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The Moral, the Personal and the Political

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What is the relation between moral reasons and reasons of "political necessity"? Does the authority of morality extend across political decision-making; or are there "reasons of state" which somehow either stand outside the reach of morality or override it, justifying actions that are morally wrong?

Machiavelli's answer to these questions was clear enough. He set it out, together with his main reason for it, in a famous passage:

> the gulf between how one should live and how one does live is so wide that a man who neglects what is actually done for what should be done learns the way to self-destruction rather than self-preservation. The fact is that a man who wants to act virtuously in every way necessarily comes to grief among many who are not virtuous.[1]

Machiavelli's own brand of "political realism" is one which allows that moral assessment does properly apply to political agents, but is overridden by reasons of political necessity. A politician's actions may be morally wrong – contrary to virtue, contrary to "what should be done" – and yet justified. His view differs, therefore, from the view in political theory that moral assessment simply fails to apply to political action. In what follows, I shall maintain that such views are typically both overstated – "political action" covers a broad enough range of cases that a "realist"

treatment of all of them does not stand a chance of being correct – and ultimately confused. Indeed, in this translation, Machiavelli's view wears its confusion on its face. If one action really is "what should be done", there is no space left for the claim that some alternative is all things considered justified.[2] To be sure, we ought to consider subtler and more careful variants of the Machiavellian view. My claim will be that they, too, typically suffer from the same fundamental confusion – a confusion about the nature and expression of practical justification.

I am not alone in thinking this.[3] But the aim of this essay is to bring two new things to this old debate. First, I aim to show how light can be shed on this issue by examining a question that philosophers have discussed in isolation from it: the question of the relationship between moral reasons and reasons pertaining to personal well-being.[4] This will give us a better appreciation of the range of available views about the relation of the moral to the political; more importantly, it will help to explain the fundamental challenge to the idea that there could be contra-moral justification of political action. However, it will also provide us with guidance for thinking about the ways in which that challenge might be answered. We shall find that there *is*, after all, a case to be made for thinking that some political actions can be justified even though they remain morally wrong. And those actions are of great importance to national and international politics today.

I

We need to begin with some distinctions. Discussions of the morally distinctive or problematic nature of political action have often proceeded as if "political action"

were a single thing, and raised a single kind of moral problem. That seems incorrect. We ought to distinguish at least the following four kinds of moral challenge, and four corresponding kinds of "political action".

A first kind of moral challenge is the challenge brought about by the conflicting requirements and responsibilities attaching to political and personal roles. There may be a tension between fulfilling the responsibilities of political office and those of parenthood or friendship. More strongly, one might believe that the virtues associated with these roles are incompatible – a view it is tempting to formulate, with Machiavelli, as the claim that in order to be a successful politician one must be a bad person.

Distinct from this are the challenges created by role-conflict *within* politics. A politicians' roles in representing the interests of different groups – of a local constituency, to take an obvious case, as against the rest of the nation – may give rise to special moral problems in deciding how to respond to those competing claims.

Thirdly, we should distinguish issues of politicians' professional ethics. What kinds of deception is it appropriate for politicians to resort to in dealing with each other and the public? What kinds of commitment is it appropriate for them to make to and demand from each other and us; what kinds of pressure is it appropriate for them to exert in order to achieve desired goals? Are there special justifications for setting the appropriate standards differently for politicians than for others? If standards of actual conduct are different does that itself justify a different standard of expectation?

Fourthly, there are the challenges posed by actions of political statesmanship, in which decisions need to be taken about the present and future prosperity of a state and its relationship to others. It is here that questions arise concerning the use of violence

to further such ends, or the use of other means that harm or restrict individuals for the sake of a national interest.

Why should we think that actions of these kinds are morally special? Why should the moral challenges they raise be thought different in kind from the sorts of moral challenges generated in other areas of life?[5] Let us briefly survey some of the most prominent suggestions. Then we can examine whether any of them could make it plausible to say that political actions can be all-things-considered justified, but morally wrong.

One idea is emphasized throughout the literature on this topic: in political action, individual agents are acting in a *representative* capacity. But why does that make political action morally special? From here, the reasons given by different writers diverge, and we ought to distinguish them. One view which has always been practically influential is that moral assessment applies solely to relationships between individual persons and not to entities such as states: morally assessing the actions of a state is a kind of category error – an anthropomorphic fantasy – that clear thinking will avoid.[6] However, there is little to be said for that view, and I shall simply set it aside here. Individuals can cooperate, in groups of different sizes, to perform collective actions with all of the characteristics that make them proper objects of moral assessment, as generous, loyal, cruel, dishonest, and so on; and that cooperation, on the largest scale, can amount to the agency of the state. So let us review some of the other suggestions.

A first straightforward line of thought is the one we saw above in Machiavelli. Successful political representatives[7] tend to be unscrupulous (and tend to be successful because they are unscrupulous); so holding oneself to scruples about honesty in your dealings with them is merely naive. If political objectives are worth

pursuing at all – and they are – then they must be pursued effectively. But that requires a level of unscrupulousness at least equal to that of your competitors. Any less would be not merely self-sacrificial but, in a political representative, other-sacrificial.

This hints at a second, equally straightforward reason for thinking that the actions of political representatives are morally special: they can have weighty consequences, impinging on the welfare of many people. In particular, a point often emphasized is that our political representatives bear the responsibility for authorizing the socially sanctioned use of violence. There are some actions which no purely private objectives of mine could justify; but they have to be contemplated in order to protect the welfare and rights of many.[8]

Thomas Nagel interestingly subsumes this second suggestion under a third.[9] Nagel argues that what makes the actions of political representatives morally special is the different ways in which the principles of impartiality that are fundamental to morality are appropriately formulated to govern the different contexts of private and public action. In the private sphere, I am morally required to recognize that my interests should be pursued only in those ways that could impartially be permitted to anyone else. That means renouncing the use of violence in all but the most extreme circumstances, and ceding the authority to use it on my behalf to impartially established authorities. Its use, then, is governed by requirements of impartiality too: but this time, these are requirements that impartial consideration be given to the rights and welfare of all of those individuals who are represented and on whose behalf this authority is being exercised. These requirements of impartiality apply principally to the political institutions established to constitute and regulate our society, and derivatively to the bearers of the offices contained in those institutions. In moving

from the status of a private citizen to that of an office-bearer, impartiality now regulates my actions in a different way. The issue is no longer what entitlements I can impartially be given as one individual acting among others; but what impartiality requires of me in exercising those powers and privileges ceded to me by each of the individual members of my society.

Martin Hollis makes a fourth, different suggestion.[10] The special moral complexity of politics comes from the fact that no politician acts solely as the representative of *one* group. The role of any politician is to act in the face of competing interests, loyalties and obligations. Politics is "the art of compromise". What is morally compromising about political life – inevitably so, since it is its essential feature – is that one set of commitments must be left at least partly unsatisfied in order to satisfy another. Skill in practising this art consists in finding the least unsatisfactory compromise between these competing demands. But even when skilfully practised, it always leaves some group with a legitimate complaint about the betrayal of trust.

None of these lines of thought is in itself implausible. The question I wish to pursue, though, is what kind of conclusion they could establish about the morally special nature of political actions. It is one thing to conclude that the political context generates special moral requirements; quite another to maintain that morally wrong actions may be politically justified. There is a general challenge to thinking that the latter conclusion could ever be the right one to draw. To appreciate that challenge, let us turn now to the parallel debate about whether morally wrong actions could be justified on grounds of personal well-being.

II

How should we think of the relationship between judgements about what is morally right and what is personally best or most fulfilling? Four basic possibilities offer themselves for consideration.

A first way to approach this is by thinking of the moral and the personal as offering us two separate fields of reasons – two distinct sets of features that actions can have, and which contribute separately to verdicts about moral rightness and personal flourishing, beyond which one is left with the further task of reaching an overall verdict about what there is most reason to do. However, this view has only to be described to realize that this would be an odd way to think of the relationship between the moral and the personal. It is hard to see any plausible view of moral judgement on which verdicts about the moral status of an action can be reached independently of considering the impact of the action on the agent's well-being. For surely, whether an action is generous or fair, cruel or dishonest can be influenced by costs to the agent in performing it.

So the idea that the moral and the personal offer two separate fields of reasons looks unattractive. Notice, however, that this still leaves open the possibility that verdicts about the moral status of an action fall short of overall verdicts about what there is most reason to do. Even if moral verdicts cannot be reached independently of the considerations that provide personal reasons, it might still be the case that personal reasons sometimes or always override those moral verdicts in determining what there is most reason to do. For an analogy: if I am determining my best strategy in a game, how tired I am might be a relevant factor. But once I have reached a conclusion about

my best strategy, that still leaves open the question whether, all things considered, I have most reason to pursue that strategy. I might have most reason to abandon the game. And how tired I am might be part of what makes that true.

When, in “Moral Saints”, Susan Wolf argues that “morality itself should not serve as a comprehensive guide to conduct”, it is natural to see her as putting forward a view of this kind.[11] She is not committed to seeing the moral and the personal as constituting two separate fields of reasons, but does see moral verdicts as falling short of overall judgements about what there is most reason for a person to do. And (at least as I read her), she does think that such overall judgements can be made. In at least some cases, what there is most reason for a person to do is to act contrary to what is recommended by morality.[12]

Notice next another distinct but related possibility. Perhaps in some cases it is not possible to reach an overall judgement about what there is most reason to do. There is a compelling moral case to do one thing, a compelling personal case to do another; and the reasons favouring neither action prevail over those favouring the other. And perhaps, furthermore, this is not simply a case of an evaluative tie, in which the right thing to do is simply to make an arbitrary choice between two alternatives which are supported by equally strong reasons. Perhaps the two sets of reasons are incommensurable: there would be a moral loss in acting one way, a personal loss in acting the other way, but neither of these losses can be properly justified or compensated for by the reasons favouring the alternative action.[13]

Add to these the further, straightforward view that moral reasons are always overriding – moral verdicts are always conclusive verdicts about what there is most reason to do – and this gives us four possibilities: separate fields of reasons; moral verdicts as subsidiary to overall verdicts about practical reasons; incommensurability

(as a result of which no overall verdict is possible); and morality as overriding. No doubt, this four-alternative classification could be refined further. But it gives us what we need in order to pursue the task in hand. Let us now notice how it can be applied to thinking about the relationship between the moral and the political.

The analogue of the first view is one on which the moral and the political offer separate fields of reasons. On this view, actions have two separate sets of features: those relevant to judgements about their moral merits and their political merits. Someone contemplating an action that possesses features of these two different kinds needs to assess the respective strengths of the reasons provided by these different features. And having done so one might judge that the action which, given the strength of the moral reasons against it, is morally wrong, is nonetheless more strongly supported by the political reasons in its favour. Machiavelli seems to be working with this picture. Morality, he seems to assume, peremptorily commands us to perform actions of certain kinds (kinds specified, apparently, in a list of virtues) and not to perform actions of certain other kinds. The political justifications one may be able to give for performing the latter actions will be irrelevant to whether those actions are morally wrong. But they may still be good justifications.

Corresponding to the second view will be a position that denies Machiavelli's apparent assumption that the moral and the political offer separate fields of reasons, but agrees with him that moral verdicts can fall short of overall verdicts about what there is most reason to do. Michael Walzer's well-known discussion of the problem of "dirty hands" in political action belongs to this category.[14] Walzer does think that we can reach overall verdicts that morally compromising political action is all things considered justified. But it is not as if the moral and the political constitute two neatly separable fields of reasons. On the contrary: the justification for such actions – actions

of dishonesty or secretly authorized violence, in Walzer's examples – is a justification for thinking that they are morally required. However, they are also morally forbidden. It is not just that a good person should feel uncomfortable about doing such things: she will have done something wrong. Such situations constitute moral dilemmas, in the strict sense: situations in which whatever you do you will be doing something morally wrong. And this can be true, Walzer holds, even when one action is the one which, all things considered, you ought to perform.

Remove the last claim, and you would have a version of the third view. This holds that, at least sometimes, the reasons for and against a "politically necessary" action cannot be commensurated against each other in order to reach an overall verdict about what there is most reason to do. One version of this view will be one that, like Walzer, characterizes such situations as moral dilemmas. But it would be possible to deny that, holding that a single moral verdict can be reached to the effect that an action is wrong, that the reasons in its favour show that it is politically necessary, and that no further, comprehensive verdict about what there is overall reason to do can be reached.

Last of all, to complete our taxonomy, there is the analogue of the fourth view, according to which morality is overriding. On the strongest, Jeffersonian version of this view, what public life calls for is the unwavering application of the virtues of private life – above all, transparent open dealing.[15] To think that moral and political justifications conflict is simply a sign of moral corruption.

In the previous section, we canvassed some of the reasons for thinking it naive, even irresponsible, to recommend the virtues of private life as a guide to political action. But the question is whether someone who thinks this should still advocate a version of the fourth view. Will any conclusive justification for a standard of political

action count as a justification for thinking it morally right? Let me now set out the case for thinking so. Again, I shall approach it by way of its analogue in the relation of morality to personal life – the case for thinking that any all-things-considered justification for pursuing my own fulfilment will have to be a *moral* justification for doing so.

III

Let us return to the first view, according to which the moral and the personal constitute separate fields of reasons; and let us start with a very simple version of this view. Suppose you conceive of morality as a set of exceptionless – *morally* exceptionless – prohibitions: never lie, never steal, and so on. Sensibly, you then add that considerations of personal well-being can provide good reasons for breaking such rules, and that can be what, all things considered, one should do. But you insist that this does not make such actions *morally* acceptable. You allow that if the only way for me to save my own life is to tell a not-very-serious lie, then I am justified in doing that; but you insist that this is a case in which there are good non-moral reasons (reasons that are unrelated to the contents of your moral rules) for doing what is morally wrong.

There is a problem with this view. If I am given a set of rules for conduct and told that sometimes I am justified in adhering them and sometimes I am justified in breaking them, then what is *important* is not whether I have broken the rules but whether I have justifiably broken the rules. The rules may have some heuristic value in helping me to decide what I am justified in doing – they may pick out important

considerations for me to think about, or supply me with useful rules of thumb if exceptions to them are few – but they will not themselves express conclusions about what I am justified in doing. And these latter conclusions are the ones that are important. If there really *is* a good justification for breaking the rule, then that is a good justification for me to dismiss the criticism of anyone who criticizes me for breaking it, and a good justification for others not to criticize me in that way.

The problem for this first way of conceiving of morality, then, is that "morality" ceases itself to be something we ought to treat as important.[16] What is important is "morality-when-it's-justified". The complaint that an action is "morally wrong" – prohibited by the rules – is not itself something we ought to take seriously: what we ought to take seriously is the complaint that an action is "unjustifiably morally wrong". Thus, if morality really is to constitute a subject-matter that is *important*, and talk of moral wrongness really is to express *criticism*, it will have to be equivalent to "morality-when-it's-justified". We need a vocabulary to express conclusions about *this* subject-matter – whether or not an action really is justified – so it makes sense to reserve "morality" for that.

There are further problems with the view that morality consists in a set of prohibitional rules. But they are beside our present purpose. The point that concerns us here is that the problem we have just identified can be generalized. It is easy to see how it generalizes to cover all versions of the view that there are separate moral and personal fields of reasons. If, given the actions that are recommended by moral reasons, we are sometimes justified by personal reasons in not performing them and sometimes not, then we will always have the distinction between "morality" and "morality-when-it's-justified"; and the latter, not the former, is what it makes sense for us to treat as important.

What if we deny that the moral and the personal constitute separate fields of reasons? Recall the second of the four views set out in Section II. This denies that moral verdicts can be reached independently of considering reasons of personal welfare, but still sees moral verdicts as falling short of overall judgements about the all-things-considered justification of action. To illustrate this, stay with the example of lying. A view of this second kind might allow that considerations of personal cost are relevant to the morality of telling a lie – so that the fact that it is necessary to save my own life means that lying is not morally wrong. But it might still insist that there are lies that it *is* morally wrong to tell which are nonetheless all-things-considered justified. A serious personal inconvenience may not be enough to make a lie *morally* acceptable, but it may be enough to give me most reason to tell it. Actually, it seems to me that many of us think of our convenient lies in this way. However, in doing so, we run into the same problem. A view of this kind has to distinguish two different roles that reasons of personal welfare can carry in forming judgements about an action: there is the weight that those reasons carry for *morality*, and the weight that they carry in the overall justification of action. But once we have this distinction, we have once more turned morality into something unimportant, for the same reason as before. "Morality" ought to be relegated in our concerns in favour of "morality-when-it's justified".

Given this problem with the first two views, it is tempting to turn to the third for a better expression of the idea that there may be good personal justifications for acting contrary to morality. This third view refuses (at least sometimes) to make an overall judgement about what there is most reason, all-things-considered, to do. Often, reasons of personal fulfilment will favour doing what is morally wrong. Sometimes, those personal reasons are not defeated by morality, but nor are the moral reasons

against it defeated by the personal reasons. Each set of reasons carries a force that is not extinguished by the other, but nor do they balance each other: the two are incommensurable. To dramatize this view, take a different example. Suppose that, for reasons of personal fulfilment, I have decided to split up from my partner, despite the bad consequences for her and our young children. According to the third view, splitting up might be morally wrong and personally best, with no further judgement to be made about all-things-considered justification.[17]

The problem faced by the first two views is that if my action is all-things-considered justified, then declaring it to be "immoral" is not something I should be concerned about. The third view avoids that problem. My action is neither all-things-considered justified nor all-things-considered unjustified. It is unjustified from a moral point of view, but justified from a personal point of view: no global verdict about the overall justification of the action can be reached.

However, let us examine these claims more carefully. What could it mean to say that my action is unjustified from a moral point of view? One natural suggestion is this. Sometimes, reasons pertaining to my well-being are good enough to justify performing an action that is detrimental to someone else – as in the earlier example of lying to save my own life. But sometimes they are not – as when I lie to get out of an inconvenient appointment. An action is morally unjustified when my personal reasons for performing it are not good enough to justify its detrimental impact on others.

But this cannot be how the third view understands morally unjustified action. For this suggestion concedes what the third view is trying to deny: the idea of the overall justification of action. Instead, saying that an action is justified from the personal but not the moral point of view will have to amount to this. The personal reasons favouring the action are good enough to justify it from *my* point of view; but not from

other people's point of view (in particular, the point of view of those affected by my actions).

The idea that an action could be "justified from my point of view" is deeply problematic, though. For there is no-one for me to address such an assertion to. If I offer facts about my welfare to others as a justification for my action, they should be rejected. No-one else should accept that my doing what I do is justified. For me to resort to saying that my action is "justified from my point of view" cannot amount to more than simply saying that I *will* do it. There are aspects of it that cast it in a favourable light for me. When the question is raised whether they are substantial enough to justify my action, the rest of you should answer No. You can, of course, agree that my action is *best for me*. And you can recognize that, from my point of view, it *appears* to be justified. But when I assert that it is justified, everyone else should reject what I say. Justification "from my point of view" is no sort of justification at all.

So the idea that morally wrong actions could be justified on grounds of personal fulfilment faces a serious challenge. The core of this challenge is that it is hard to make sense of the idea of "moral justification" as contrasted with "personal justification" and somehow subsidiary to the overall justification of action. The *important* practical question is whether any reasons pertaining to my own well-being are good enough to justify my doing what is detrimental to others. If we answer Yes to this question, then a lack of "moral justification" is not something we should be concerned about. And if we try to avoid the question by talking about "justification from my point of view", then we are resorting to something that is not justification at all.

Now let me explain how the same challenge applies to the idea that morally wrong action might be politically justified.

Again, there are three views for us to consider as ways of filling out this idea: separate fields of moral and political reasons; moral verdicts as subsidiary to overall verdicts about practical reasons; and incommensurability. The first two views differ over whether the moral and the political constitute separate fields of reasons; but they share the claim that moral verdicts fall short of overall verdicts about the justifiability of action. And since they share this claim, they will both invite the objection that "morality", so conceived, has been turned into something it does not make sense for us to care about. We ought to care about "acting morally" when this *is* all-things-considered justified; but if sometimes it isn't, we ought not then to care about it. What we should care about is morality-when-it's-justified. So we might as well reserve "morality" for this latter subject-matter. If there *are* overall verdicts to be reached about the justification of action, then *that* is the proper object of our practical concern. It is only by thinking of "morality" in a way in which there is good reason not to think of it that we can generate an apparent problem of contra-moral justification.

This objection is avoided if, after all, there is sometimes *no* all-things-considered verdict to be reached about the justification of an action for which the moral reasons speak in its favour while the political reasons speak against it. This is what the third view claims: reasons of political necessity might require me to torture you, morality might forbid it, and there might be no overall verdict to be reached about what, all up, there is most reason to do. But someone saying this runs into the other part of our challenge. What is it to say that the action is not morally justified? One natural suggestion is that it is to say that the political reasons for performing the action are not good enough to justify it, given the reasons not to torture people. But to say this is to

concede the idea of overall justification of action, which the third view denies. Instead, the claim that an action is justified from the political but not the moral point of view will have to come to this: the political reasons favouring the action are good enough from the point of view of the beneficiaries of the action, but they are not good enough from the point of view of those to whom it is detrimental. But now we arrive at the corresponding problem to the one reached earlier. Even if there are several of us performing a collective action, making claims about the justification of that action "from our point of view" achieves nothing if no one else ought to accept that our actions are justified. To say that we are justified "from our point of view" in doing something to you cannot amount to more than saying that we *will* do it. If there are features of the action that favour our doing it, independently of whether we *will* do it, then those features justify doing it. And if there are features which do justify doing it, then they justify doing it despite the fact that it will be bad for you. "Private justification" is no justification at all. This view does not generate a conflict between two different kinds or sources of justification: moral and political. Rather, it abandons the idea of *justification* altogether.

Thus, the idea that there can be contra-moral justifications for political action faces essentially the same challenge that confronts supposed contra-moral justifications of personally beneficial action. Either such views have simply turned "morality" into something we ought not to care about (and have consequently made it uninteresting that there can be contra-moral justifications for political action) or they resort to an appeal to a kind of "private justification" which is no justification at all.

IV

I think there are two ways in which this challenge might be addressed. The remainder of the essay sets them out.

For the first, let us return to Walzer's view. On this view, politically necessary actions may be all things considered justified – and justified because they are *morally* justified – yet at the same time morally wrong. They may be both morally required *and* morally forbidden: moral dilemmas in the strict sense. He gives prominence to two examples: one in which a politician needs to bargain with a corrupt party official in order to get elected, and another in which a politician must authorize the torture of a terrorist suspect in order to save lives.[18] Although the politician should in each case, all things considered, perform these actions, the grounds for thinking them immoral remain undefeated. Anyone performing such actions should not simply regret having to do it, but should regard their action as *wrong* – as calling for guilt and atonement, and not merely sadness.

Walzer is therefore giving what has come to be called a "moral residue" argument for the existence of moral dilemmas. Although there can be circumstances in which one is justified in overriding a moral rule, the appropriate attitude to have in doing so is not to think of the rule as having been annulled. It remains in force, and breaking it calls for the attitudes of guilt and actions of atonement that are appropriate responses to wrongdoing.

This view suggests one way of replying to our challenge. When it is objected that a distinction between "morality" and "morality-when-it's-justified" makes the former unimportant, Walzer can reply as follows. It may be very important, in performing an

action which is all-things-considered justified, to acknowledge the "moral residue" that the action leaves: the unaddressed reasons that remain in force for not performing the action. An insensitivity to those reasons is something for which criticism is appropriate. And a proper sensitivity to them may involve characteristic responses of apology and compensation. In these ways, then, moral requirements may remain important even when one is all-things-considered justified in not doing what they require.

Opponents of moral dilemmas have a reply to Walzer's view. We should certainly recognize a distinction between moral rules that are overridden and those that are annulled altogether. I might be justified in breaking my promise to meet you for lunch if there is something much more important I am called on to do instead; but I should still apologize to you and offer to make amends. This is different from a situation in which you release me from the promise: now the promise has been annulled, not broken. However, accepting this, it might be insisted, does not force a distinction between what morality requires and what is all-things-considered justified. In the first case, I am all-things-considered justified in (i) breaking the promise and (ii) apologizing and offering to make amends. I am also justified, no doubt, in feeling bad about breaking my promise to you. But whether that bad feeling is properly a feeling of guilt depends on whether the action is appropriately thought of as wrong. And there are grounds to deny that. If I am all-things-considered *justified* in breaking a moral rule, then it might make sense for me to regret having been put into a situation where that was the right thing to do, but it becomes hard to see what further concern it could be sensible to express by saying that the action was *wrong*. The problem is essentially the earlier problem concerning a distinction between "morality" and "morality-when-it's-justified". We had better not be turning "wrongness" into something unimportant.

I think this debate – the debate over the merits of a "moral residue" argument for moral dilemmas – has missed an important distinction. To appreciate this, we can stay with the example of promise-breaking. I could find myself in a situation where I am justified in breaking a promise through no fault of my own. I have promised to meet you for lunch, let's say, but confront an emergency on the way: there is an accident, and I need to take someone to hospital. Alternatively, the situation might be my fault: I have promised to finish the paper by the end of the month, have also taken on the responsibility of preparing a new course for the start of the semester, and now I find I can't do both. These two cases are similar in one respect, and different in another. The similarity is that, given the choice I have ended up facing, I am all-things-considered justified in breaking my promise. The difference is that in the second situation but not the first, I cannot give an adequate justification of the actions through which I ended up facing that choice. And this makes it misleading to say, without qualification, that I can justify breaking my promise in the second case. I can give what we might call a "proximate justification" of the action, given the circumstances of the choice, but I am also answerable for those circumstances, and I cannot justify the actions that got me into those circumstances.

This distinction seems important – indeed, it seems to have the kind of importance which it makes sense to mark using moral language. In the first case, the "residue" left by the action includes apology and offers to make amends; but it does not include the thought that I have treated you unjustifiably. In the second, it does include this further thought. And *this* thought – the thought that I cannot properly justify my actions to those whom they unfavourably affect – is clearly one it makes sense to frame in terms of wrongness. Even though I am justified in breaking my paper deadline given my teaching commitments, I can be blamed for getting myself into a

situation in which I cannot discharge the responsibilities I have taken on. I cannot adequately justify to my editor my failure to finish the paper, since I could have finished it, had I done everything I should have done. So here, breaking the promise does remain wrong.

This suggests a first way to meet the challenge set out in Section III: it shows how there might be all-things-considered justifications for morally wrong actions. However, when we apply it to the case of "politically necessary" actions, notice that it fits poorly with the kinds of examples Walzer himself describes. Presented with his examples of the corrupt bargain and the authorized torture, we should ask a straightforward question: is the politically necessary action morally justified or not? If it is, then there may be a place for regret on the part of the agent at having to do something undesirable, but there is no place for *criticism* of the agent for doing something *wrong*.

Instead, the actions which are appropriate candidates for Walzer's treatment are the two kinds of role-conflicts we identified in Section I: conflicts between political and personal roles, and conflicts within politics between the demands of representing the interests of different groups. There will be a range of such cases. In some of them – where the conflict is not my fault – the justified action will not be morally wrong. But in others, there will remain scope for moral criticism of me, even when I am justified in reconciling a role-conflict by acting to fulfil one set of responsibilities in preference to another. For it may be my fault that I have taken on these different responsibilities. *Given the conflict*, I may be able to justify resolving it by acting in a way that lets one group down; but I may not be able to justify having got myself into the conflict situation, and if not, I cannot justify letting down the members of that group. I have wronged them.

Role-conflicts, therefore, offer us one way in which an action which is politically justified may still be morally wrong. And if it is true (as Martin Hollis claims) that the characteristic feature of political agency is the way it involves representing the conflicting interests of different groups, then that would explain why this kind of contra-moral justification is endemic (if not unique) to political life.

VI

There is another way in which talk of contra-moral political justification might make sense. It comes from the way in which political action is responsive to what I shall call "reasons of allegiance".

You and I structure our lives, to differing degrees, around different activities which we think of as valuable: activities of philosophical enquiry, artistic endeavour and appreciation, personal relationships, the enjoyment of our environment, sports, and so on. Our allegiances differ, in two basic ways. Some of our opinions about the value of different activities diverge; and even when we agree, no one can pursue everything that is valuable – there isn't enough room in one life to fit it all in. So I find myself pursuing those activities in a society most members of which do not share my allegiances, and many members of which do not even see them as valuable.

In relation to such activities, there are two different kinds of reason-giving practices to consider. There are the reasons I can give myself for pursuing those activities, which are also reasons I can give to those who share my allegiances. On the other hand, there are the reasons I can give to those who do not share those

allegiances to respect my ability to pursue them. The contents of these two kinds of reasons are different. My reason for devoting myself to *X* will have the form:

(1) that *X* has great value

whereas the reason I can give to others for respecting my ability to devote myself to *X* takes the form:

(2) that *X* is an allegiance of mine.

Even if you deny (1), you should still recognize (2) as a reason for allowing me (within limits) to pursue *X*. You have your allegiances; I have mine; and we ought to respect each other's ability to pursue the allegiances we have. Even if you do not respect *X*, you should respect *me*.

Respecting me does not require you to respect the objects of my allegiances, but it requires you to respect the fact that I have them. Reasons of respect, then, require others to provide me with the space in which to pursue my allegiances. However, they also place constraints on the extent to which, in pursuing my allegiances, I can properly impinge on the interests of others.[19] Suppose that I am convinced that *X* has great value, convinced that you ought to think so too, and convinced that *X* is valuable enough to justify bearing personal hardship in its service. But suppose you disagree. That may be something I ought to respect too. For I ought to acknowledge that there can be reasonable differences of normative and evaluative opinion: reasonable differences of opinion about what is most worth doing and valuing. When you and I differ over which of a range of options is best, this might be because one or both of us is being unreasonable; but then again it might not. We might both be making a serious and unprejudiced effort to evaluate those options and to listen to each other, but might still end up disagreeing. Accepting that you are reasonable does not commit me to

accepting that you are right. But it might have important moral implications. It might, for example, make a difference to whether it is morally acceptable for me to impose hardship on *you* through my pursuit of *X*.

This suggests a view about what morality requires of us by way of respect for other people which goes beyond what has been assumed so far. So far, I have been asking whether the reasons favouring an action are good enough to justify its detrimental impact on others. However, it might be thought that treating others in a morally respectful way involves asking a different question. I should ask myself not simply whether there is a good justification for actions of mine that impose a cost on others: I should ask whether there is a justification that a reasonable person affected by my action would have to accept as adequate.[20] What is at stake here is a stronger ideal of respect for others: an ideal of mutually respectful dealing that involves only imposing hardships on others for reasons that they can reasonably be required to recognize.

I claim here simply that this is an appealing idea: I do not have the space to discuss its merits more fully. What I want to do in closing is to draw attention to its application to our question concerning political action.

Let me approach this by asking a question. Don't these two pictures of morally required respect – justifying my treatment of you, versus justifying it on grounds that you cannot reasonably reject – actually coincide? If there are good reasons for requiring me to treat you respectfully in the latter way, then I will have to do that in order for my treatment of you to be justified.

Here is how they could fail to coincide. Suppose the following things are true. *X* itself is at stake. It does have great value, and I know that. You reasonably but

incorrectly disagree. And it is up to me whether *X* is to be protected; but I can only protect it by imposing hardship on you. If these things are true, I cannot justify imposing that hardship on grounds that you cannot reasonably reject. So, if morality requires treating you in accordance with the ideal of mutually respectful dealing that has been described, imposing that hardship would be morally wrong. However, if *X* is valuable enough, I might be justified in protecting it despite the disrespectful treatment of others. My action could thus be justified, but morally wrong.

For most of us, such a situation will rarely arise. My refraining from pursuing philosophical enquiry will not jeopardize philosophical enquiry itself. So I cannot cite *that* as a good reason for imposing hardship on you in my pursuit of philosophical enquiry. True, *my fulfilment* is also valuable (since *I* am valuable), and that is something that can justify my actions. But my fulfilment is no more valuable than yours, so there are strict limits to the extent to which this can justify me in imposing hardships on you.

However, I think there are some agents for whom the situation I just abstractly described does arise, and acutely so. For a concrete and urgent example, we can return now to politics.

In Section I, we canvassed various ways in which it can be taken to be significant that politicians act in a representative capacity. There is a further important way in which this is true. Many of us think that a state itself can embody goods beyond the well-being of its individual citizens. It can have a history and a culture which embody ideals of civilization, achievement, respect and fellowship that are worth upholding and protecting. Consider a state of which this is true. The representative role of a politician may then amount to the custodianship of those values. And protecting such values might require actions of various troubling kinds. In extremity, it might involve

declaring a war. But it might also license a range of lesser impositions: restrictions on individual liberties in the cause of protecting a state against its enemies.

The question I want to close with concerns what we should say about the imposition of hardships on individuals who do not share the ideals being defended. There is no special problem surrounding what we should say about defensive actions taken against, say, fundamentalist terrorists bent on destroying a Western liberal democracy. We can justify defending ourselves, and the larger ideals which our civilization embodies, against such attacks; and the fact that our justifications are not accepted by those against whom we are defending ourselves presents no moral problem. A terrorist fanatic cannot *reasonably* object to our efforts to defend ourselves against him. However, what about the innocent victims of our self-defensive efforts – the innocent victims of a self-defensive war; the people whose liberty is curtailed by intelligence-gathering activities?

My closing suggestion is this. The justifications we – and, on our behalf, our political representatives – have for our self-defensive actions may be ones that those living according to other ideals may reasonably reject. If the values embodied in our society really are endangered, there may be powerful justifications of form (1) above for defending them. However, those justifications may reasonably be rejected by those who do not share our allegiances. Someone reared in a fundamentalist tradition emphasizing religious purity may be incorrect, but not unreasonably so.[21] And if so, our self-defensive actions may be incompatible with a morally appropriate respect for them. We may be unable both to treat them respectfully and to defend our own ideals. Our political representatives, on our behalf, may indeed be justified in defending the values of our society. They should certainly not do so in a way that imposes avoidable hardship on the innocent. But sometimes they must do so by imposing unavoidable

hardship on the innocent. Some of those innocent people reasonably reject our ideals. Our treatment of them constitutes the other example of action which may be politically necessary but morally wrong. We do wrong them – but we are justified in doing so, in the defence of ideals that must be protected. And there is a strong case for thinking that this is the morally uncomfortable situation we are in today in defending ideals of personal freedom and democracy in the West.

[1] Niccolò Machiavelli, *The Prince*, trans. George Bull (Harmondsworth: Penguin, 1975), Ch.XV. True, it is possible that Machiavelli is exaggerating for effect in this passage. Shortly afterwards, he clearly reveals his attraction to the different view that someone who is naive enough to expose himself to destruction at the hands of the unscrupulous is not virtuous at all, but lacking in the virtue of prudence: "taking everything into account, he will find that some of the things that *appear* to be virtues will, if he practises them, ruin him, and some of the things that *appear* to be wicked will bring him security and prosperity." [Emphasis added.]

[2] I am taking the question of whether an action is all things considered justified to be the question whether there is sufficient reason for it, and not whether a person who performed it would be rational. (I do think there is room to ask whether it would be rational for a given agent to do what should be done.)

[3] See e.g. Gerald F. Gaus, "Dirty Hands", in R.G. Frey and Christopher Heath Wellman (eds), *A Companion to Applied Ethics* (Oxford: Blackwell, 2003), pp.167-79.

[4] In talking of "reasons pertaining to personal well-being" I mean to allow for the observation, made by Scanlon and others, that my reason for performing the actions that contribute to my well-being is rarely *that they contribute to my well-being*. See T.M. Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Harvard University Press, 1998), pp.128-33.

[5] For the case against thinking that this question can be given a satisfactory answer, see C.A.J. Coady, "Politics and the Problem of Dirty Hands", in Peter Singer (ed.), *A Companion to Ethics* (Oxford: Blackwell, 1991), pp.373-83.

[6] The American diplomat George Kennan was expressing this view when he wrote: "Moral principles have their place in the heart of the individual and in the shaping of his own conduct, whether as a citizen or as a government official.... But when the individual's behaviour merges with that of millions of other individuals to find its expression in the actions of a government, then it undergoes a general transmutation, and the same moral concepts are no longer relevant to it." – *Realities of American Foreign Policy* (New York: Norton, 1966), p.48. However, the core theorists of political realism such as Morgenthau and Niebuhr are more careful to emphasize a distinction between the proper standards for the *moral* assessment of states and individuals. See Hans Morgenthau, *Politics Among Nations*, 5th edition (New York: Knopf, 1973) and Reinhold Niebuhr, *Moral Man and Immoral Society: A Study in Ethics and Politics* (New York: Scribner, 1949).

[7] Machiavelli, of course, is writing about self-authorized representatives rather than democratically authorized ones.

[8] This is one of the main points emphasized by Michael Walzer, "Political Action: the Problem of Dirty Hands", *Philosophy and Public Affairs* 2 (1973), pp.163-4, 174.

[9] Thomas Nagel, "Ruthlessness in Public Life", in Stuart Hampshire, *Public and Private Morality* (Cambridge: CUP, 1978), pp.75-91. Nagel is not claiming that what is politically right can be morally wrong. Rather, his claim is that public and private morality differ, and that the former cannot be derived from the latter, although they share a common source.

[10] Martin Hollis, "Dirty Hands", *British Journal of Political Science* 12 (1982), pp.385-98.

[11] Susan Wolf, "Moral Saints", *The Journal of Philosophy* 79 (1982), p.434.

[12] Not everyone reads Wolf this way: see e.g. Catherine Wilson, "On Some Alleged Limitations to Moral Endeavor", *The Journal of Philosophy* 90 (1993), p.280. However, it seems to me that in passages such as the one quoted in the text, or when she urges "that we have reason not to aspire to [the ideal of moral perfection] and that some of us would have reason to be sorry if our children aspired to and achieved it" (p.436), Wolf is embracing the possibility of all-things-considered judgements about reasons for action.

[13] This seems the best way to characterize the position set out by Wilson, "On Some Alleged Limitations to Moral Endeavor", esp. pp.284-9.

[14] Michael Walzer, "Political Action", pp.160-80.

[15] "I never did or countenanced, in public life, a single act inconsistent with the strictest good faith; having never believed there was one code of morality for a public and another for a private man." Thomas Jefferson, letter to Don Valentine de Feronda, 1809, cit. Hollis, "Dirty Hands", p.390.

[16] "But even if it is not all-things-considered important, it is still *morally* important." This kind of reply does not escape the challenge being raised here. The question simply becomes, Why should we treat what is "*morally* important" as *important*?

[17] A view of the third kind need not be saddled with the claim that such a situation will *always* lead to an incommensurability of moral and personal reasons. The decision might be irresponsible enough to mean that it *is* all-things-considered unjustified; the personal unhappiness involved, and the robust nature of the people involved might mean that it is all-things-considered justified.

[18] Walzer, "Political Action", pp.164-8.

[19] As a limiting case, there are some allegiances which are themselves immoral and ought not to be pursued at all.

[20] This makes a first small step in the direction of the contractualist account of moral wrongness advocated by T.M. Scanlon. But Scanlon goes much further when he claims that wrong actions are those ruled out by rules that no one could reasonably reject as a basis for informed, unforced, general cooperation. See his "Contractualism and Utilitarianism", in Amartya Sen and Bernard Williams (eds), *Utilitarianism and Beyond* (Cambridge: Cambridge University Press, 1982), esp. p.110, and *What We Owe to Each Other*, esp. Ch.5.

[21] Such attitudes *do* become unreasonable when they involve the view that everyone else should be forcibly converted.