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## Objective and Subjective Blame after War

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## Objective and Subjective Blame after War

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### Abstract

When soldiers come home from war, some experience lingering emotional effects from the choices they were forced to make, and the outcomes of these choices. In this article, we consider the gap between objective assessments of blame and subjective assessments of self-blame, guilt, and shame after war, and we suggest a way of understanding how soldiers can understand their moral responsibility from both of these vantage points. We examine arguments from just war theory regarding the objective moral responsibility of combatants and consider the role moral luck plays in our assessment of moral responsibility. We then use P.F. Strawson's account of the reactive attitudes to demonstrate the limitations of focusing excessively on the objective stance to determine the blameworthiness of soldiers. We argue that we should think about blame alongside moral emotions like guilt and shame, which will allow us to better understand subjective blame and the experiences of soldiers who blame themselves after war. We claim that objective determinations of heroism or responsibility do not adequately capture the complexity of moral emotions for soldiers returning home after war. As part of a shared moral community, civilians owe veterans more than automated responses based on the civilian experience.

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When soldiers<sup>1</sup> come home from war, they may have seen and done things that their friends and family cannot imagine. As a result of these experiences, some soldiers suffer from post-traumatic stress disorder and depression when they return home after war. Much has been written in recent years about the physical and psychological scars soldiers carry for years after they have finished active duty in the military. Yet there is another kind of injury that is often overlooked in considering the post-war experience of soldiers: moral injury. Not only do soldiers experience lingering emotional effects as a result of trauma, but they might also experience lingering emotional effects from the choices they were forced to make and the outcomes of these choices. In this article, we consider the gap between objective assessments of blame and subjective assessments of self-blame, guilt, and shame after war, and we suggest a way of understanding how soldiers can understand their moral responsibility from both of these vantage points.

We begin by laying out the options for objective moral responsibility with respect to combatants. We examine the traditional argument for the moral equality of combatants and Jeff McMahan's revisionist account of the moral inequality of combatants. In the second section, we explore the role of moral luck in assessing moral responsibility and begin to evaluate the objective and subjective viewpoints from which we can perform moral judgment. We argue that we should not allow moral luck to play a role in our assessment of combatants and that we should focus on their intentions and choices rather than circumstances surrounding their decisions. In the third section, we turn to P.F. Strawson's account of the reactive attitudes to demonstrate the limitations of focusing excessively on the objective stance to determine the blameworthiness of soldiers. Instead we argue for the importance of thinking about the moral blame of soldiers alongside literature on moral emotions like guilt and shame. We then draw distinctions between blame, guilt, and shame, for the purpose of better understanding subjective blame and the experiences of soldiers who blame themselves after war. In the final section, we apply our analysis to three scenarios of soldiers struggling to deal with moral responsibility, guilt, and shame after they have returned home from participation in conflict. We claim that objective determinations of heroism or responsibility do not adequately capture the complexity of moral emotions for soldiers returning home after war. As part of a shared moral community, civilians owe veterans more than automated responses based on the civilian experience.

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<sup>1</sup> We use the terms "soldier" and "combatant" somewhat interchangeably. However, we use "combatant" when discussing just war theory to refer to the narrower sense of a soldier who is currently engaged in combat and can be identified with a just or unjust party to the conflict.

## Just War and Combatants

Traditional just war theory assumes that there are at least some cases in which war is permissible and establishes a moral framework for analyzing a war to determine whether or not it is just. Two sets of principles are at the heart of just war theory: *jus ad bellum*, which governs the decision to go to war in the first place, and *jus in bello*, which governs conduct during the war. *Jus ad bellum* requires that a war be entered into by a competent, sovereign authority with a just cause. Self-defense and some instances of other-defense are considered just causes, while aggression is not justifiable. Accordingly, at most one side of a war can have a just cause. Since the decision to go to war can only be made by a sovereign authority, an individual combatant is not in a position to affect the satisfaction of *jus ad bellum* requirements.

*Jus in bello* requirements, however, apply to individual combatants who are engaged in a war. These requirements aim at reducing the suffering that is caused by war, so they are principles that constrain the behavior of combatants. The principle of discrimination states that combatants may only direct acts of war at enemy combatants and does not permit the direct targeting of non-combatants. *Jus in bello* also limits the ways in which combatants can attack their enemy. Certain weapons like poisoned darts or mass rape are considered *malum in se*, or evil, and cannot be used in warfare. Since they no longer pose a threat, enemy combatants who are captured must be treated humanely and may not be tortured. Proportionality requires that combatants only take military action that contributes to winning the war and in such a way that winning the war outweighs the harm caused by the military actions. Military necessity requires that combatants only inflict the harm necessary to achieve a military objective on their enemies.

Traditional just war theory considers *jus ad bellum* and *jus in bello* independently. This means a combatant could fight justly, according to *jus in bello* requirements, despite the fact that the war was entered into without just cause, and also that a war which satisfied *jus ad bellum* requirements could be fought unjustly. The doctrine of the moral equality of combatants (MEC) is one result of independently considering the justice of entering a war and the justice of how a war is fought. MEC holds that all combatants have the same moral status, regardless of whether or not their side of the war is justified in entering the war. The moral status of combatants consists of their right to kill enemy combatants and their liability to be killed by enemy combatants. Michael Walzer defends MEC on the basis that “[w]ithout the equal right to kill, war as a rule-governed activity would disappear and be replaced by crime and punishment, by evil

conspiracies and military law enforcement.”<sup>2</sup>

It makes sense that we wouldn't blame individual combatants for *jus ad bellum* failures, given that these are outside of their control. As Walzer notes,

by and large we don't blame a soldier, even a general, who fights for his own government. He is not the member of a robber band, a willful wrongdoer, but a loyal and obedient subject and citizen, acting sometimes at great personal risk in a way he thinks is right.”<sup>3</sup>

We should not absolve a combatant of all moral responsibility, especially with respect to how the combatant follows the requirements of *jus in bello*. But the combatant is not in a position to take a nation to war, so we might think the combatant is not in a position to assess the justness of a decision to go to war.

Jeff McMahan disputes the individual assessment of *jus ad bellum* and *jus in bello*. He argues against MEC by using a compelling self-defense case:

If a murderer is in the process of killing a number of innocent people and the only way to stop him is to kill him, the police officer who takes aim to shoot him does not thereby make herself morally liable to defensive action, and if the murderer kills her in self-defense he adds one more murder to the list of his offenses.<sup>4</sup>

McMahan claims that unjust combatants, like the murderer, do not have the same right to kill just combatants that just combatants have to kill unjust combatants. One does not “make[] oneself liable to defensive attack merely by posing a threat to another.”<sup>5</sup> The just combatant, like the police officer, is justified in posing a threat to the unjust combatant. For McMahan, then, just and unjust combatants are morally unequal, even if they all follow the requirements of *jus in bello*.

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<sup>2</sup> Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 4<sup>th</sup> ed. (New York: Basic Books, 2006), 41.

<sup>3</sup> *Ibid.*, 39.

<sup>4</sup> Jeff McMahan, *Killing in War* (Oxford: Oxford University Press, 2009), 14.

<sup>5</sup> *Ibid.*, 13-14.

In this scenario, however, the murderer and the police officer are fully aware of their respective justifications for killing. Combatants are not in the same epistemic position as the unjustified murderer or the justified police officer. They must act, McMahan admits, “in conditions of extreme epistemic limitation.”<sup>6</sup> Combatants might assume that they are acting on the just side of a war, but the information they have to justify such a belief might vary wildly. Some combatants will reasonably rely on assertions made by their government, based on the assumption that the political leaders have access to superior intelligence and counsel.<sup>7</sup> Even those combatants who perform their own moral assessment as to the justice of their side of the war will likely not be in a position to access the necessary information.<sup>8</sup> Due to these epistemic limitations, McMahan admits that combatants ought to “defer to and be guided by the judgment of the political authorities.”<sup>9</sup>

Yet McMahan argues that such a reliance on political authorities can only generate a subjective justification for killing enemy combatants. When the explanation of an act’s justifiability is based on “facts that are independent of the agent’s beliefs,” an act is objectively justifiable.<sup>10</sup> But if an act is merely subjectively justified, the explanation is based on false beliefs that would objectively justify the act *if* the beliefs were true.<sup>11</sup> For McMahan, a person must be objectively justified in posing a threat for her to be exempt from liability.<sup>12</sup> He claims that an unjust combatant who is “epistemically justified in believing that the war in which he fights is just, or if it is epistemically reasonable for him to defer to the judgment of the political authorities in his society,” then he is “*subjectively justified* in fighting, even though his war is objectively unjust.”<sup>13</sup> However, the unjust combatant would not be objectively justified in fighting, because his side of the war is not just. Justification changes the status of the act itself, so that an act that was otherwise impermissible or wrong (like killing) becomes a permissible act. An excuse, however, does not change the status of the act. The act is still wrong, but the person acting is considered “not blameworthy” for the act. We might think that this is a distinc-

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<sup>6</sup> *Ibid.*, 60-61.

<sup>7</sup> *Ibid.*, 61.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, 43.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*, 61.

tion without a difference, with respect to combatants, but for McMahan it holds moral weight. Beliefs can *excuse* the unjust combatant's participation in fighting, according to McMahan, but they cannot not justify it.<sup>14</sup> A just combatant, on the other hand, is always objectively justified in fighting, even if she relies on unreasonable beliefs in her subjective justification, or if she actually believes that she is fighting on the unjust side of the war.

McMahan argues that MEC fails, even on epistemic grounds, because it “makes a difference to a combatant's moral status whether he is subjectively or objectively justified in killing his adversaries.”<sup>15</sup> But on McMahan's account, it is often luck that will determine whether a combatant is subjectively or objectively justified in killing, and we argue that luck should not determine the moral status of a combatant. We turn to the issue of moral luck with respect to combatants in the next section.

## Combatants and Moral Luck

### *Moral Luck*

Thomas Nagel, in challenging Kant's view that “good or bad luck should influence neither our moral judgment of a person and his actions, nor his moral assessment of himself,”<sup>16</sup> identifies four forms of moral luck. He claims that when each of these types of moral luck arise, we praise or blame the agent based on factors outside of the agent's control. Nagel identifies resultant luck as “luck in the way one's actions and projects turn out.”<sup>17</sup> If we acknowledge resultant luck, we see a drunk driver who kills a pedestrian as more blameworthy than one who does not, but who would have if there had been a pedestrian near his path. A second kind of moral luck is constitutive luck, or the features of someone's personality. Constitutive luck can explain why we blame a serial killer for his sadistic nature, rather than writing it off as an unlucky personality trait. Nagel's third kind of moral luck is circumstantial luck, or the luck involved in “the kinds of problems and situations one faces.”<sup>18</sup> Not everyone is forced to put their ability to respond to moral problems to the same tests. Yet we blame bystanders who do nothing to stop mass atrocities, even though they faced much more

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<sup>14</sup> Ibid., 62.

<sup>15</sup> Ibid.

<sup>16</sup> Thomas Nagel, “Moral Luck,” in *Mortal Questions* (Cambridge: Cambridge University Press, 1979), 24.

<sup>17</sup> Ibid., 28.

<sup>18</sup> Ibid.

challenging circumstances than bystanders of a pleasant tennis match. Finally, Nagel discusses causal luck, “luck in how one is determined by antecedent circumstances.”<sup>19</sup> This kind of moral luck shows us how little control we might have over anything we do, so that Nagel thinks our ability to see humans as exercising control over parts of their lives might shrink to an “extensionless point.”<sup>20</sup>

Nagel claims that we hold an inconsistent view of moral responsibility. He shows that we think agents should be praised or blamed equally if the only difference between the two is luck, but that we also think agents who by luck bring about bad outcomes can be more blameworthy than equally negligent agents who by luck do not. Nagel argues that we have two options for moral judgment. First, we can take an objective point of view on moral responsibility, recognizing the existence of moral luck. From this vantage point, we seem to lack responsibility for what happens to us or others. Alternatively, we can take the subjective point of view, acknowledging that we have some control over the things we do and that this permits us to make moral judgments of ourselves and others.<sup>21</sup> From this vantage point, we see ourselves as agents exercising control over our actions, actions that we subsequently can be held responsible for. We deny the force of moral luck and make moral judgments of ourselves and others.

Like Nagel, we do not see it as possible (or necessary) to resolve the conflict between the objective and subjective viewpoints, a point to which we return in the next section. It is impossible to see the world or ourselves from only one point of view at all times. But we do think that with respect to moral blameworthiness, luck should not play a role, and we argue that Nagel’s discussion of moral luck is misleading. Much of the force of Nagel’s argument derives from examples. Yet in each of the cases he presents in which moral luck plays a role, we are merely in a bad epistemic position. In the case of circumstantial luck, for instance, does it really matter that other people were not forced to make the same tough moral choice when we consider an agent’s moral culpability for her intended acts in light of her circumstances? We think not. Circumstances may result in intentions that one would not have had otherwise, but an agent still has a moral choice when developing intentions under unfortunate conditions. Unless there is another kind of reason to avoid praise or blame in these cases, it does not seem that the outcome or circumstances are morally relevant.

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid., 35.

<sup>21</sup> Ibid., 37-38.

Instead of leaving Nagel's account unsatisfied, we see that we need to establish our purpose in making moral assessments. We want to hold people responsible for what they actually do, even while we recognize that "what one actually does depends in important ways on what is not within one's control."<sup>22</sup> Praise or blame should track an agent's intentions and any decisions made in light of those intentions. If we think that there is any hope of avoiding the hard determinist conclusion that we are not responsible for anything we do, then intentions and choices are the most plausible site of responsibility. There is, of course, an epistemic problem in identifying what an actor's intentions are. But assuming full knowledge of agents and their intentions, we see no good reason to refrain from identical moral judgment of identically-situated actors, even though the outcome of their actions may be different. There is a difference, however, between the epistemic position of the agent (informing moral judgment of the self) and the epistemic position of the person engaging in moral judgment (informing subjective judgment). With this in mind, we take our understanding of moral luck and return to our assessment of combatants.

### *Moral Luck and the Moral Status of Combatants*

Recall that on McMahan's account of the moral inequality of combatants, luck can determine whether a combatant is subjectively or objectively justified in killing, and thus her moral status. We acknowledged McMahan's recognition of the epistemic position of combatants, but we will now consider these epistemic limitations in light of our discussion of moral luck. We contend that McMahan's argument against MEC cannot succeed because it permits moral luck to play a role in our moral assessment of combatants.

We can demonstrate the implausibility of McMahan's acceptance of the force of moral luck through several scenarios. Consider a combatant fighting on the just side of the war. Jane is objectively justified in killing enemy combatants, because they have made themselves liable to be killed by engaging in an unjust war. We can imagine a scenario in which Jane is also subjectively justified, either because she has adopted the views of her government and her commanding officers, or because she has managed to do her own research into the nature of the conflict. But we can also imagine scenarios in which she is not subjectively justified. In a second scenario, Jane's commanding officer has provided false information to justify her unit's participation in the war. Jane is skeptical of the justness of her side of the war, and believes that she may be an unjust combatant, despite her fervent hope (and perhaps reasonable belief) that her commanding officer is wrong. Jane remains justified in killing enemy combatants, based on her

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<sup>22</sup> Ibid., 35.

objective justification. In a third scenario, Jane firmly believes herself to be an unjust combatant. She read a single news story about the war, and it led her to believe that her side did not have a just cause. Jane only joined the armed forces because she is a sadistic murderer who wanted access to guns and targets, and she has not listened to any explanations of the justness of her side's cause. Yet again, on McMahan's account, Jane remains equally justified in killing enemy combatants.<sup>23</sup> We can here see the limitations of a view that relies so heavily on objective determinations of the moral permissibility of actions. Jane's subjective justification (or lack thereof) is subsumed by the just cause of her side of the war.

In each of these three scenarios, Jane's knowledge and intentions are different. In the first scenario, she is in a strong epistemic position, and she intends to engage in war as a just combatant. Her actions are morally permissible. In the second scenario, Jane is in a weaker epistemic position, but she still intends to engage in war as a just combatant, and we might think she is epistemically justified in doing so if she has reason to doubt her commanding officer. In the third scenario, Jane is in a weak epistemic position, and she does not intend to engage in war as a just combatant. It seems unreasonable to have to ascribe the same moral status to Jane in the third scenario as she might have in the first or second scenarios, as would be the case on McMahan's account. There would be no reason for McMahan to consider whether or not any given iteration of Jane is subjectively justified. We find this view implausible, and instead argue that MEC should not hold with respect to combatants with bad intentions, whether or not the combatants are objectively justified by *jus ad bellum*.

With respect to combatants with good intentions, MEC should hold. We cannot control the epistemic position of combatants, so we cannot rely on knowledge acquisition or assessment in making moral judgments of combatants. On McMahan's view, the just and the excused unjust combatant would have a different set of rights in this situation, even though they might both have acted in ways that were expectably best, based on their respective epistemic positions. But we should not require combatants to have grown up in a particular country, family, or culture, or with a particular personality or level of education, in order for them to acquire moral justification to do their job.<sup>24</sup>

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<sup>23</sup> Given Jane's sadistic nature, it seems likely that she will violate *jus in bello* considerations, but she is a just combatant with respect to *jus ad bellum*.

<sup>24</sup> As noted earlier, we might not think the distinction between an "excused" unjust combatant and a "justified" just combatant is morally significant. But it is crucial for McMahan's rejection of MEC for subjectively justified and objectively unjustified combatants.

For the remainder of this article, we adopt MEC as the proper way to assess moral blameworthiness of combatants from an objective point of view, avoiding the influence of moral luck with respect to blameworthiness. While the theories we draw on do not always use the terms “objective” and “subjective” in the exact same way, their pervasive use is tracking a notable impulse to divide our moral emotions into two camps. As we will see in the next section, even when we want to assess a person from an objective standpoint, we can’t maintain this stance for very long, and that is because we relate to others as more than detached strangers. Soldiers returning from war can experience complex subjective views on their participation in conflict, even when there is a straightforward objective determination of their blameworthiness with respect to their participation in the war. So any objective determination, which is the focus of traditional and revisionist just war theory, remains vulnerable to a kind of interruption from a reactive attitude like guilt or shame. In the sections that follow, we consider the relationship between an objective assessment of responsibility and these subjective interruptions of self-blame, guilt, and shame.

### **Reactive Attitudes in “Freedom and Resentment”**

In “Freedom and Resentment,” P. F. Strawson intervenes in the debate on free will and determinism and introduces the language of “reactive attitudes” now frequently cited in the literature on moral emotions and moral psychology.<sup>25</sup> He notes that while we may attempt to resolve the free will and determinism debate by taking an objective stance, we cannot maintain this for long. As members of a moral community, we have a basic expectation of good will from others. Failure to meet this expectation results in a reaction like resentment. We care about how others act toward us; we participate in a shared world. Most often we evaluate others and ourselves from a participant, not objective, stance.

Strawson notices that the debate on free will and determinism heretofore has assumed an objective stance toward the practices and agents under discussion. One side, which Strawson refers to as the pessimists, doubts that “the practices of punishing and blaming, of expressing moral condemnation and approval” have any justification if determinism is shown to be true.<sup>26</sup> The optimists, on the other hand, claim that, even if the thesis of determinism was shown to be true, practices of blaming, praising, and holding responsible would still have value, as these practices can be used to control popula-

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<sup>25</sup> P.F. Strawson, “Freedom and Resentment,” in *Freedom and Resentment and Other Essays* (New York: Routledge, 2008).

<sup>26</sup> *Ibid.*, 1.

tions and maintain order in society.<sup>27</sup> But both the pessimists and the optimists start from the assumption that it is possible to debate the value of moral practices from a distance, or removed from, our subjective experiences of these practices. Strawson writes:

I want to speak, at least at first, of something else: of the non-detached attitudes and reactions of people directly involved in transactions with each other; of the attitudes and reactions of offended parties and beneficiaries; of such things as gratitude, resentment, forgiveness, love, and hurt feelings.<sup>28</sup>

So, instead of entering the debate by immediately appealing to an abstract category such as blameworthiness, which the pessimist would claim depends on the falsity of determinism, Strawson shifts focus to our everyday reactions toward ourselves and each other. This shift to our experiences of and participation in moral practices invites us to begin from, what he calls, the participant stance. As one might imagine, this approach comes with its own set of difficulties:

What I have to say consists largely of commonplaces. So my language, like that of commonplaces generally, will be quite unscientific and imprecise. The central commonplace that I want to insist on is the very great importance that we attach to the attitudes and intentions towards us of other human beings, and the great extent to which our personal feelings and reactions depend upon, or involve, our beliefs about these attitudes and intentions. I can give no simple description of the field of phenomena at the centre of which stands this commonplace truth; for the field is too complex.<sup>29</sup>

Strawson, then, warns that when attempting to talk about our relationships, he will not simplify complicated practices for the purpose of false precision. Strawson notes that there are a number of ways of talking about these commonplaces that invoke concepts like self-respect, human dignity, the need for love, etc. but considers this “jargon” useful only insofar as it helps to:

emphasize how much we actually mind, how much it matters to us, whether the actions of other people—and particularly of *some* other people—reflect

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<sup>27</sup> Ibid., 25.

<sup>28</sup> Ibid., 5.

<sup>29</sup> Ibid., 5.

attitudes towards us of goodwill, affection, or esteem on the one hand or contempt, indifference, or malevolence on the other.<sup>30</sup>

Instead of beginning by positing some inherent human quality like dignity or capacity like freedom of the will, Strawson points to a collection of ambiguous attitudes and reactions upon which we place great importance for establishing and maintaining our interpersonal relationships and moral norms. Upon studying these reactions, it becomes clear that we expect a basic amount of good will from those with whom we share a moral community, and we react negatively when we feel that this minimal amount of good will has not been satisfied.<sup>31</sup> “Goodwill,” as described by Strawson, means something along the lines of “due moral regard” or “recognition of basic moral standing” between members of a shared moral community.<sup>32</sup>

Regarding this basic expectation of good will in the case of soldiers, consider the common civilian practice of clapping for a soldier on an airplane and saying “thank you for your service” upon seeing a soldier in uniform. These are examples of civilians engaging in practices of recognition. From the soldier’s perspective, however, these expressions of gratitude and praise may not register as authentic or enough. One can imagine a soldier who does not feel like a hero and thinks that her fellow citizens on the airplane clap because they are otherwise uncomfortable with violence, war, and the complex emotions surrounding conflict. This soldier may feel resentment toward those on the airplane, even if she does not express this directly. Similarly, consider the pacifist on the plane sitting next to someone who claps and hollers “U.S.A.” at the soldier. The pacifist may join in clapping to show gratitude to the soldier, but privately feel guilty because he does not support a particular war, or the idea of a military at all.

Alternatively, imagine that someone sitting next to a soldier on the airplane leans in and asks, “So, have you ever killed someone?” This question may inspire resentment in the soldier, as the soldier is put in an uncomfortable position to either confess a wrongdoing or disappoint a “patriotic” civilian. Other passengers may also express or feel indignation toward the offensive passenger on behalf of the soldier. We offer these examples to demonstrate the complicated nature of interpersonal interactions surrounding war. While objective determinations of blameworthiness may help to clarify the moral status of intentions and choices during war, these determinations fall short

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid., 7.

<sup>32</sup> Ibid., 6.

of helping us to understand our attitudes toward each other as participants in a shared moral community made up of civilians and soldiers.

More generally, Strawson refers to these attitudes and practices as “reactive attitudes” and gives us a rough sketch of what he has in mind, mentioning attitudes like guilt, resentment, indignation, gratitude, and forgiveness. Referring to resentment and gratitude, Strawson explains:

If someone treads on my hand accidentally, while trying to help me, the pain may be no less acute than if he treads on it in contemptuous disregard of my existence or with a malevolent wish to injure me. But I shall generally feel in the second case a kind and degree of resentment that I shall not feel in the first. If someone’s actions help me to some benefit I desire, then I am benefited in any case; but if he intended them so to benefit me because of his general goodwill towards me, I shall reasonably feel a gratitude which I should not feel at all if the benefit was an incidental consequence, unintended or even regretted by him, of some plan of action with a different aim.<sup>33</sup>

It is not difficult to imagine additional examples of the kind mentioned by Strawson; in fact, our ability to quickly call to mind many examples supports Strawson’s thesis. Consider how often we feel slighted when a friend or partner fails to call back. Upon learning that this person dealt with an emergency at work, resentment usually dissipates. But, if the friend or partner simply fails to care enough to call back, resentment often lingers or even grows.

Though he begins his investigation into the free will and determinism debate by highlighting the participant stance, Strawson does not dismiss the objective stance altogether. He explains that we are able to take this detached, scientific attitude toward ourselves and others:

To adopt the objective attitude to another human being is to see him, perhaps, as an object of social policy; as a subject for what, in a wide range of sense, might be called treatment; as something certainly to be taken account, perhaps precautionary account, of; to be managed or handled or cured or trained; perhaps simply to be avoided, though this gerundive is not peculiar to cases of objectivity of attitude.<sup>34</sup>

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<sup>33</sup> Ibid., 6.

<sup>34</sup> Ibid., 9.

Strawson adds that, though we may take the objective attitude most often toward those who are at least partially exempt from our reactive attitudes, such as children, we also may take this stance toward those who are full members of our moral community as a kind of “refuge.”<sup>35</sup> Returning to our example of the soldier on an airplane filled with grateful (and sometimes intrusive) passengers, imagine that the soldier smiles and gently thanks the passengers despite feeling resentment and shame. The soldier may take the objective stance to the passengers, thinking, “They don’t know any better and they do not want to know me,” as a kind of refuge instead of engaging with the passengers as full members of a shared moral community. This is one way that a temporary deployment of the objective attitude may serve as a refuge. Strawson makes this point with the following caveat though; we cannot maintain this stance for long periods of time. Instead, the desire to continue to view another member of the moral community, such as a partner or parent or co-worker, this way usually suggests that the relationship has been or should be altered or severed in some significant way. Though as humans we are able to take an objective stance toward ourselves and others for various reasons, this attitude is not instructive regarding responsibility because our practices of holding one another responsible require the opposing stance, the participant attitude.

Remembering Strawson’s warning about the imprecision of language within this topic, we now have a basic sketch of the participant attitude. Instead of trying to uncover the meaning and limitations of responsibility by taking the objective attitude which argues on the basis of detached concepts, Strawson starts with engaged practices of responsibility. By beginning here, he notices that practices of holding ourselves and each other responsible stem from the expectation that we have for a minimal amount of good will from others in our moral communities, and the subsequent moral demand that others treat us with this minimal amount of good will. Gary Watson introduces language which helps to summarize this dynamic within the moral community:

What is fresh in “Freedom and Resentment”, as I read it, are two related ideas: that our sense of ourselves and one another as morally responsible agents and (accordingly) as morally responsible to one another is integral to (“given with”) human sociality itself, and that attempts to ground “responsibility practices” in some reality external to human nature are misguided. Strawson identifies two components of human sociality as crucial here. First, we care deeply (and “for its own sake”) about how people regard one another. Second, this concern manifests itself in a demand or expectation to be treated with regard and

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<sup>35</sup> Ibid, 10.

good will. Following Strawson, let's call these the basic concern and the basic demand respectively.<sup>36</sup>

When we perceive that another has not met our basic demand for good will, we react *because* we care. The reactive attitudes, like resentment and indignation, arise as a result of a perceived slight, which often has more to do with what we assume were the motivations accompanying an action (e.g. I react to the carelessness of someone who steps on my foot because I see her as acting as if I do not matter). Upon expressing a reactive attitude, it may become clear that the offending person either had a good excuse or is exempt from understanding the basic demand for good will between moral community members. There is no neat taxonomy of the reactive attitudes; any attempt to extract and analyze these attitudes independent of each other will fail to understand that these attitudes are deeply intertwined and interdependent. Strawson does note, though, that the reactive attitudes can be self-directed, aimed directly at another, or expressed indirectly on behalf of another. As Watson makes clear, the basic concern and the basic demand for good will animate all three kinds of reactive attitudes.

In the following section, we look specifically at guilt and shame for the purpose of better understanding why it is important to consider the role that negative reactive attitudes and negative emotions play in experiences of self-blame after war. Ultimately, we focus on how feelings of guilt and shame may accompany the practice of self-blame, especially in scenarios where there is a tension between objective and subjective assessments of blameworthiness.

## **Blame, Guilt, and Shame**

While it is difficult to mark the conceptual boundaries surrounding the subjective practices of blaming ourselves and others and surrounding the feelings of guilt and shame, there are some distinctions worth drawing to better understand and support soldiers after war.

Those who follow Strawson in theorizing about blame, ourselves included, claim that accounts of blame that do not necessarily involve any negative reactive attitudes or negative emotions are inadequate. R. Jay Wallace has aptly called this “leaving the

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<sup>36</sup> Gary Watson, “Peter Strawson on Responsibility and Sociality,” in *Oxford Studies in Agency and Responsibility, Volume 2: Freedom and Resentment* at 50, eds. David Shoemaker and Neal Tognazzini (New York: Oxford University Press, 2014), 17.

blame out of blame”<sup>37</sup> and Victoria McGeer has called this “sanitizing” blame.<sup>38</sup> These critical observations are relevant to our discussion of the experiences of soldiers post-war insofar as negative feelings of guilt and shame often accompany the practice of self-blame. This is not to say that all instances of self-blame involve feeling guilty or ashamed, but more often than not, these negative emotions play a powerful role in how it *feels* to blame oneself. As we will show, guilt usually accompanies self-blame for a particular act, while shame usually accompanies self-blame for being seen as a certain kind of person. Unless we think about the interactions between blame, guilt, and shame, we risk assuming that we have understood subjective blame by only looking at an objective determination of the blameworthy party in a given situation. However, the objective determination that one is not blameworthy does not necessarily assuage feelings of guilt and shame, nor does it necessarily track practices of subjective blame, either by oneself or others. We will demonstrate this in our analysis of three cases in the next section, but first, we note some of the major differences between guilt and shame.

Guilt is a feeling most often associated with an act or failure to act, rather than the character of a person. Shame, instead, focuses on the fear of being seen or known to be a certain kind of person (e.g. the kind of person who fails to protect his fellow soldiers). In *Shame and Necessity*, Bernard Williams draws the following distinctions between guilt and shame:

What arouses guilt in an agent is an act or omission of a sort that typically elicits from other people anger, resentment, or indignation. What the agent may offer in order to turn this away is reparation; he may also fear punishment or may inflict it on himself. What arouses shame, on the other hand, is something that typically elicits from others contempt or derision or avoidance. This may equally be an act or omission, but it need not be: it may be some failing or defect. It will lower the agent’s self-respect and diminish him in his own eyes.<sup>39</sup>

In cases of self-blame accompanied by guilt, then, the path to reparation can include thinking “While I know that I *did* something blameworthy, it does not reflect the kind of person who I am.” Conversely, self-blame accompanied by shame *does* focus on a

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<sup>37</sup> R. Jay Wallace, “Dispassionate Opprobrium: On Blame and the Reactive Sentiments,” in *Reasons and Recognition: Essays on the Philosophy of T.M. Scanlon*, eds. R. Jay Wallace, Rahul Kumar, and Samuel Freeman (New York: Oxford University Press, 2011), 349.

<sup>38</sup> Victoria McGeer, “Civilizing Blame,” in *Blame: Its Nature and Norms*, eds. Coates, D. Justin and Neal A. Tognazzini, (New York: Oxford University Press, 2013), 163.

<sup>39</sup> Bernard Williams, *Shame and Necessity* (Berkeley: University of California Press, 2008), 90.

failure or defect of the person, such that one may think, “I am to blame because I am a failure.” We are especially interested in how feelings of guilt and shame may linger, even if it is objectively determined that one is not blameworthy due to the presence of circumstances outside of one’s control.

In *Afterwar: Healing the Moral Wounds of Our Soldiers*, Nancy Sherman demonstrates how guilt can sometimes overshadow shame for those returning after war. She explains, “In some cases, shame can be too toxic to be consciously experienced, screened as a more socially respectable and manageable feeling of guilt with its presumption of a discrete act of wrongdoing and its promise of redemption through moral repair.”<sup>40</sup> Because shame deals with feeling defective or like a failure on the level of the entire person, Sherman suggests that soldiers returning from war may experience the complicated combination of shame masked as guilt because guilt presents a clearer path for reparations as it is focused on a specific act. Sometimes, she argues, shame can be too hard to consciously experience. Though this does not mean that shame isn’t felt at an unconscious level, suggesting the need for thoughtful interactions with soldiers on the interpersonal and medical professional levels. Sherman concludes, “I am suggesting that feelings of guilt can easily eclipse feelings of shame; and when shame isn’t obvious or manifest, we may be too quick, both as self-judges and as judges of others, to think that what we feel is misplaced or epistemically irrational guilt.”<sup>41</sup> It is clear, then, that experiences of guilt and shame accompanying self-blame are not easily defined or detected. To further explore the complicated interactions of subjective and objective blame and moral emotions following war, we offer three scenarios which could include self-blame, guilt, and shame in the following section.

### Post-War Moral Emotions of Combatants

As we have already shown, objective blameworthiness is not the whole story, especially with regard to a soldier’s self-blame after war. Consider the following scenarios:

*Lost Soldiers.* Jean and seven of his soldiers embark on a mission into enemy combatant territory. The goal of the mission is to capture a particular enemy combatant. The mission is carefully planned, based on the information available. Jean and his men enter a building complex and are met with heavy gunfire, but they successfully capture the target. Unfortunately, Jean loses three of his

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<sup>40</sup> Nancy Sherman, *Afterwar: Healing the Moral Wounds of Our Soldiers* (New York: Oxford University Press, 2015), 84.

<sup>41</sup> *Ibid.*, 86.

soldiers during the gunfight. When Jean returns home, he is publicly honored for the success of the mission.

*Torture Exposed.* Mateo works in a detention facility for enemy combatants. His commander tasks him with obtaining information from one of the enemy combatants. Mateo forces the enemy combatant into a stress position where the enemy combatant is bent over at the waist and handcuffed with his hands behind his back, and Mateo is eventually able to obtain the sought information. At the time, this interrogation technique was permissible under the applicable Military Code of Conduct. A fellow soldier captures the interrogation on film and posts it on a blog created for their unit, but accessible by the general public.

*Drone Operator.* Ann is a soldier based in a desert, where she operates drones five days a week. She is covering for a friend over a weekend shift and is ordered to target two high-level terrorists who have been tracked entering a house in another part of the world. On her video screen, Ann can see the faces of the civilians who will likely die if she follows through on the drone strike order. She obeys orders.

The first question in each of the three scenarios is to consider the objective moral blameworthiness of each of the soldiers for their participation in the respective conflicts. We do not know if any of the soldiers qualify as just combatants under *jus ad bellum*, objectively or subjectively, because we do not know (a) the justness of their side of the conflict or (b) the beliefs they are operating under with respect to the conflict at-large. So all we are in a position to do is assess their moral blameworthiness with respect to *jus in bello* considerations.

In *Lost Soldiers*, Jean is not morally blameworthy for losing his men, from an objective standpoint. Jean is not responsible for all of the circumstances surrounding his situation, but he made the best decision he could given the information he had available at the time. His intentions were good and his choices were reasonable, yet due to bad resultant luck, part of the outcome of his choices is unfavorable.

In *Torture Exposed*, Mateo's objective blameworthiness is less clear. It seems that he is not legally blameworthy, given that he obeyed orders that were legally permissible at the time. But under *jus in bello* restraint requirements, Mateo's actions were probably morally blameworthy. Since the enemy combatant no longer poses a threat, Mateo is not justified in posing a threat to the enemy combatant, nor is he permitted to cause (arguably) unnecessary suffering. He finds himself in unlucky circumstances, in that

most people are not asked to use torture to obtain information. And he might also suffer from bad constitutive luck, in that some soldiers might not be *able* to torture another person, even if they were asked to do so. Yet we should assess Mateo's moral blameworthiness based on his intentions and choices. His intentions may have been good—he may have sought to prevent some greater harm by torturing the enemy combatant. Or, like our third Jane in Section II, he may have joined the military due to a sadistic desire to kill and torture. In this case, on our account, Mateo's actions could never be subjectively justifiable, even if he could be objectively excused from blame. So we may be unable to justify the choice he made, despite his good or bad intentions.

Ann's objective blameworthiness is also unclear. In *Drone Operator*, Ann's actions are questionable with respect to both legal and moral permissibility. It may be that drone strikes are impermissible, legally and morally, under *jus in bello* considerations.<sup>42</sup> But assuming at least some drone strikes are permissible, and Ann relied on the best information she had available with respect to the necessity and proportionality analyses, then her actions were likely morally permissible. If she targeted the terrorists, rather than civilians, and did everything she could to limit the suffering of civilians, then her intentions and choices appear to be morally acceptable, and her actions objectively justifiable.

We are not in an epistemic position to fully assess the objective moral blameworthiness of any of these three actors. But we could, assuming full knowledge. When we turn to questions of subjective moral evaluation, there is even more to consider. For instance, despite the determination that Jean is not objectively blameworthy for the loss of soldiers during the mission, he may feel guilt or shame for what happened. Guilt, in this scenario, could take the form of replaying a single action or choice repeatedly in his mind, focusing on what he could have done differently and how he could atone for what he sees as negligence or mistakes. As Sherman notes, shame may underlie feelings of guilt. Jean may consciously or unconsciously feel that the loss of soldiers during the mission means that he is the kind of person who is not there for his friends when it counts. He may see himself as defective and worry that, while the public praises him now for this “successful” mission, time will reveal him as having poor character insofar as he failed to keep his team alive. This demonstrates the fact that practices of subjective praise and blame do not always align with instances of self-blame.

Mateo's case may result in feelings of both guilt and shame. Assuming good intentions, his guilt may attach to a certain action involved in performing torture, e.g. he

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<sup>42</sup> Questions about the permissibility of drone strikes are outside the scope of this article.

may think that some of what he did was permissible but feel guilty for one aspect of his tactics. This case also lends itself to feelings of shame as Mateo may feel exposed as inhumane given that the video is posted online, regardless of his intentions. Even if the video is not actually seen by anyone outside of Mateo's unit, he may feel shame due to the fear of being exposed as someone who could engage in these kinds of interrogation tactics. While others may praise him for his willingness to "do what it takes," Mateo may be embarrassed to be revealed as a torturer, as a person lacking empathy or sufficient care for others. Sherman's thought-provoking point about the relationship between guilt and shame remains relevant in this scenario. It may be too much for Mateo to consciously feel shame for what his ability to torture reveals about his character. Instead, both he and the public may focus more on the specific kind of torture and the acts involved in the process because this is arguably less burdensome than focusing on the capacity of humans to violently harm each other.

Ann's feelings of guilt may be especially complicated, as she may feel acute guilt for pulling the trigger, while she was not among the people who made the decision to execute the strike. Feelings of guilt may overshadow deeper feelings of shame for being the kind of person who "follows orders" instead of standing up to authority figures. This case is also especially complicated because it is possible to continue to feel guilt for the loss of particular lives, even if more (non-specific) lives were saved. While the drone strike might be praised by the international community as a success, she may also experience subjective blame from herself and others in her moral community, such as a partner or a friend who challenges her actions that resulted in the death of civilians.

If we want to understand the experiences of soldiers returning from war, and support them as members of our shared moral community, we should not praise or blame them without thinking. The appropriate response to a returning soldier is not immediately clear, because practices of blame and feelings of guilt and shame can coexist while they conflict. What we have tried to show here is that soldiers should be praised or blamed for their choices, not for the circumstances that surround their actions. But if we focus on objective blame alone, we will fail in our practices of gratitude and recognition. Guilt and shame don't necessarily track determinations of objective blameworthiness or the subjective blaming practices of others. It is possible for a soldier to continue to blame herself for something that the public deems praiseworthy. This matters, because further questions about the path to moral repair for soldiers cannot be answered without a nuanced understanding of the relationship between objective and subjective blame.

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