

Introduction to the work of Jeff McMahan

American moral philosopher Jeff McMahan has written and lectured extensively on the metaphysics of death and killing. His work is acclaimed for its rare combination of philosophical rigor and at the same time, accessibility to the non-specialist audience. McMahan's 2003 book, *The Ethics of Killing: Problems at the Margins of Life* (Oxford University Press) is described by the publisher as "the first comprehensive study of the ethics of killing, where the moral status of the individual killed is uncertain." In a review for the *Times Literary Supplement*, Ingmar Persson wrote, "The presentation is throughout so lucid that non-specialists should be able to profit greatly from the book...There could be no better proof of the paradoxical vitality of the subject of death and killing than this monumental book."

McMahan's most recent work focuses on the ethics of killing in war, as self-defense, and as a mode of punishment. A significant strand of this current work is dedicated to the re-examination of traditional just war theory. If the theorists of modern statecraft labored to banish the concept of "just war" that prevailed during the Crusades and the religious wars of the Middle Ages (instead believing juridical forms and agreements between sovereign states should focus on limiting war's worst effects), with the current rise of global war we see a resurgence of scholarly, political, and journalistic attempts to theorize the allegedly "just war." McMahan seeks to pry apart the received assumptions grounding many of these arguments using the tools of metaphysics and ethical theory.

In "Just Cause for War" for example, McMahan outlines a conception of just cause for war that he argues has radical implications for contemporary thinking about the morality of war. This revisionist theory is deeply rooted in classical just war tradition, but is antithetical to much of the prevailing doctrine of just war. To begin with, McMahan assigns much greater importance to the criterion of "just cause" than do most other contemporary just war theorists, (55-56) and at the same time greatly limits its scope to "the prevention or correction of wrongs that are serious enough to make the perpetrators liable to be killed or maimed."(65) One consequence of this limited delineation of just

cause is to call into question the prevailing doctrine of U.S. foreign policy in the War on Terror – that “democratization” constitutes just cause for war. “For people cannot be liable to killing and maiming simply for failing to organize their internal affairs in a democratic manner.”(71) Although McMahan maintains that there may be a just cause for war if a people's aspirations for democracy were forcibly prevented by a tyrannical regime, this would not be a war for democracy but an expansion of the category of humanitarian intervention that would include the defense of a people's right to collective self-determination. (71)

Another primary concern of McMahan’s current work is the morality of “preventive war.” In “Preventive War and the Killing of the Innocent”^{vi} McMahan asks whether morality would ever permit preventive wars. He begins by examining the prevailing doctrine of U.S. foreign policy as illustrated by the second Iraq War. According to the Bush administration’s justification for the war (as of October 2003), although Saddam Hussein posed no *imminent* threat, that fact was irrelevant. Therefore the Iraq war was a preventive war, illegal under international law. But, are there conditions under which preventive war should be permitted - for example, in the case of an actual imminent threat? According to McMahan, the usual justifications for war as prevention against future aggression, such as those asserted by the Bush administration, are overly permissive in their implications. In the case of Iraq, the Bush administration “appealed primarily to three claims: that Iraq possessed weapons of mass destruction, that it had a recent history of aggressive war, and that it had indulged in bellicose rhetoric directed against the USA. But... all of these claims were also true, *mutatis mutandis*, of the USA itself.”(174) Since no nation believes its actions are morally unjustified, even if consistent and clear criteria for preventive war could be formulated and agreed upon, in practice they would be likely to be misapplied.

McMahan rejects the traditional just war theory that would prohibit preventive war as war waged in the absence of legitimate targets – defined as those who actively pose a threat to others (178) – and argues to the contrary that the mere formulation of an *intention* to harm could in some circumstances make one liable to attack. Yet McMahan

is not content to rest comfortably with the conclusions generated by metaphysical exploration, and instead confronts problems posed by both practical considerations and the impossibility of certitude, as when he observes that “the evidence for the presence of a wrongful intention is *almost always* insufficiently conclusive to provide an adequate basis for preventive action.”(185)

Jeff McMahan’s forthcoming books include: *The Ethics of Killing: Self-Defense, War, and Punishment* (New York and Oxford: Oxford University Press); *The Ethics of Killing in War: The 2006 Oxford Uehiro Lectures* (Oxford: Clarendon Press); *Ethics and Humanity: Themes from the Writings of Jonathan Glover* (New York: Oxford University Press), coedited with N. Ann Davis and Richard Keshen; and *War and Morality* (Oxford University Press, series edited by Walter Sinnott-Armstrong).

– Lucia Sommer

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