Is the Morality of War
Plausible
in a Diverse World?

by John Madden

It seems evident from experience that there are different cultures, different cultural moral codes, and different individual moral views. The ancient historian, Herodotus, gives a famous account of when Darius of Persia caused certain Greeks, who cremate their dead, to encounter an Indian tribe called Callatians, who eat their dead fathers:

> Darius, after he had got the kingdom, called into his presence certain Greeks who were at hand, and asked, "What he should pay them to eat the bodies of their fathers when they died?" To which they answered, that there was no sum that would tempt them to do such a thing. He then sent for certain Indians, of the race called Callatians, men who eat their fathers, and asked them, while the Greeks stood by, and knew by the help of an interpreter all that was said – "What he should give them to burn the bodies of their fathers at their decease?" The Indians exclaimed aloud, and bade him forbear such language.[1]

In this way, Herodotus illustrates what most of us have experienced: that different cultures and peoples hold different opinions about what the right thing to do is. This often becomes strikingly apparent to soldiers during times of war or occupation, in which multiple cultures collide. Yet this very observation of cultural difference seems to raise a question: when cultural attitudes differ, what hope is there for a common morality of war? If contemporary Just War Theory and ideals about human rights are only expressions of Western cultural values, then how can we ever expect non-Westerners to accept these notions?

In this paper, I intend to expose the deeper roots of this question by moving to consider a deeper debate: are moral values themselves objective or subjective? As I use the term, a moral value or

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norm is objective if and only if it is true, real, or exists in some way that is not dependent on the opinions of persons or societies about it.[2] First, I will consider the argument that moral values are subjective based on the example of cultural difference. Then, I will consider the objection from Friedrich Nietzsche that objective moral values would require a measure of free will which is impossible for people to possess. After looking at both arguments and the objectivist's responses, I will consider two arguments from the objective side. I will outline a Kantian constructivist argument for objective morality, and then, I will consider a metaphysical argument for objective morality. I conclude from these arguments and responses that the debate goes much deeper than cultural difference; it goes to deep questions about the universe we live in and its ontological underpinnings. Thus, although this debate cannot be easily settled, it is not dependent on culture. In the final section of the paper, I give an argument for a way forward based on a starting point of near-universal agreement: that most individuals who accept subjectivism and nearly all objective ethical theories will accept a prohibition on unjustified killing and injuring of others. I argue that this overlapping consensus of a common respect for human life and bodily integrity could form an important basis for accepting that a dialogue about morality of war is indeed possible and useful.

The First Argument for Subjectivity: Argument from Cultural Relativism

As the earlier quotation from Herodotus suggests, one of the oldest criticisms on the objectivity of values is the claim of disagreement over values. However, it is harder than it seems at first to get this argument off the ground. A sort of naïve version might be thought to go:

Premise 1: If values are objective, then they will be universally held.

Premise 2: Values are not universally held.

Conclusion: Therefore, there are no objective values.

In a simple argument like this the first premise is immediately objectionable. Something is objective if and only if it is true, real, or rationally sound regardless of if it is held to be so. In this sense, it is objectively true that two plus two equals four regardless of how many people believe (or disbelieve) the statement. It was true that the earth revolved around the sun prior to Galileo even when most people believed that the sun revolved around the earth. Therefore, it in no way follows that if there are objective values that we would necessarily know or agree about them. In fact, if disagreement about a statement implies a common belief about anything, it is that the parties agree that there is some objective truth or falsity to the statement. It would be odd if there was a heated argument about a statement that all thought was completely arbitrary.

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But that is far from the end of the argument. First, it is important to point out that many objectivists about morality agree that certain moral actions are culturally relative. For example, say that I accept as objectively true a norm that states that one ought to treat other persons with respect. Based on this norm, I conclude that I ought to act politely to other people unless the situation dictates otherwise (for example, if one person is unjustly attacking another I might not have a moral duty to act equally respectful to the attacker; respecting persons here might mean acting to stop the attacker.) However, different societies have different norms about what sort of actions are polite. It seems that if I ought to

generally act politely, then I will have to base my actions on the cultural norms of the society that I am in. A similar move works in Herodotus' example of the Greeks and Callatians. Both groups have a common moral norm: that they ought to respect their dead fathers. Based on their different cultural norms, the Callatians respect their fathers by eating them. The Greeks show respect by burning them. This is significant because it shows that cultural relativism is partially compatible with the acceptance of some values as objectively true.

> **...just because we all have the capacity for...moral intuition or for moral reasoning does not mean that we have all equally developed that capacity.**

Nevertheless, there are better arguments for giving up on objective values based on cultural differences. One version of this argument is given by J. L. Mackie in *Ethics: Inventing Right and Wrong,* which for our purposes may be further strengthened by combining it with elements of his argument from queerness as well.[3]

Premise 1: If objective values exist and are knowable, then they are knowable through a special faculty such as a "faculty of moral intuition."

Premise 2: If all people have a "faculty of moral intuition," then all people should come to similar conclusions about morality.

Premise 3: However, (from the evidence of cultural differences about morality), people from different cultures do not come to similar conclusions about morality.

Conclusion: Therefore, either objective values do not exist or are not knowable.[4]

What is perhaps most startling to many people today is Mackie's claim that objective morality would require something like a "faculty of moral intuition." In Mackie's view, the most reasonable foundation of objective moral values is a metaphysical one such as those proposed either by a traditional metaphysical theory like Plato's or a moral intuitionist theory like that of W.D. Ross. In these types of theories, the authors must claim that there is some way that human minds can come directly into contact with something that is not physical at all. The popular notion of the conscience is an example of a faculty of this sort.

Does this argument succeed in undermining a special faculty of moral intuition? First, it is worthwhile to note that most of these theories do not posit any special faculty. Reason itself can access the forms in Plato's theory, for instance.[5] In Plato's view most people have full access to their own reason, keeping them from fully developing the ability to know the forms, because they choose to remain focused primarily on sensible things rather than look toward the Form of the Good.[6] Similar claims will often be repeated by traditional moral theorists, who claim that people prefer what is pleasurable to what is right.

If this is the case though, even the rationalists and moral intuitionists have an answer to Mackie's challenge: just because we all have the capacity for such a moral intuition or for moral reasoning does not mean that we have all equally developed that capacity. Yet in addition to the moral intuitionist and rationalist strains of objective ethical theory, there is also the case of constructivist ethical theories. These theories suggest that reason alone, if used correctly and without suggesting that it must access any sort of metaphysical truth, can be morally guiding.

I will examine one of these arguments, as well the most prominent objection to it. But first, let us consider another objection to the possibility of objective ethical theory.

The Second Argument for Subjectivity: Nietzsche's Criticism of Free Will

One of the most important criticisms of traditional morality comes from the work of Friedrich Nietzsche, in which he aims primarily at Kantian and Christian ethics. According to Nietzsche, the intelligible application of traditional moral systems requires that human agents possess a will capable of free and autonomous choice. Nietzsche formulates an objection to this that to have free will in this way, human beings would have to be *causa sui*, or self-caused. A version of the argument could be summarized in this way:

Premise 1: A person could be held responsible for her actions if and only if she has free will.

Premise 2: If people had free will, then they would be self-caused.

Premise 3: People are not self-caused.

Conclusion 1: People do not have free will.

Conclusion 2: A person could not be held responsible for her actions.

Premise 4: If a person could not be held responsible for her actions, then traditional moral theory is untenable.

Conclusion 3: Traditional moral theory is untenable.[7]

Nietzsche's basic notion here is that a central part of moral practice is holding a person responsible for her actions. But if it is irrational for you to hold me responsible for my actions, then it would be irrational for you to endorse traditional moral theories and practices. Since both Kantian and Christian moral theories do accept a conception of the person in which we are (potentially) rational persons with the capacity of free will, both would be undermined if free will turned out to be implausible.

Before I consider a response from the Christian or Kantian camps however, there is one theory or set of theories which claims that free will is not necessary for moral theory - consequentialism. In this view, it is Premises

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1 and 4 above which we ought to reject. It is sufficient for us to have a moral theory in that we are conscious of our own natural impulses so that we can reason about them. In Utilitarianism, the most famous of these views, one recognizes that all creatures, insofar as they feel pleasure and pain, tend to automatically and naturally desire pleasure and abhor pain. Thus, one ought to maximize pleasure and minimize pain not by depending on our freedom of will, but by recognizing our reason is a servant of our bodily impulses. In this theory, society should not punish or reward based on moral responsibility, but based on whether a punishment or reward for a particular person would maximize pleasure and minimize pain universally.[8]

Returning now to the views which Nietzsche's argument strikes more effectively, I will consider a reply from each perspective. From a Christian perspective, the notion of a self-creating being is impossible, which is why not even God is self-creating in their view (rather God is either beyond being or Being Itself). Therefore, in the Christian view, people are not self-creating, but rather co-determining. God has predetermined who the person really is - her essence. But through her actions a person either denies her true self, trading it for a false non-self, or accepts her true self and God as well, something only possible through God's grace. Thus, the Christian view of free will is much more limited than Nietzsche suggests.

Can a Kantian constructivist respond to the argument that free will entails self-creation without appealing to something theological or metaphysical as the Christian view does? There is a possible middle ground that seems accessible to the Kantian. If I accept that I am self-conscious, then I am conscious that I am in

a certain state - call this state S_1. And if I have freedom of will, I should be able to interact with my own internal state, S_1, to change it to another state, S_2. This change from S_1 to S_2 might be nothing more than changing my mind after reflection about whether one of my total set of beliefs is true. And this single belief might be one among over a thousand beliefs I hold as part of my world-view. I then self-reflect on S_2 and will myself to change my mind about another belief, bringing myself into the internal state, S_3. Notice that an internal self-reflecting capacity for change is not identical with being fully self-creating. Each state entails perhaps only one small change from the previous one. Yet this still provides an acceptable alternative account to how one could have an autonomous, self-determining will without being fully self-creating. There could, of course, be some internal beliefs, such as that I exist, that I could never really will myself not to believe, thus my free will could be free in a limited sense, yet still free enough to allow for moral responsibility in certain cases.

Although there is certainly room for Nietzsche to reply to both the Christian and the Kantian, one would then have to move to a deeper discussion on what free will really is and what it would entail to make moral responsibility viable. Certainly, traditional morality seems to accept that we are sometimes *not* responsible for our actions, such as when we are coerced, are ignorant, or sometimes even when we act out of habit. If this is the correct view of traditional morality, there might be a good argument that Nietzsche's characterization of how free the will would need to be is simply too strong.

The First Argument for Objectivity: Kantian Constructivism

Having now looked at two subjectivist arguments, I will now examine two different argumentative strategies for objective moral values. These arguments proceed from two different world views. The first argument is from the point of view of the metaphysical skeptic. To a thinker like Mackie, the notion of a metaphysical entity is simply queer or odd. A good number of contemporary philosophers agree with this skepticism, yet find no reason to be wholly skeptical about objective moral values.

Although there are several proposed strategies of constructivist arguments for objective moral values, I will examine only Kantian constructivism in a form close to that of John Rawls and Christine Korsgaard.[9] In this strategy, in contemplating myself, I recognize that "I" (that is, my conscious self or cognition) am not only conscious but self-conscious. Second, I recognize that my self-consciousness allows me to be self-reflective. And, insofar as I act, that is that my conscious self act, and am not acted upon, I am an agent. But my self-reflection then recognizes that if I endorse something simply because it is presented to me by means of something external to my self-conscious reason, such as sensation or unconscious desires from my body, then I will not be acting as a free and independent agent but rather as an agent that is bound unreflectively to my own desires or sensations. This does not mean that I cannot ever endorse a desire, of course. But only that when I do so, I must do so for reasons independent of

the desire itself. And this leads me to rationality, the free reasoning of my own consciousness, as the self-legislating source of moral thought in Kantian constructivism.[10]

In this view, to be rational and autonomous is to act for reasons that can be endorsed by rationality alone. And if to act rationally and freely is to act for these sorts of self-legislated (or rationally-legislated, which is the same thing) reasons, then I must see my free and rational self as the ultimate legislator and my proper "self" as the ultimate end or aim of my actions. Therefore, the most irrational self-legislation would be to legislate (or act) against my own free and rational self. And, if I now recognize that autonomous and rational persons have an identical claim to being free and rational ends, I can now see that each of us (both they and I) would act against free and autonomous rationality (and therefore self-hood) if we acted in such a way as to purposefully harm either ourselves or another in our autonomous rationality. All of us are therefore, potentially free and rational persons who ought to respect both ourselves and each other, which is identical with respecting the humanity of each. Or, as Kant wrote in the second formulation of the Categorical Imperative in the *Groundwork of the Metaphysics of Morals*, "Act in such a way that you always treat humanity, whether in your own person or the person of any other, never simply as a means but always at the same time as an end."[11]

For the sake of brevity, I will stop short of going into the full formulation of how to interpret the Categorical Imperative. It is sufficient to say that the Kantian constructivist believes that this serves as an objective law from which one can determine if one's actions are morally just or not. An action which would treat another person simply as a means, therefore not respecting them as a person with identical claims to free and rational autonomy as oneself, is irrational since the action contradicts my belief that they are an end just as I am.

There are at least two things that are attractive about this account. First, it gives a plausible account for an objective norm in which people are required to respect one another as free and rational persons, thus giving a rational basis for arguments against murder, slavery, cheating, sexual assault, and even dishonest business practices. In a purely subjective view of morality where each of us are only motivated by our own desires (whether these are claimed to be rational or not), saying I dislike murder is just as subjective as saying that I dislike broccoli. True, I may feel rather differently about murder than broccoli, I might, for instance, dislike it much more and for very different subjective reasons, but at most I can

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only persuade you to agree with me. The claim that there are no objective moral values also means that there are no objective moral *reasons* that I can give that *ought* to rationally convince you that murder is wrong (if there were, these reasons themselves would entail moral values). The second attractive attribute about this account is that it justifies moral values without bringing in any claims external to perceptions about our own nature as conscious persons. We all seem to be self-conscious, self-reflective persons who can choose what we believe. The argument does not have to claim the existence of metaphysical entities or of God, that some people might be skeptical of, to account for objective morality.

However, there are two major criticisms of the argument. The first one is Nietzsche's claim that persons do not actually possess free will at all, which I examined above. The second response is best formulated in David Enoch's Shmagency objection. The ultimate reason that

the Kantian constructivist I have represented has for being a rational, autonomous, self-constituting person, an agent as it is often called in the literature, is that this is what it *is* to be an agent (or a person). But why be an agent, a human, or a person? Enoch states:

Classify my bodily movements and indeed me as you like. Perhaps I cannot be classified as an agent without aiming to constitute myself. But why should I be an agent? Perhaps I can't act without aiming at self-constitution, but why should I act? If your reasoning works, this just shows that I don't care about agency and action. I am perfectly happy being a shmagent—a nonagent who is very similar to agents but who lacks the aim (constitutive of agency but not of shmagency) of self-constitution. I am perfectly happy performing shmactions-nonaction events that are very similar to actions but that lack the aim (constitutive of actions but not of shmactions) of self constitution.[12]

> **...since many accounts of objective morality are not naturalistic, it is only appropriate that we consider the metaphysical argument...**

Notice, changing the name of the action away from "self-constitution" does not help the Kantian here. Likewise, saying "rational person" or "human" instead of agent does not really help. Why be an agent or a person? This aims to expose a problem with the aim of being an autonomous agent - why be one? It seems to Enoch a *non-internal* reason is ultimately required here for the argument not to collapse back into subjectivity.

One possible response for the Kantian is that one of the intrinsic beliefs that we all have and that we do not self-determine is that we *ought* to be rational. I might, of course, deny this, but

in doing so I am intrinsically denying my true self, still present within me as a potentiality though I have determined myself in actuality as not-myself. But, of course, Enoch can still reply here, "But why not be not-myself? Why not be a false self?" Of course, one might think that Enoch is simply trying to push too far. If we all have a basic motivation to "be our true selves," perhaps this really is enough. But many think that Enoch's objection leaves the account lacking.

The obvious response here is to move from internal reasons to external reasons, reasons that I can recognize but are somehow external to me, such as autonomy itself. This is of course, what Kant himself seems to do in *The Critique of Practical Reason*.[13] One could then accept Reason Itself as a primary and ultimate reason – a primitive and ultimate notion of goodness. But to many this would cause the account to lose some of its attractiveness. It would no longer be a purely naturalistic account, but would go back into metaphysics. However, since many accounts of objective morality are not naturalistic, it is only appropriate that we consider the metaphysical argument next.

The Second Argument for Objectivity: A Metaphysical Argument

One motivation for an argument for objective moral values that admits metaphysical entities is that it fully addresses Enoch's criticism against the Kantian constructivists. Largely, it is motivated by a principle which is found as far back as Plotinus (and is perhaps implicit within Plato and Aristotle's writings) that what grounds an explanation for something must be different than and prior to (either in time or being) the thing being explained.[14]

This principle is important to recognize from the beginning. If one does not accept it, then there is nothing wrong with the Kantian constructivist response to Enoch's objection.

And if one does not accept it, there is nothing wrong with the notion often advanced in the 20th Century that the Universe is self-creating and, therefore, needs no external Creator. But if one *does* accept it, then Enoch's objection to Kantian constructivism holds, and the Universe must either be uncreated, unordered and indeterminate (in which case the physical laws of the sciences will turn out to all be false in their universal forms), or else it is brought forth by an external First Cause. In the case of the Universe, the argument might flow something like this: "Your science seems to demonstrate that the universe is ordered in accordance with objective rules of some kind, though you are still seeking to discover and understand all of them. If this is the case, then the best explanation is that there exists an Order to the universe. Since this Order includes the laws of space-time, it would have to be external to space-time (since what grounds an explanation for something must be different than the thing explained). Therefore, the Order is not physical, but metaphysical, and ultimately contains the basis of Being or existence or what could be called the ontological laws, thus giving order and determination to reality itself."

The argument from traditional metaphysics regarding morality parallels this move from immanent principles to a single, transcendent Order. Beginning where we left off with Enoch's objection to the Kantian constructivist, the new argument for objective values might go:

Premise 1: People are capable of rationality.

Premise 2: If people are capable of rationality, then rationality, when achieved, would be the same in each.

Premise 3: If rationality, when achieved, is the same in each, then it must be because there exists a Reason Itself that is the same and present within each across space and time.

Premise 4: If there exists Reason Itself that is the same and present in each across space and time, then it must be because Reason Itself is beyond space and time (i.e. eternal).

Premise 5: All things that are eternal are unified as One.

Premise 6: Being Itself is also eternal.

Conclusion 1: If Reason Itself is eternal and Being Itself is eternal, then they are unified as One.

Conclusion 2: For a rational person to reject Reason Itself therefore entails also rejecting Being Itself.

> **…what grounds an explanation for something must be different than the thing explained…**

This might, of course, seem a rather odd argument to a contemporary person. However, this strives to show the way groups like the Neo-Platonists and ancient Christians thought about morality. This is, of course, exactly the sort of argument that Nietzsche especially was famous for trying to discredit and even mock.[15] Nevertheless, this gives a very strong answer to Enoch's question of, "why not be a shmagent?" Namely, when people act irrationally and immorally, then they act against the order of the universe and are attempting to bring into being something which is not (i.e. non-being). And creating intentions within their very person toward non-being, they are introducing non-being into the innermost part of themselves. Whether one looks in the Hindu Vedas, Jewish and Christian Scripture, or in Plotinus, this theme reoccurs in some form.

There is very much to work out in this account as I have presented it. Due to the scope of this paper, I will have to skip why most of these thinkers seem to agree on Premise 5, for instance. And, of course, I have already admitted

that many intelligent people are skeptical about accounts like this. However, a person saying, "I don't buy the arguments for God or the existence of other metaphysical entities," does not constitute a counterargument, so I will move to considering one of the most serious objections to this view: the problem of evil.

A full statement and answer to the problem of evil would take the scope of an entire book to investigate; therefore, I will have to abbreviate the problem, recognizing my coverage is insufficient. As I have expressed the argument above, one could present the problem this way. If evil and non-being are the same, how is it possible that evil exists?

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If the only thing that existed that could determine things was Reason Itself, then it would not be logically possible for this contradiction to exist since it could not exist within Reason Itself. However, since there exists created things with free will, they can self-determine themselves as other than Reason Itself by being irrational. Since their free will exists as being founded in Being Itself, but the existing free will rejects its own freedom and rationality and chooses irrationality instead. Thus, through the mediation of autonomy, creating beings can bring about evil even though it goes against the eternal Order. This provides a short answer to the narrow version of the objection discussed. Even if this is acceptable, however, I have still not had time to try and present answers to the skeptic.

I have brought forward for your examination four distinct lines of argument: two against objective moral values and two very different ones for objective moral values. Which one is correct? This is the crux of the problem, and it cannot be simply overlooked through an appeal to culture. If human beings have any capacity for rationality or rational action at all, then these questions matter. And the arguments presented here are about the existence of something, placing it in the same realm as other questions about existence, such as, "Are there such things as platypuses?" or "Are there such things as quarks?" One might wish to simply advance that "truth" or "reality" is dependent on culture as well. But, if every culture "creates its own reality," then it would create its own mathematics, physics, and geography as well. By these I do not mean the sciences which study them, but the things which the sciences are attempting to study. I do not think that anyone is seriously advancing that physics are different in Syria than in America or the United Kingdom. And the answer to "are there such things as objective moral values?" does not change from location to location either.

Towards an Overlapping Consensus on Values

So far, I have shown that there are significant arguments from both sides of the debate on the objectivity of values. Taken outside of a total set of premises advanced by one's world view, it will be impossible to come to a full determination of which of these arguments one should reject and which one should accept (or if a different argument beyond the scope of this paper is needed). So, does this mean that even if there are objective values, there is no hope for a basis of agreement regarding values, especially when it comes to a morality of war? I am going to argue that there *is* a basis for agreement available, though it is of course highly unlikely that an actual agreement will ever occur so long as some statesmen desire to undermine it.[16]

To effectively examine the hope of a basis of agreement from which various cultures could proceed in an ethical dialogue, one must consider first what things all human beings have

in common—namely, things wholly independent of culture. There seem to be several possible answers here: one might say a common human psychology, another might say the capacity for reason, still others might say human nature. These commonalities often lead to a lot of common norms between cultures, even if these norms begin with basic attitudes. To pick one of these, I argue that one overlapping value that all should endorse is respect for human life and physical integrity of the person.

This value needs to be able to be accepted by both camps: both subjectivists and objectivists about moral values. Objectivists will need to accept it from within their individual ethical theory, but the subjectivist camp seems harder to get on board. Since they deny there are any objective moral reasons, I will argue that each ought rationally to be willing to endorse the basis personally. I shall do this by arguing that it is individually within each person's self-interest to endorse this as the basis for a norm for both their local society and international society, thus making it a plausible starting point for military ethics. This sort of argument is representative. Other overlapping norms are entirely possible and likely.

One of the factors of human psychology seems to be that we all seem to be at least somewhat sensitive to questions of self-interest. It seems that we each have personal preferences and desires that we want to realize. When each of these desires or preferences is about what one believes is for your individual good or benefit, as opposed to the benefits of others, this would be self-interest in the narrow sense: egoism. However, most of us also seem to care about at least some other people, so that we have desires for their good as well as our own. Since human beings are social animals, this seems a natural part of our human experience. We care about our children, our conjugal partners, our parents, and our friends. Usually we desire their good, sometimes even enough to sacrifice our own

good for them. When our desires and personal preferences are considered as including not only those that are about our own good, but also about what we think is good for the others that we care about, this is self-interest in the broad sense of claiming that each of us wish to realize our own personal desires and preferences.

> ...one overlapping value that all should endorse is respect for human life and physical integrity of the person.

Starting from self-interest in this broad sense, I propose the following argument, based roughly on the views of Thomas Hobbes:

Premise 1: If each of us attempt to realize our goals without restriction, then this will lead to a state of conflict in which many or most of us will fail to be secure in our lives and health.

Premise 2: If we are not secure in our lives or health, then we will be unable to continue to pursue our goals or less effective at doing so.

Premise 3: If and only if all agree to the restriction of not harming others in their lives or health, we would be secure.

Premise 4: Because it would be more likely we would realize more goals safely, we should prefer a limited freedom with some security to absolute freedom without security.

Conclusion: Each of us should be willing agree on the restriction of not harming other in their lives or health.[17]

The purpose of this argument is to demonstrate that we should rationally prefer to give up some freedom for the sake of our security. Of course, this willingness will only hold insofar as we think it will make us more

secure. If we adopt a reasonable set of international laws of conflict that would make all of us more secure, it would be rational to do so. From a soldier's perspective, I should be willing to give up my liberty to, say, torture prisoners of war for information for the guarantee that I am much less likely to be tortured if I become a prisoner of war. From the civilian perspective, the same reciprocal notion would apply in terms of each giving up our liberty to bomb others. While such an ethic might justify reprisals on a small scale (to enforce the law), the fact that most of us care about our relatives, children, and others from our culture in future generations would give us each a strong reason not to throw off the military ethic entirely—we would want to preserve it for future wars. Thus, it remains constantly in each of our best interests, especially at the level of the society, to endorse a norm for respecting the lives and health of others.

Could objective moral theorists also accept, from their various ethical theories, a value respecting other persons in their lives and health? Frankly, although religions and ethical systems might differ on when they allow exceptions, every ethical system or religion has some tenet or value that corresponds to not murdering or injuring another without sufficient justification. For Kantians, this derives automatically from the Categorical Imperative. For consequentialists, life and health are foundational goods for all other goods, leading any maximization of human good to lead to a respect for life. Christians, Jews, and Muslims all accept this as part of the Ten Commandments. It is implied by the love one ought to show for the Self within every other person in Hinduism. It is one of the tenets of the Buddhist Noble Eightfold Path.

Because many questions within military ethics do fall under questions of killing or injuring another, this norm provides, from all different ethical perspectives, an overlapping consensus from which an ethical dialogue can begin. What this means is that when we dismiss ethical dialogue between cultures and societies, we do each other as persons an injustice by not considering what we have in common. Our human experiences are indeed close enough to one another that cultures do overlap and develop similar norms.

Conclusion

In this paper, I have tried to demonstrate two things. The first is that when one argues that each culture is equally right within their own culture, one is usually missing the most important arguments in the dialogue about objective values. The second is that even given the differences in views (subjectivist v. objectivist) and cultures, the human experience overlaps enough that most people agree that life is good and death is bad. This means that international society really *does* have a place to effectively begin the dialogue, and it is in individual self-interest to want to accept norms limiting violence. However, uncovering a foundation for a dialogue does not mean that the dialogue will occur. What it does mean is that there is so often an overlap between cultures that members of cultures can almost always find a common ground from which to begin the dialogue. Thus, when soldiers find themselves in cultures with different norms or customs, we should often look for what we have in common as opposed to emphasizing only our differences. *IAJ*

NOTES

1   Herodotus, *The History of Herodotus*, trans. George Rawlinson, (Cambridge: The Internet Classics Library), Book III, accessed 19 March 2018, http://classics.mit.edu/Herodotus/history.3.iii.html.

2   I here defer questions of truth (is correspondence theory correct or one of its alternatives, such as coherence theory?) and reality/existence (what exist or what is "all that is" in Wittgenstein's terminology) to the favorite theory epistemology and ontology of the reader. Nevertheless, one might try to ask, but what if anything that is true, real, or exists only is so insofar it is in the perception or opinion of the observer? Such universal subjectivism is at least as old as Protagoras (or at least Plato's treatment of his theory in *Theaetetus*). I do not take it on universal subjectivism in detail here, but there are at least two common issues advanced with this view that make many think that it is untenable in its radical form that would be problematic here: first, because if it is true, it must be true only subjectively—which means if I hold it to be false then it is false for me, leading it to be both universally true and false for me at the same time; second, because something about reality seems to be determinate (by which I mean not necessarily unchanging, but at least ontologically holding to the Principle of Identity)—and even if only my opinions are determinate (or self-determined), insofar as they are they are *objectively* determinate.

3   J. L. Mackie, *Ethics: Inventing Right and Wrong* (London: Penguin Books, 1990), 36-38.

4   Mackie, 36-41. The version of the argument from queerness which Mackie considers the epistemic version is where I take the premise that objective ethics would require a special form of intuition from. The rest is based on the argument from cultural relativism.

5   Plato, *The Republic*, trans. G.M.A. Grube, C.D.C. Reeve, (Indianapolis: Hackett Publishing Company, 1992), 181-185.

6   Ibid., 186-191. Plato illustrates this point through his famous Allegory of the Cave. Only a few people will succeed in being "turned around" and led out of the cave into the eternal world of the forms.

7   Friedrich Nietzsche, "Beyond Good and Evil" in *Basic Writings of Nietzsche*, ed. and trans. Walter Kaufmann (New York: Random House, 2000), §21, 218-219. This version of Nietzsche's argument is based on comments made in Brian Leiter, "Nietzsche's Moral and Political Philosophy", in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Winter 2015 Edition), §1.2, accessed 21 April 2018, https://plato.stanford.edu/archives/win2015/entries/nietzsche-moral-political.

8   John Stuart Mill, "Utilitarianism," in *On Liberty and Other Essays*, ed. John Gray (Oxford: Oxford University Press, 2008), 137.

9   Cf. Christine Korsgaard, *The Sources of Normativity,* ed. Onora O'Neill (New York: Cambridge University Press, 1996), 92-100, 104-107.

10   Korsgaard, 92-100. In this paragraph, I summarize the key points of Korsgaard's thought process to understand how the Kantian constructivist view understands the reflective process of recognizing its own autonomy and rationality. Because this is a self-reflective strategy, a dialectic approach is more appropriate than a logical summary.

11   Immanuel Kant, *Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (New York: HarperCollins Books, 2009), 96 (429).

12   David Enoch, "Agency, Shmagency: Why Normativity Won't Come from What Is Constitutive of Action," *The Philosophical Review* 115, no. 2 (Apr., 2006): 179.

13   Immanuel Kant, *The Critique of Practical Reason*, trans. Lewis White Beck (Upper Saddle River: Prentice Hall, 1993), 100-112. This interpretation of Kant is based on the work Paul Guyer, "The Value of

Reason and the Value of Freedom," *Ethics* 109, no. 1 (October 1998), 22–35.

14   Plotinus, *Ennead V*, trans. A. H. Armstrong (Cambridge: Harvard University Press, 1984), 141 (V. 4. 1).
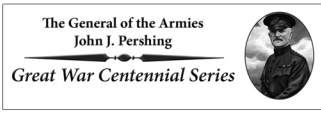
15   Nietzsche, 209-217, 250-253.

16   One can, of course, only reasonably criticize their unwillingness to cooperate in a moral dialogue if there is a basis for a moral dialogue in the first place.

17   Thomas Hobbes, *Leviathan* (Salt Lake City: Project Gutenberg, 2013), Ch. 14, accessed 24 April 2018, https://www.gutenberg.org/files/3207/3207-h/3207-h.htm. The difference between my reasoning and Hobbes' is that whereas I both of us are looking first for an individual norm that each individual (Hobbes' fundamental law of nature), I am attempting to use it as a basis for social norms (and criticizing existing social norms) while Hobbes is using it as part of his argument for endorsing the Sovereign.