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Comments on Jacob Blair “Why a Defensive War against Mitigated Aggression can be Proportionate. Extending the Right of Self-Defense to our ‘Primary’ Interests”

In his paper, Jacob Blair defends the following thesis: a defensive war against a specific kind of mitigated aggression can be proportionate. Blair’s focus is on cases of mitigated aggression in which a foreign aggressor attempts to conquer and rule a national community. In what follows, I summarize and then critically assess Blair’s argument for this claim.

Blair’s argument for defensive wars against mitigated aggression appeals to the interests that mitigated aggression threatens, demonstrating that such interests are sufficiently important to defend by lethal force. His argument for collective self-defense is reductivist; the argument for the use of lethal force in national self-defense is based on an argument for the use of force in cases of individual self-defense. This is a plausible strategy, in Blair’s view, since a “nation exercising its right of national-defense just is the people of that nation collectively exercising their right of personal self-defense” (1).

In the case of individual self-defense, according to Blair, a sufficient condition for the permissibility of the use of lethal force is that an individual’s primary interest is set back, in the sense that she is unable to pursue it. Following Joel Feinberg, Blair takes interests to refer broadly to those things in which an individual has a stake; how well or badly an individual does depends on how her interests do. Primary interests are either central or welfare interests. A central interest, following David Archard, is one that is “the core of who and what we are as persons” (4). A welfare interest, following Joel Feinberg, captures those things, such as bodily integrity, that are conditions for the possibility of being able to pursue our ulterior ends. Defending central rights via lethal force is justified because setting back such interests leads to a “fractured sense of self and the level of diminishment and degradation,” which we should guard against. Defense of welfare interests, according to Blair, is important because of the necessity of

welfare interests for the possibility of achieving our life aspirations and because the absence of basic welfare is dire in itself.

Drawing on the work of Daniel Bell, David Rodin, Joseph Raz, and Avashai Margalit, Blair argues that individuals have a primary interest to have and be able to partake in the shared life of their national community. This is a central interest because membership in a national community is often a constitutive aspect of an individual's identity. Communal life in a nation-state is also a condition for the exercise of autonomy. In nation-states, the shared values and practices of the national community are reflected in the policies the government pursues and so national communities are in an important sense self-governing. Participation in the shared life of a national community is a welfare interest of individuals, since such participation is often necessary to be able to pursue other ends and interests.

Mitigated aggression threatens the primary interest of members of the victim nation to have and be able to partake in the shared life of their national community because it disrupts the shared life of a national community. Mitigated aggression forces upon a national people both a government that is not theirs and laws and policies that do not reflect their shared way of life. The predictable flow of foreigners following mitigated aggression may further disrupt this shared life. By disrupting the shared life of a national community, mitigated aggression also disrupts the sense of self of individual members of that community. This disruption is a sufficient condition for the use of lethal force in response to be justified.

In critically assessing Blair's argument, I want first to raise some questions about the need for and contribution of Blair's analysis. I then discuss one objection to his view.

The need for Blair's argument is unclear because no general context for his discussion is provided. In particular, Blair does not explain what specifically is morally puzzling about the permissibility or proportionality of defensive wars against mitigated aggression. The reader is also left with no sense of what is special, or especially interesting, about the particular form of mitigated aggression Blair considers. Blair provides no definition of mitigated aggression and does not distinguish mitigated aggression from more general aggression. Nor does he discuss

why arguments for defensive wars in the literature are not sufficient for addressing the form of mitigated aggression in which he is interested. Blair only briefly considers, and then (too) quickly dismisses, an argument advanced by Richard Norman on the general right of self-defense. Because no explanation is given for why a new argument for defensive wars against mitigated aggression is needed, the reader is left without a sense of the contribution Blair's argument is intended to make.

An additional source of concern about the contribution of Blair's argument stems from the fact that Blair draws heavily on the writings of David Miller, David Rodin, Joseph Raz, Avishai Margalit, and Michael Walzer to articulate why the common life of national communities is important for individuals. However, a number of these theorists explicitly consider the implications of their analysis for the question of just war. Blair does not critique any of the authors listed above nor the arguments they advance. One is again left wondering what exactly Blair is claiming that is new. That is, Blair does not clarify how, and in what way, his analysis does more than simply summarize what other theorists have already defended.

Finally, I want to raise a concern with Blair's analysis, which suggests that, at a minimum, Blair's central thesis should be modified. Blair focuses on the general way in which the disruption of the shared national life of a community sets back an important primary interest of members of that community. However, Blair is silent on the character of the values and practices that constitute the shared life of a given national community. Yet, the content of the values and practices of a national community seems critically important to consider when assessing the moral significance of defending such practices. Insofar as the shared life of a community is constituted by practices that oppress a portion of the national community, for example, the significance of protecting those practices from disruption is subsequently mitigated. How we morally evaluate the disruption or setting back of primary interests for members of a national community seems importantly connected to our evaluation of those interests; the setting back of a primary interest, per se, does not seem sufficient to establish that the primary interest is one that should be protected and defended. This is true even if we recognize the implications that such primary interests have for an individual's welfare and sense of self.