violators, bystanders, legitimate targets, illegitimate targets, rights, obligations, guilt, cruelty, murder, and the like. He will employ those normative concepts in way that powerfully shapes how and what he notices about the situation he observes. That is, he will perceive not only killings but murders, not only living human beings and corpses, but also perpetrators and victims. This kind of heavily moralized perception of complex situations is a crucially important manifestation of a properly functioning and decently socialized human being's capacity for moral agency.

Let us suppose that the drone pilot perceives the killings as the murderous violation of innocent Darfurian women and children by Janjaweed perpetrators. Crucial to Roberts' account is the claim that the drone pilot need not thereby experience any particular emotion. That is, the fact that he construes the killings he witnesses as the culpable violation of innocents does not suffice to make it the case that he is angry, or guilty, or contemptuous – each an emotional state that is compatible with his construal of the killing as murder. For an emotion is a state of mind in which the subject's *concerns* – his cares, desires, passions, aversions, attachments, and interests – shape the manner in which he construes his circumstances.³⁴ Here is Roberts:

My formula is that emotions are *concern*-based construals, that is, construals imbued, flavored, colored, drenched, suffused, laden, informed, or permeated with concern. To be angry is not just to see a person as having culpably offended; the construal must be based on a concern about some dimension of the offense, and possibly a concern about some dimension of the offender. To be afraid of heights is not just to see them as a danger to something or other; it requires that something the subject holds dear appears to be threatened. Grief is not just a construal of something as irrevocably lost; the something lost must be of great importance to the griever.³⁵

Suppose, then, that the drone pilot not only perceives the killing of women and children by the Janjaweed as murderous violations, but also cares about those victims – he cares for each as a brother or sister to whom he is bonded as a fellow recipient of God's love. In that case, he is naturally and appropriately angry (perhaps indignant or even enraged) with the Janjaweed. For the “defining proposition” of anger is that some human being “has culpably offended in [an] important matter.”³⁶ That is, the emotion of anger is an internal state in which a subject construes one person as having culpably violated someone who matters to the subject. Given his construal of the killing as the murderous violation of women and children, and given his enduring care for the victims as fellow brothers and sisters, the pilot might very well be angry at the marauding Janjaweed.

34. Robert C. Roberts, *Emotions*, pp. 141ff., “What an Emotion Is: A Sketch,” p. 202.

35. *Emotions*, p. 79, Roberts' emphasis.

36. *Emotions*, p. 204. There are additional components to the defining proposition of anger that aren't relevant to my expository aims.

Suppose, however, that the drone pilot isn't angry with the Janjaweed: he observes them killing many Darfurians, and he construes their actions as violations, but his construal does not engage any care he has for the victims. In that case, the drone pilot might very well find himself in an emotional state poles apart from righteous anger or any other emotion associated with concern for the victims (such as fear for their safety or grief over their suffering). After all, he undoubtedly has many other passions, aversions, attachments and interests that might 'imbue' his construal of his circumstances. So, for example, suppose that he also has a deep aversion to those who cannot, or will not, defend their rights. (He believes that God helps them that help themselves....) His deep-seated aversion to simpering helplessness shapes his construal of the observed killings: although he continues to construe those killings as violations, they engage his revulsion at meek, herd-like submission in the face of wrongdoing. As a consequence, the killings that he construes as murderous elicit in him not anger at the Janjaweed but contempt for their victims.³⁷

5.2 Five General Truths About the Emotions. Let me make five brief comments about this case, each of which can be worked up into a general truth about the emotions. First, the drone pilot's emotions have a propositional content that is a function of both concern and construal.³⁸ "The whole drift of the account of emotions that I ...advocate... is that they ... can be true or false. As a concern-based construal the emotion makes two kinds of claims, first about what we might call the *structure* of the situation that the emotion is about, and second about its *importance* or *bearing*."³⁹ So, for example, the drone pilot's contempt for the Janjaweed's victims is partly constituted by a construal of the victims that can be captured in propositional form: that these human beings have rights that are being violated but cannot, or will not, take feasible measures to prevent their violation. The concern that shapes this construal also has propositional content, viz., that it's repulsive for these victims to submit meekly to the violation of their rights. Again, his anger at the Janjaweed presupposes a construal of the relation between Janjaweed and victim that is partly captured in the following proposition: that these human beings are responsible or culpable for violating the rights of innocent human beings. It also presupposes a concern that has propositional content – that the Darfurians have great worth, such that their culpable violation is horrible indeed and must be stopped.

Second, although the drone pilot's emotions have propositional content, he need not *assent* to the propositions constitutive of his emotions. That is, the propositional content of his emotions captures how things appear to the pilot, but he might have excellent reason to judge that appearances are in this case deceptive.⁴⁰ So, for example, the pilot can experience contempt for the violated Darfurians – they

37. On contempt, see Robert C. Roberts, *Emotions*, pp. 255-56.

38. Robert C. Roberts, *Emotions*, pp. 109ff.

39. Robert C. Roberts, *Emotions*, p. 317.

40. "Judgments, I take it, are episodic beliefs, episodes in which a subject takes an assenting attitude toward some thought or proposition or perception. By contrast, to say that emotions are concern-based construals is to say that emotions are more like perceptions and so involve some kind of experiential presentation to the subject. They make an impression on the subject. If you have the emotion of fear, then you do not just *assent to the thought* that you are facing a threat; the situation *impresses* you as being threatening. It *presents* itself to you under that aspect. ...On the view of emotions that I am proposing, when I fear [a] snake in full knowledge that it's harmless, I construe (perceive) the snake, based on my concern for safety, as a threat to me, but I don't believe my emotion. ... I can disbelieve my own perceptions without the perception changing; but if I disbelieve my own judgment, then the judgment has changed. So I propose that emotions are not judgments, but perception-like mental

can appear to him as contempt-worthy – even though he believes that they are not. Indeed, he can feel intense guilt on account of his contempt for the violated Darfurians and strive to construe them in the light of what he sincerely believes to be true of them. That said, the drone pilot can also affirm the propositions constitutive of that emotion without its ceasing to be an emotion: they can appear contempt-worthy, he can foster his revulsion at their herdlike submission, and so he can embrace that appearance as the sober moral truth about the Darfurians.

Third, the drone pilot has significant, but not complete, voluntary control over his emotions and he has that kind of control partly by virtue of the fact that he enjoys significant influence over the concepts he employs to construe his circumstances.⁴¹ So, for example, if he *feels* contempt for the Darfurians, yet he knows that he should not, he has it within his power to 'get control of himself' by changing the way he 'frames' his perception. He has a variety of means at his disposal: he can attend more carefully to the cruelty of the perpetrators than to the fear and passivity of the victimized Darfurians, or think of similar violations inflicted on his mother, wife or children, or remind himself that he isn't playing a computer game by recalling images of mutilated Darfurian children, or recall stories about brave but doomed Darfurian resistors. In short, he can adopt any number of measures that lead him to 'reconstrue' the events on his computer screen in such a way as to engage his concern for the victims and so to elicit in himself righteous anger at the Janjaweed rather than contempt for their victims.⁴² Correlatively, the drone pilot's emotional state is multiply contingent, depending on the cares that happen to define his moral identity, the conceptual repertoire available to him, which of the cares shape his perceptions in given circumstances, how he decides to construe or reconstrue those circumstances, and a host of other factors.⁴³

Fourth, the pilot's emotions are distinct from the various sensations and physiological reactions that accompany his emotions.⁴⁴ His anger at the Janjaweed might elicit an elevated heart-rate, clammy hands, sweat on his brow, dizziness, a pit in his stomach, an urge to vomit. He might experience all of these responses or none of them. Partly for this reason, we cannot identify his being angry with the many idiosyncratic sensory manifestations of that emotion: an emotion is one kind of internal state, sensations and physiological reactions are very different kinds of internal state, and the former relates to the latter in very uncertain, person-relative, and contingent ways. The emotions are concern-based construals, not the sensory and physiological responses that are ordinarily elicited in human beings when they find

states that I call construals." Robert C. Roberts, **Spiritual Emotions: A Psychology of Christian Virtues**, (Grand Rapids, MI: Eerdmans Publishing, 2007), pp. 23, 24. See Robert Roberts, **Emotions in the Moral Life**, pp. 91ff.

41. Robert C. Roberts, **Emotions**, pp. 80ff.; "What an Emotion Is: A Sketch," pp. 192ff.

42. Anatoly Chechov, one of the most accomplished Russian snipers at Stalingrad, describes the consequences of this kind of reconstrual in the following description of the first time he killed a fellow human being: "When I first got a rifle, I couldn't bring myself to kill a living being: one German was standing there for about four minutes, talking, and I let him go. When I killed my first one, he fell at once. Another one ran out and stooped over the first one, and I knocked him down too. When I first killed, I was shaking all over: the man was only walking to get some water! I felt scared: I'd killed a person! Then I remembered our people and started killing them without mercy." Quoted in Michael Burleigh, **Moral Combat**, 371.

43. I take it that the kind of 'indirect' control the drone pilot exercises over his emotional states makes it possible for the drone pilot to have obligations that bear on his emotional states and sensible for others to hold him to account for violating those obligations.

44. Robert Roberts, **Emotions**, pp. 65ff., 314ff.; Robert Roberts, **Emotions in the Moral Life**, pp. 73ff.

themselves in one or another emotional state.

Fifth, just as the drone pilot has significant control over his emotional state, he also has significant, but not complete, control over the sensations and physiological reactions engendered by his emotions. Most particularly, the sensations and physiological reactions he experiences upon witnessing gross violations of justice can be powerfully shaped by training and experience. This fact has important implications for one of the JWT's core constituencies, viz., the soldiers who actually deploy military violence. So, for example, an important aim of much military training seems to be to provide soldiers with some modicum of control over the manner in which they respond to the violence that they inflict on their fellow human beings: one main goal of the 'desensitization' at which some military training aims seems to be to enable soldiers to discipline their sensory and physiological responses (nausea, elevated heart-rate, etc.) to the emotions often elicited by participation in combat. As a consequence of his training, then, the drone pilot might very well have sufficient 'self-control' that he does not experience any number of distracting sensory states that would otherwise accompany his anger at the Janjaweed's depredations. So, for example, if he finds that his anger at the Janjaweed elicits an elevated heart rate, he is able to employ breathing exercises that mitigate that effect. If killing them makes him nauseous, he can practice dropping bombs on life-like facsimiles.⁴⁵ If he retains any residual reluctance, he can watch videos of their depredations over and over again.⁴⁶ And on and on.

5.3 Just War and 'Wrong Emotion.' According to the broad understanding of the right intention requirement, as I understand it, those who wage war must do what is within their power to avoid, abandon, or resist any internal state that fails to accord due weight to the worth of their fellow human beings. So understood, the right intention requirement applies to the emotions elicited by violent communal conflict. But how can the emotions elicited by involvement in war fail to accord due weight to the worth of human beings? Roberts' account allows for a relatively straightforward answer: by virtue of their propositional content. That is, the fact that, unlike urges or sensations, our emotions have propositional content makes it possible for us to manifest disrespect for the worth of our fellow human beings by virtue of the role that those human beings play in our emotional states.⁴⁷ Explicitly or implicitly – and sometimes very implicitly – we can find ourselves in an emotional state that is incompatible with due respect for basic worth.⁴⁸ Because to disrespect a human being just is to wrong

45. Grossman has a lengthy discussion of the ways in which military training altered in response to the discovery that many ordinary soldiers were unwilling to direct lethal violence even at enemies who were attacking them. So, for example, soldiers in basic training were required not to shoot at 'bullseye targets' but life-like representations. *On Killing*, p. 253ff.

46. Jim Frederick's account of one platoon's descent into atrocity describes such a process of 'self-desensitization': "First Platoon had become insane," declared Sergeant Diem flatly. "What does an infantry rifle platoon do? It destroys. Now turn that ninety degrees to the left, and let slip the leash, and it becomes something monstrous. It was not even aware of what it was doing." Some of the mental states that the men describe are well documented by psychologists studying the effects of combat on soldiers. The men spoke about desensitization, how numbed they were to the violence. They passed around short, graphic computer video compilations of collected combat kills and corpses found in Iraq. One, with a title card dedicated to 'Mr. Squishy Head' – a dead body whose skull had been smashed in – was set to the track of Rage Against the Machine's 'How I Could Just Kill a Man.' It was a horror parade of stills and short clips of gore and carnage." *Black Hearts*, p. 241-42.

47. It's clear that we cannot wrong others merely by finding ourselves in certain internal states – those that lack propositional content, such as a sensation or brain state. Since these internal states lack propositional content, they cannot be incompatible with anything. They just are.

48. In developing his account of what makes for a right, Nicholas Wolterstorff claims that a rights violation is a way of treating

that human being, we can wrong others just by virtue of being in, succumbing to, failing to resist, or fostering in ourselves, certain emotional states. Consider in this regard two ways in which the drone pilot might find himself in an emotional state that wrongs the Janjaweed. (It should go without saying that my discussion is far from exhaustive.)

First, suppose that the drone pilot construes the Janjaweed as having no worth at all: they 'appear to' him as relevantly similar to a pack of rabid dogs. Suppose again that he embraces that construal: he not only perceives them 'as if' they were merely dangerous and threatening animals, but he also takes that perception to be accurate. Suppose, once again, that he fosters that construal: he brings to awareness over and over again the various wrongs they have committed against the innocent, thereby maintaining a vivid sense of their 'inhuman' moral corruption. Suppose, finally, that the drone pilot finds himself in the grip of a number of "oppositional" emotions: hatred, disgust, or contempt.⁴⁹ That is, his perception of the gross violations committed by the Janjaweed is so vivid that they seem to him a pestilential evil, the proper recipient of his deep and enduring hatred (disgust, contempt), and so fit only to be put down like rabid dogs. I take it that the drone pilot's emotional state incorporates a radically inadequate assessment of the Janjaweed's moral standing. Simply and dogmatically put, no human being, and so no Janjaweed marauder, is ever on moral par with a dog, rabid or otherwise. The drone pilot's hatred "wrong[s]" the Janjaweed by virtue of the manner in which they figure in his emotional state and so "independently of the actions" to which that state gives rise.⁵⁰ Indeed, I take the drone pilot's dehumanizing hatred to exemplify a rather common phenomenon in war, viz., a soldier who wrongs enemy outsiders by virtue of the role the latter plays in his emotional life. It should go without saying that the drone pilot wrongs the Janjaweed even if he never has the chance to act on his hatred for them and so even should it turn out to be the case that his hatred does not manifest itself in his being motivated to kill them for the wrong reasons.

Second, suppose that the drone pilot finds himself in an emotional state characterized by an utter lack of concern for the moral standing of the Janjaweed. So, for example, suppose that he adopts a popular understanding of the moral status of war – one according to which war is tantamount to "organized murder."⁵¹ "There are times," he believes, "when the force wielded by one immoral faction must be countered by a faction that, while never moral, is perhaps less immoral."⁵² He construes his participation

a human being "in a way that is incompatible with acknowledgment of her true worth," where one human being disrespects another by performing some action the "import" of which is that another has a worth that is less than her actual worth (**Justice**, p. 297). That is, actions, such as acts of torture and rape, have a "respect-disrespect import" by virtue of which they count as rights-violations (**Justice**, p. 302). I take it that this understanding of what makes for a rights violation applies to human emotions: one human being can "disrespect" another when the first embraces a construal of the second as having less than their actual worth.

49. See Roberts' exposition of the oppositional emotions of hatred, disgust, and contempt, **Emotions**, pp. 250-56.

50. "Robert C. Roberts, 'What's Wrong With Wicked Feelings?,' p. 17.

51. To my knowledge, this phrase was first employed by Charles Sumner in his broadside against war delivered in 1854 to the political and military elite of Boston. See John Fabian Witt, **Lincoln's Code**, pp. 109-111. Some contemporary writers also employ it to characterize the moral status of killing in war. See, for example, Chris Hedges, **War is a Force that Gives Us Meaning**, (New York, NY: Anchor Books, 2002), p. 21.

52. Chris Hedges, **War is a Force That Gives Us Meaning**, p. 16. This confused, and perhaps incoherent, construal of the moral status of war is very closely related to the claim that those who wage war ought to see themselves as guilty for their participation: war is murder, murder is morally prohibited, those who violate that prohibition are guilty, those who are guilty

in war accordingly – as murderous and immoral. So, for example, during the long morning commute to work, he reflects on the violence he expects to direct at the Janjaweed later in the day. He construes his killing of the Janjaweed as his personal contribution to the 'organized murder' that is war: when he anticipates attacking the Janjaweed, he imagines himself murdering some of his fellow human beings. Even so, he parks his car, walks to his terminal, and commences to launch missiles at the designated targets. Although he believes that his killing the Janjaweed is correctly construed as his murdering them, he experiences not a twinge of guilt for doing so. His mindset is that of a cold and calculating technocrat, plinking targets given to him by another nameless bureaucrat. He feels no guilt because he is utterly indifferent to the moral standing of those whose lives he terminates: they don't matter to him, and so the fact that he murderously violates their rights them does not matter to him, and so he experiences no guilt, remorse or contrition over having murdered them. In short, his construal of his participation in war as murderous engages no concern on his part for the human beings he kills and so he experiences no guilt for having done so. In this case, I take it, the drone pilot wrongs the Janjaweed: for the drone pilot not to care about the worth of his fellow human beings is no less disrespectful than for him to deny that they have great worth. So, he wrongs them, not by virtue of the manner in which he construes them, but by virtue of the manner in which his utter indifference to their rights and moral standing shapes his emotional life.

6.0 Concluding Comment. As I understand it, the right intention requirement should be understood to apply to a broad range of internal, subjective states – not only to motivating reasons for war but also to the vast array of emotional states elicited in those who wage war. At the very least, citizens, soldiers, and statesmen should avoid, resist, or abandon any internal, subjective, and so emotional, state that construes human beings as worthless. It also applies to the cares and concerns that shape the emotional life of those caught up in war – no citizen, soldier, or statesman can with justice be utterly indifferent to the rights and moral standing of the human beings caught up in war. Understood in this way, the right intention requirement not only forbids but also requires certain emotional states. It forbids those who wage war to hate enemy combatants – at least, insofar as hating them involves construing them as evil and so as worse than worthless. Again, it mandates that those who wrongfully kill in war experience guilt over killing the innocent – at least, insofar as the lack of guilt involves thoroughgoing indifference to their rights and moral standing.

Now it might seem that my assessment of the drone pilot's emotional state in the preceding paragraph is a bit too circumspectly put. Why? It might seem that, if the drone pilot takes himself to have murdered the Janjaweed – if that is how he really does construe his own actions – and if he experiences no guilt for having done so, then he *must* disrespect the Janjaweed. After all, if one human being violates the right to life of another human being, then the experience of guilt is not merely a moral option. It isn't merely permissible. Rather, the drone pilot *should* care about the fact that he has (he believes) committed a grave moral wrong and so he ought to feel guilty. This particular judgment applies more generally: guilt is the obligatory emotional upshot of the violations that we deliberately inflict on our fellow human beings. The wrong inflicted on the victim generates a right to the perpetrator's experiencing guilt and the

should feel guilt, and so those who wage war should feel guilt for their participation in war – even though they are in some sense 'permitted' to do so. I leave it to the reader to make sense of that line of argument.

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perpetrator has the correlative obligation to experience guilt.

I am very much attracted to this position. But I doubt that it is correct. This is because I doubt that lack of guilt is as closely associated with lack of respect as this line of argument seems to assume. In some cases, no doubt, the absence of guilt manifests lack of respect. It does so, I believe, in the drone pilot's case: his lack of guilt is explained by what is in fact his attitude toward the Janjaweed. As it happens, he could not care less than he does that he violates their rights because he could not care less than he does about them. But in other cases, the absence of guilt does not betoken a lack of respect ... not even when guilt is absent in the presence of culpable wrong-doing. This is because the lack of guilt on the part of culpable violators need not have as an ingredient anything like a denial of the worth of, or lack of care for, the wronged human being. The absence of guilt can be explained otherwise. And more generally, I very much doubt that a human being's emotional states can be as directly correlated with their respect for the worth of others as this line of argument seems to assume. But that is a topic for another paper.