**"The Sniper and the Psychopath: A Parable in Defense of the Weapons Industry"**[1]

Duncan MacIntosh

Dalhousie University

## I Introduction

I here seek to answer three questions. First, are the rules that regulate the weapons industry -- rules found in business ethics codes, engineering ethics codes, procurement ethics codes, laws of the land, and dicta of conscience -- properly seen as absolutely binding? Or do they vary in how binding they are from situation to situation? I argue for a limited form of the latter, for a preponderance of the former, for a principle that tells how to draw the line, for a theory of rational choice on which choosing by this principle is rational, and for teaching defense industry employees the truth of that theory. The theory says that a choice is rational if dictated by the policy by which it is best to be ruled taking into account the effects on others of one's being known to be disposed to follow it no matter what from the beginning of one's life forward. And here, one would be best to follow a meta-rule which says to follow the sub-rules governing the industry provided that by doing so, one does not commit or permit a larger harm to the values in play. It is the latter clause which affords exceptions to the standard codes, but it is the benefit from

[1] For helpful discussion, my thanks to the students in my Introduction to Philosophy class at Dalhousie University, to the students who attended a talk I gave on my work at St. Mary's University, both in Halifax, N.S., Canada; and to the students in two classes to which I gave guest lectures at Millwood High School in Middle Sackville, N.S. Canada. Thanks also to Sheldon Wein.

the effects on other persons of being disposed to follow the standard codes that makes the justified exceptions so rare.

Second, isn't the very idea of a defense industry problematic given that it aims to produce lethal weapons for profit, a morally suspicious motive? I argue that in fact it plays a morally valuable role precisely because of its prima facie problematic motive. It can help us make progress in situations where an all-pervading morality of altruism would leave us paralyzed, it will enable the production of tools for our defense when we need them, and it will leave the majority of us with morally clean hands when morally problematic things need to be done.

Finally, I ask whether the existence of the weapons such industries produce can be a good thing, given their terrible power. I answer yes: their existence in a culture is a bellwether of the goodness of the culture, since only cultures offering everyone dignity, economic security, and respect for their rights can attract the vast population and sustain the infrastructure needed to produce such weapons; their production and use is required as part of the "conversation" between cultures about what constitutes goodness in a culture as this is worked out in the progress of civilization, where, of course, weapons are valuable in the defense of cultures, including good cultures; the apparent excesses of the weapons industry are justified as signalling to global citizens that they exist in an assurance game where the co-operation of others in mutually beneficial total deals will be enforced; but as good cultures become the norm, the weapons virtuous to have become more subtle.

My argument proceeds in three steps. First, I point out that there are occasions where, for profit or national security, one may be tempted to deviate from the standard

norms governing the industry. But then I offer a principle to say when these things should and shouldn't be done, and I offer a theory of rational choice that justifies choosing by the principle, a theory it would be salutary to teach to those in the industry as a means of making it more successfully self-policing.

Second, I point out that the prima facie morally problematic motive driving the defense industry, namely, to profit from making weapons designed for killing, can in fact be a good thing under certain conditions, much as the selfishness that drives capitalism can be good. In particular, this defense industry motive solves certain moral problems for us. For example, it gives us the tools needed for our defense, but does so in a way that leaves the rest of us free to have more prima facie morally laudable motives.

Finally, I argue that the existence of the industry does much more than this. It drives the conversation between cultures that evolves them into an ever better civilization.

## II The Defense Industry and the Rationality of Complying With Rules For Good Conduct; Delimiting Permitted Situational Variation in Compliance With Defense Industry Ethics

The defense industry is regulated by codes of engineering ethics enjoining the manufacture of quality products honestly represented, business ethics codes enjoining good business character, procurement ethics codes requiring that product purchases be driven by mission needs and the public good, legislation forbidding, for example, bribery; and at least some players in the industry are regulated, if informally, by what their consciences take morality to require of them. But since sometimes the national interest is at stake in the behavior of a given player, it might be thought that such players should

sometimes violate these standards, e.g., if this would procure the materials needed to build a weapon of decisive advantage against an enemy of the nation. Relatedly, while many in the domestic defense industry are disposed to behave with integrity, they must interact with cheaters domestic and foreign. Isn't it then permissible to cheat in turn to level the playing field?

I say yes for both sorts of scenario, but surprisingly rarely owing to the fact that both companies and the nation may benefit more from its being a known fact that industry players are indisposed to violate policies forbidding such behaviour. Here I apply ideas from David Gauthier, arguing that the courses of action players should take are those dictated by the policy it most advantages them to adopt under ideal choice conditions, not the courses most advantaging in a given moment.

Much of the substance of the above codes, laws and moral principles involves prohibitions against things like using bribery to secure a contract, or to obtain access to a raw material needed to make a product, or to influence the politics of a region in ways advantageous to the company in question, or advantageous to its sponsoring nation state. Other concerns have to do with keeping business promises, providing the best product possible for the client, and ensuring that the product is accurately represented.

Some people reason as if these requirements were absolutes; others think the question of what to do can be solved by people simply behaving with integrity in the ways their specific professions demand. E.g., perhaps we should just encourage

individual engineers to do the right thing as understood in their profession.[2] Ditto for, say, procurement officers.[3] The idea is that large moral issues will take care of themselves if all parties obey the codes of ethics of their respective technical fields. More generally, it might be thought that morally correct outcomes would come simply from the unswerving application of technocratic and bureaucratic expertise.

But both views seem doubtful given the plurality of moral values we have duties to serve, given that the magnitudes of our duties to any such value appear to vary from situation to situation, and given the limited purviews of each of the aforementioned norm sources. This becomes evident when we think about what at least some aspects of the defense industry are for, namely, defending the realm, a presumptively just goal (at least if the realm is a just realm, or a candidate for such, on which, more below); or for the ensuring of justice elsewhere by force. These seem like things than which there could be no more important goal. And this suggests that, if in a given situation that goal would be best achieved by a company's, say, bribing a potential purchaser, or government official, or raw materials supplier, then so be it. This would simply be inducing someone to do right.

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[2] See Michael Davis, "Ethical Issues in the Global Arms Industry: A Role for Engineers", this conference.

[3] Kevin Govern seems to think something similar of procurement ethics in his "Acting Astutely in Government Acquisition: Procurement Integrity, Corporate Ethics and Avoiding Fraud in Logistics", this conference.

Likewise, sometimes the foregoing goals might be best achieved precisely by violating codes of engineering ethics requiring the manufacture of good products accurately represented. For sometimes those goals will be best served by building an inferior product and lying about its quality. Maybe it would be better to build a weapon that will rust out after five years, for then it would be unlikely to be of use to any unjust enemy who might confiscate it in battle, or buy it on the black market, or to whom it might be sold when they are a good regime, but of whom it is feared they may transform into a bad one. Selling weapons that have a tendency to expire could have the effect of confining their usability to the situation for which they are ostensibly being purchased. Or maybe the weapons should be able to be turned off by their manufacturer at the behest of the state in which the manufacturer resides, or of some bigger political body responsible for supervising global conflicts, e.g., the UN. So the correct larger moral positions do not so straightforwardly emerge from such lower level expertises as constitute the normative part of good engineering, or, indeed, of any other profession. In fact, sometimes correct all-things-considered morality may require violation of an individual profession's ethical code.

Of course, we might amend, for example, engineering ethics codes to require that engineers demand the foregoing conditions on the sale of the weapons they design – the engineers could take themselves to be obliged to so design weapons as to be operable only by those we have reason to think are good guys, for instance. But this would be to intrude global political matters into engineering ethics codes, so that the codes were no longer just about engineering. That might not be a bad thing, but it wouldn't vindicate the

idea that obeying codes for technical professions as such will always express all-things-considered moral wisdom.

There are real world examples of the sometime appropriateness of violating engineering ethics codes from the software and computer hardware engineering professions. Think of the NSA's efforts to make electronics hardware and software non-secure so as to be able to monitor terrorist use of it. I'm not sure how this played out, whether by the NSA asking, e.g., hard-drive manufacturers to emplace code allowing the drives to be accessed by others, or by the NSA hiring a private company to intrude the code stealthily, or by the NSA intruding the code stealthily themselves. But either way, we have those participant in the defense industry producing, arguably morally correctly, a bad product, or at least one that won't work as advertised. Obeying the supposedly absolute correct codes of conduct requiring producing a good product here might have been traitorous or morally evil, since it would be terrorism abetting.

Think too of the famous thought experiment due to Bernard Williams[4]: Suppose someone who has just earned his doctorate in chemistry can't find work, is in ill health, and can't support his family. But his former doctoral supervisor tells him he can get him a job. Unfortunately, the job is research aimed at making a weapon of mass destruction. The former student, George, objects on moral principle to working towards such a goal.

[4] In his "Utilitarianism and Integrity", excerpted from J.J.C. Smart and Bernard Williams, Utilitarianism: For and Against, 1973, Cambridge University Press in John Perry, Michael Bratman, and John Martin Fischer, Introduction to Philosophy: Classical and Contemporary Readings, (New York: Oxford University Press, 2007), pp. 519-527).

But his supervisor points out that George isn't a very good chemist, and his involvement will set the project back years, so even as a pacifist he can accept the job in good conscience. This, again, would be a case where arguably someone would be doing right as an employee in the defense industry precisely by failing to live up to the various codes and standards presumed to govern it. And even if one was a good engineer, perhaps one should sometimes act to sabotage product developments, e.g., if the products are evil in purpose or likely consequence.

Or maybe sometimes one should leak to the other side trade secrets about weapons one's company or nation is developing (thus perhaps contravening a contract, this, again, in violation of a precept of good business ethics); for this might be hoped to produce a parity that will yield a standoff and so minimize the likelihood of the harmful use of the weapons. This is what motivated some people to divulge secrets to our enemies in the cold war. And sometimes such logic works directly to our advantage – think of defecting German physicists and Nazi scientists in WWII.

A related case of its being arguably appropriate to violate standard business ethics codes is that of the whistle-blower, someone who breaks commitments to her company and contravenes other supposed best practices because she thinks she has a higher duty to the public welfare. (Edward Snowden is the obvious example, although arguably he's not a whistle blower proper since he didn't stay to face the verdict of the judicial processes designed to adjudicate ostensibly whistle-blowing allegations.) True, whistle blowing might not be as good for my point, since arguably the laws enjoining and allowing whistle-blowing mandate the over-riding of other codes and laws, so that it's really an expression of defense industry rules -- at least taken all together -- not a violation of

them. Still, it proves the point that sometimes right conduct consists in violating some rule, even if this is still at the behest of some other rule.

I've just argued that the correctness of the various codes defense companies operate under should be seen as situational, varying with such exigencies as may arise in the defense of the realm or in implementing justice more broadly; or that, even if they are always the right rules, sometimes it's better to break them -- however good the rules there can be exceptions to them. But now let me make the opposing case that one should never violate these rules.

Taking an example from the above list, suppose this one time you'd get more money from an interaction in a business venture by bribing an official; or this one time your bribing him would be you inducing him to do the right thing. Why refrain?

There are many sorts of already well known general sorts of reason. For example, it could be that you so viewing a code as to have it that it's up to you whether you should obey it in a given context would make it more likely that you'll violate it in a context where it shouldn't be violated; or that it will make others lose confidence that you're likely to make correct choices in the future, this undermining your capacity to have self-advantaging or just effects in the future. Or maybe you so behaving will have indirect undermining effects on the likelihood of others behaving in ways advantageous or just. That is, the example of your behaviour may induce others into making bad choices, whether because these other persons are less morally discerning than you and so you should not set an example to them of autonomous, non-rule-governed decision making, or because your choosing to violate the rules will embolden persons less morally scrupled to do it more regularly than would be good.

Or maybe we have excellent reason to think that not even you can wisely make these calls; or that the greater wisdom would be to have these things be settled by rules once for all. For often, better outcomes result of people obeying rules of thumb about how best to act than of trying to figure out which action will have the best outcome in each case. This holds when there isn't time for research before acting; or when action is required in a time of panic when one would be better served by good habits of choice than by trying to choose in some improvised way in a panicked state; and sometimes you may have chosen a rule at a moment of calm and wisdom, chosen it precisely to guide you in situations were calmness and wisdom were likely to be absent – you made a plan, and the entire point of plans is to provide clarity about what to do unless circumstances have provably changed.[5] Growing out of such reflections we even have act-utilitarian justifications for adopting rules against deciding how to behave by trying to ascertain the consequences of each action – act-utilitarian justifications against making choices the way an act-utilitarian normally would, namely, by calculating the utility of each action. Or think of contractarian justifications for adopting principles constraining one from making self-advantaging, or even prima facie everyone-advantaging, choices in the moment, justifications according to which you being able to be expected to be ruled by the constraint is likely to have better effects than you being free to do what you want in this individual situation. (I'll return to this last idea in a moment.)

Of course there may still be temptations. Perhaps the situation is this: domestically you must follow the rules because here we have the rule of law and these

[5] See Michael Bratman's work on plans.

regulations on the defense industry advantage all local parties. Meanwhile, non-domestically, it's the Wild West. It may then seem that in non-domestic contexts you can and should do what advantages you even if it violates a rule prevailing domestically.

But even here the truth is that, if you behave that way non-domestically, you'll make it less likely that the region of what counts as domestic – the region regulated by mutually advantageous deals and so featuring reduced externalities – will expand. Yet such expansion would be to your and everyone else's disadvantage. Everyone is attracted to the above codes of conduct provided they are as likely to rule the behaviours of others as of one's self. So by this argument you should exemplify the change you want to see in the world. At the very least, we have here an argument for you following the tit-for-tat strategy: be decent in your first interaction with someone, then copy what they do. If they are morally educable, they'll follow your good example. If they aren't and they then cheat you, cheat them back. Under conditions where there are more honest people than cheaters, as there typically are at the interface between home and abroad, this behaviour will reduce the number of cheaters even further (because they get out-competed by those who can trust each other in co-operative enterprises).

Meanwhile, it's widely agreed that the world as a whole is better off without corruption than with. Furthermore, studies show that companies do less well if they bribe. And yet individuals in companies might in the short-term be tempted. What could explain this? And what can stop them from thinking this way? George Ainslie has suggested that temporally near but inferior options can look better than temporally far but superior options by the obscuring proximity of the former, much as a short building seen close up

can look taller than a tall building seen in the distance. So maybe we need to put the long run more fully in view.

But I suggest an additional strategy: we should teach as part of corporate culture that rationality and rational self-interest are not constituted of choosing the most advantageous action, but of choosing the action dictated by the most advantaging policy, which, of course, will forbid bribing. The idea is to recognize that individual company member rationality is really expressed by complying with the principles it benefits one's company to be known for following.

Bribery is known to be bad for the systems in which it occurs.[6] It's bad for companies as measured by their balance sheets, bad for individuals in companies as beneficiaries of success in companies, bad for countries as measured by the efficiency of their governments and as measured by the quality of the lives of its citizens. Why then does it exist? The standard answer is because an individual act of bribery can be to the immediate advantage of the immediate participants. And the standard responses to this are to set up a system of punishments, and to have company leaders model good character in hopes of this providing a compelling example to subordinates.

But I suggest both a further explanation of the temptation to bribe, and a further solution to the problem.

First, the advantage to an individual of a given act of bribery can explain its occurrence only if the advantageousness of an action is motivating of an individual,

[6] See Philip M. Nichols, "The Business Case for Complying with Bribery Laws" American Business Law Journal Volume 49, Issue 2, Summer 2012, pp. 325–368.

which it will tend to be only if the pursuit of advantage action by action is perceived by her as rational. And here philosophers have something to say. We know that the life of a given prospective participant in a bribe will go better if they are not disposed to participate. If they bribe, they will benefit from the act of bribing, but had they a character that would forbid participating in the act they'd benefit even more, since this would attract other opportunities for profit to them. And this raises the question whether it is more rational to perform individually advantaging actions, or to do the actions required by individually advantaging characters.

The philosopher/decision theorist, David Gauthier has an answer[7]: the correct theory of rationality is the one most to your advantage to follow. The one most to your advantage to follow is the one that recommends you to have the character of a trustworthy person in business interactions, because this will attract to you more business opportunities, each one profitable to you. One might think that the character most advantageous to have will change over one's life. E.g., being known to be trustworthy might be to your advantage when making an exchange of promises of mutually beneficial behaviour with other persons, but disadvantageous when it comes time to fulfill your part of promise. If only you had a more scurrilous character at that moment, you could do even better, benefitting from the other person fulfilling her promise to you, while you get the additional benefit of breaking your promise to her. But of course, if you are known to be likely to think that way, no one will make sincere promises to you. Therefore, if you

[7] See David Gauthier, "Assure and Threaten", Ethics 104 (July 1994), pp. 690-721; and David Gauthier, "Twenty-Five On", Ethics Vol. 123 No. 4 (July 2013), pp. 601-624.

are to attract advantaging promises from others, it must be that the way you choose your character is once and for all, as if at the beginning of your life; for then you will not alter your character when it would be to your advantage to break a promise you would not have been in a position to break had you not first been the kind of person who would not break it, and so who could attract it. But since the right theory of rationality is the one that would afford you entry into the most advantageous arrangements in your life, and since the theory that you should choose the actions dictated by the characters you would find most advantageous to choose as if from the beginning of your life forever is the correct theory, and since the main such character trait in question would be that of a promise-keeper, it must be that what it is truly rational for you to do is to keep such promises.[8] The same rationale justifies not only promise-keeping, but also refraining

[8] This argument moves beyond even Gauthier's most recent work, I think, in the rationale it affords for adopting and keeping to a certain character. It represents my attempt to solve what I have called The Reversion Problem in Gauthier's own terms, using some ideas developed by Preston Greene (see his dissertation, "Rationality and Success"). The details of this needn't concern us here. But see my **Error! Main Document Only.**"Assuring, Threatening, a Fully Maximizing Theory of Practical Rationality, and the Practical Duties of Agents", Ethics, Vol 123, No. 4 July (2013), pp. 625-656. See also the debate between Gauthier and me in "Ethics Discussions at PEA Soup: David Gauthier's "Twenty-Five On," July 2013. (http://peasoup.typepad.com/peasoup/2013/07/ethics-discussions-at-pea-soup-david-gauthiers-twenty-five-on-with-precis-by-dimock-1.html)

from bribing, being honest, building good products, and all the rest of the things in the usual codes, laws, and dicta of conscience. For these are all characteristics essential to the magnetizing of other persons into profitable relations with you.

If only this theory of rationality were more widely taught and explained, we'd have less bribery. This therefore suggests inducing a level of philosophical reflection about the nature of rationality into corporate culture.

All right. I've given some examples of cases where it would seem good that the rules normally taken to regulate the defense industry be broken. I've also given arguments for why this shouldn't happen very much. But what rule should you use to decide which is which?

The answer comes from the fact that the defense industry, like all industries, and indeed, like all economic activity, is animated by its participants aiming to make better lives for themselves. And like all economic activity, each participant has more advantage the bigger the system of which she is a part. For that means more trade, and so more profit, and so more advantage. But that means that one must always be aiming to expand the circle, to attract more and more people into arrangements regulated by a deal for mutual advantage. And people are attracted to people of good character, to businesses of good character, to countries of good character, and so on up to the largest possible units of social and economic interaction.

And this, finally, tells us the right principle, again, applying Gauthier's insight: Gauthier says a choice is rational if dictated by the character or policy by which it is best to be ruled considering the effects on others of one's being known to be disposed to follow it no matter what from the beginning of one's life. And here, one would be best to

follow a meta-rule which says to follow the sub-rules governing the industry provided that by doing so, one does not commit or permit a larger harm to the values in play. It is the latter clause which affords exceptions to the standard codes, but it is the benefit one reaps from the effects on other persons of one's being disposed to follow the standard codes that makes the justified exceptions rare. In practice that means that you should obey the rules when obeying them expands the circle (for you, your company, your country, your civilization), break them to protect the expansion of the circle. So you get to cheat cheaters who cannot be attracted into the principles inside the circle and whose cheating obstructs the circle's expanding; and you get to bribe those who cannot be attracted into the principles of the circle and who would otherwise obstruct its expansion; and likewise for each other sort of business vice. The matter is delicate, however; for if one deals too harshly with those who cannot be brought into the circle, others who might otherwise have been prepared to join may be repelled by the circle's preparedness to behave with inhumanity. This argues for a considerable gentleness to those intransigent to the attractions of the circle; you should make the circle such that, were you an intransigent outlier, you'd most want to be dealt with by that circle and not some other.[9]

**III The Title Track Parable; An Argument for Exceptions to Compliance With Rules For Good Conduct**

[9] For more on this, see my "Re-drawing the Boundaries of Sovereignty: Permissible and Obligatory Interventions in the Affairs of Sovereign Nations", ms., Dalhousie University, 2013.

Next, I argue that sometimes morally best outcomes will be brought about only if some agents do not have normally morally approvable motives – their lack of such scruples and their readiness to be purely self-serving will liberate them to do things which happen to benefit all of us, but which leave most of us with morally clean hands. Along these lines it is therefore good that there exist private businesses in the defense industry driven by the profit motive, not moral goodness (rather than only public, governmental agencies bound by public morality). Here I apply in more extreme form some of the defenses offered of capitalism generally; and I speculate that this may explain the evolutionary persistence of occasional psychopathy and sociopathy (meant here non-pejoratively as referring to people disposed to self-serve, defy conventional morality, and test such things as legal boundaries).

On the face of it, the defense industry is, well, indefensible. For prima facie it has the amoral aim of producing for profit devices meant to kill people. But I shall argue that an amoral entity such as this is sometimes needed to resolve moral dilemmas that cannot be properly resolved by ordinary morality, and yet whose proper resolution is essential to producing morally approvable outcomes. Later I will consider whether this means such an entity is functioning in defiance of morality, or whether it is something a proper understanding of morality shows in fact to be functioning morally.

Consider this case: a platoon has been pinned down by a sniper. One platoon member has been wounded by the sniper. Other members are agonized by his cry for help. Every few minutes one of them dashes over to try to rescue the wounded man. But each time, the would-be rescuer is killed by the sniper. The platoon has a safe exit route

but cannot bring itself to retreat because this would mean leaving behind their wounded man.

The motives of the platoon members in refusing to leave vary: for one man the motive is friendship, for another, empathy, for another, a promise, for another, a sense of military duty, for another, a commitment to a moral principle, e.g., The Golden Rule; for yet another, a religious dictate, for another still, a view about dignity, for another, a respect for rights, for another, a view about what is virtuous conduct in a man, for another, enlightened self-interest and the worry that him letting down the wounded member would result in others letting him down later. Each, then, has as a motive for not leaving, one or another of the things that have been thought by one theorist or another of morality to be the basis of all morality, the ground of all duty.

One of the platoon's members is a psychopath. And since psychopaths cannot be moved by the sorts of considerations that move moral people as such, he is therefore unmoved by friendship, for this friend has outlived his usefulness. Empathy is foreign to him, because it is in his nature to be able to care intrinsically only for himself. And promises? They are made only for convenience to induce self-advantageous action from another and lose force once compliance would have no benefit. Military duty? That's something to which you pay lip-service to rise in the ranks, but all duty except duty to self is a myth. Moral principles? Just rules one follows only if there is situational advantage to doing so. For how could following any rule for its own sake be a benefit to the self? Religious dictates? Rights? They don't exist, or they do but there is no reason not to violate them for personal advantage. Virtue? What is virtue talk but the attempt by one man to impose a groundless limitation on the behaviour of another? Fear of later

consequences? No; for psychopaths don't believe bad consequences will inevitably be imposed on them for bad action; in fact, they are compelled to test boundaries. So our man believes he has a good chance of evading all bad consequences for selfish action; indeed, he is compelled to try to prove this. And if he is caught for doing a "bad" thing, he thinks, whether caught by man or by God, he will figure out a way to escape the punishment when the time comes.

No, our psychopath quickly assesses the situation: he can't get home without a team to help him. The team won't let him leave as long as they are bound to stay, for then he'd be a mutineer. And the team won't leave as long as the wounded man is alive. Meanwhile the longer they stay the fewer of them there will be, because they keep sacrificing themselves in attempts to rescue the wounded man. So the longer they stay the fewer of them there will be to help ensure our psychopath gets home if they ever decide to leave.

On the other hand, if our psychopath were to kill the wounded man, while the rest of the platoon would be outraged, they'd secretly be grateful that there was no longer a basis for a duty to stay; and they'd all retreat, grumblingly taking the psychopath along -- possibly for punishment later, but that is a bridge to be crossed when the time comes.

So without a pang of conscience our psychopath rises up quickly and shoots the wounded man dead. "Problem solved," he says, "let's move out".

What is the lesson? A number of possibilities:

First, maybe the psychopath in fact took the morally correct path – it was better that the rest of the platoon survive. But did he take it for morally correct reasons? Arguably not: his only motive was self-preservation. And did he cause the outcome in a

morally correct way? Arguably not. He was not consultative, for example. And he didn't ask the victim's permission. (He knew consultation would only yield the status quo. And why take the risk of the wounded man's pleading for help yet again?)

Couldn't the platoon have come to the decision to do what the psychopath did, but by morally approvable deliberation? Arguably not. After all, each member would have the same reasons to vote not to kill the wounded soldier and retreat as each had to try to mount a rescue.

Couldn't all the members have reasoned together to come up with the conclusion that it would be all-things-considered objectively and impersonally morally better that they survive than that they all die trying to save the wounded man? And then couldn't they figure out a morally right way to bring that about? They could all act together like a kind of firing squad to kill the man, putting him out of his misery in a way that shares out the responsibility, and freeing them to leave. Or maybe they would draw straws – short straw takes the shot. Either way, couldn't they have made the shooting righteous by asking permission of the wounded man?

All of these things might be possible. But as Bernard Williams points out in his discussion of the relationship between Utilitarianism and integrity[10], people who think duty requires only that they bring about the greatest good or happiness for the greatest number – Utilitarians – fail to be able to explain why, where bringing about the greatest good requires sacrificing someone, it is appropriate to feel morally bad about what one has done. Each member of the platoon would have to feel some blame and regret about

[10] See Williams (1973), reprinted in Perry, Bratman and Fischer (2007).

abandoning their man. And each might well have felt, and be expected to feel, that in this case the Utilitarian calculation is self-serving in a way that is morally unseemly.

But if the psychopath solves their problem for them, they have no reason to feel pangs of moral blame, nothing to morally regret about themselves. Indeed, since the psychopath is immune to these sorts of bad feelings, the net result is better even by Utilitarian measures – the wounded man is put out of his misery quickly, the rest of the men survive, so their happiness is added into the equation; and the psychopath, since he does not suffer any pain of conscience about the killing, does not with such suffering detract from the pleasure added to the equation; and, of course, he adds in his own happiness at surviving. This outcome is then best by Utilitarian measures, even if non-psychopaths could have decided to kill the man. Of course there is another measure by which this outcome is not the morally best. For surely the psychopath ought to have felt some remorse. It would be indecent not to feel in some way bad after having to do something like what he did. So the outcome is morally deficient for its failure to contain guilt. On the other hand, arguably the psychopath has an excuse for not feeling remorse, namely, that, because of his psychological condition, he cannot feel remorse. And an outcome cannot be morally faulted for failing to include an action or attitude that an excusing condition has made impossible.

Well, suppose the shooter hadn't been a psychopath, but instead what we shall call an 'altrupath', someone exclusively motivated by altruistic considerations. Couldn't he have reasoned that the correct action would be the one bringing about the greatest good for the greatest number, vis., killing the wounded man? And couldn't he then have taken the shot, and done so for morally right reasons? Well, perhaps such a person could

make himself take the shot. But in doing so he would have to violate other things we think important in a moral agent, namely, each of the considerations that hypothetically motivate the other men to stay and attempt rescue – duty, promises, a sense of the other man's rights, friendship, empathy, love of his fellow soldier, and so on. Indeed, in this way, our altrupath is like the psychopath: he discounts important moral considerations in driving towards a good outcome. For reasons of generalized altruism arguably he fails any number of other duties.

Another possibility: our psychopath did something wrong. But in so doing, he made it possible for others to do right – to try to fulfill their duties of friendship, to follow their empathy, and so on. Indeed, maybe this was a better way for there to be the morally approvable outcome of the platoon being saved, namely, for them to be saved by the psychopath, and for each other member of the platoon to have the additional morally good status of trying to be a friend, fulfill a promise, and so on. This is a better way to the outcome than, for example, by each of them having had to vote to violate their various other moral duties.

We now have a number of possibilities: that our psychopath did something purely wrong, or wrong but redeemed by the consequence of the platoon's survival, or wrong but redeemed by that consequence and by providing the occasion for yet additional morally right things from other agents (their good intentions and good efforts towards rescuing the wounded), as well as providing for the saving of them from having to do bad things (e.g., compromise their principles, or their commitments, or their natures).

To these possibilities, we might add that the psychopath did something understandable and forgivable. Or might we? What would be the basis of our

forgiveness? That we could imagine ourselves doing something similar in similar circumstances? But we can't imagine it. That's what distinguishes psychopaths from us. They aren't merely selfish. They are exclusively selfish. Would it be that we forgive him because he couldn't have done otherwise given his nature? But for that sort of consideration, forgiveness is not appropriate at all.

At any rate, suppose we like the option that he did something wrong but redeemed not only by the good consequence of saving the platoon, but also by the good result that each platoon member was able to be additionally morally good: could we have designed the situation to be thus, to feature a psychopath? Could it have been morally required and permissible to put him in the mix?

But who could have made the decision to put him in the mix? Arguably not any of the directly involved persons who had reason of duty, empathy, friendship, and so on to attempt a rescue. For their adding a psychopath would be the same as them pulling the trigger they morally can't bring themselves to pull. And not any other person who might have anticipated having any of those duties. One might think that the commander who put the troop together would have a duty to make sure that the outcome would represent a correct Utilitarian calculation about what should happen, so he should be sure to include a psychopath. On the other hand, surely the commander too would have difficulty making this decision. For by adding in a psychopath he would in effect be conditionally pulling a trigger that would actually kill a man should the platoon face the foregoing scenario. But perhaps the commander is in precisely the sort of situation that calls for him to make such choices. He's not supposed to be too close to his troop, precisely so that he can make the more impersonal decisions required to preserve his troop strength, and, speaking in more

humane terms, to do right by the greatest number of people. Yet if the commander included a psychopath, and later learned that a situation arose in which the psychopath did what he was put there to do, the commander would have some degree of understandable regret and self-blame, even if it was the ultimately right call. Or maybe the commander could have arranged for the psychopath to be in the platoon, but be guilt free if the psychopath ever has to act. For the commander is morally called upon to make such decisions, and the right decision is to deploy a man who can do what the commander could not make himself do. Maybe I couldn't make myself kill someone who wanted to steal from my safe the medicine my daughter needs to survive. But perhaps I could put a spring gun in the safe. And if it winds up defending my daughter's medicine, that's not something that would have to be on my conscience. On the other hand, surely if something is the right thing to arrange be done, then it must be the right thing to do. And if it can't be done without guilt, then it can't be arranged for without guilt either. It is known that one can find it rationally and morally obligatory to arrange for the doing of something one can't find it rationally and morally obligatory actually to do.[11] But it appears that putting that kind of distance between what gets done and one's self doesn't suffice to separate one from liability for guilt for what gets done. At any rate, we might think that a better outcome still would be one where the commander doesn't have to make these sorts of decisions. Better that there just happen to be a psychopath in the mix. For then the commander too is saved from pang of moral conscience.

[11] See Gregory Kavka, "Some Paradoxes of Deterrence", The Journal of Philosophy, Vol. 75, No. 6 (Jun., 1978), pp. 285-302.

Even better, perhaps, would be this: the commander has and acts on a duty to eliminate all psychopaths from the equation, but discovers that, luckily enough, he has failed in this. Now the commander is even better, morally, and so the outcome is better still. To take another tack, arguably we all have a duty to try to eliminate the psychopath from the equation. And yet we might be grateful to discover that we had failed. (To return to our commander, in constituting and sending out the platoon, perhaps he has a duty to insert a psychopath. But should he find himself a member of someone else's platoon, arguably he has a duty to root out the psychopath and neutralize him.)

Note that the psychopath can only do his job if he himself is empty of moral motivation. For if he is moved by empathy, friendship, and so on, he won't engage in the incidentally platoon-saving behaviour. So we need to be grateful for him having non-moral, immoral, or a-moral motivation.

Now, some, of course, will say that Utilitarian ethics would applaud what the psychopath would do, and, indeed, might even criticize those soldiers who would not do it. For their so-called moral scruples in effect result in many needless and morally unjustified deaths. And yet many criticize Utilitarianism for its using of the end to justify the means. Utilitarian arguments, it may be said, are in effect precisely attempts to justify immorality, perhaps to claim that sometimes immorality is necessary, even morally necessary. A paradox.

Either way, it appears to be better if the psychopath does what he does while at the same time the others don't do the kind of thing he does, and perhaps even have a nature precluding them from doing this, or follow a moral code precluding them doing this. It would seem good to have some people resisting Utilitarian calculi, while having

others impose such calculations. The former persons in effect desperately treasure a given human life, while the latter persons proportion the value of each life to the total numbers of lives at risk; and the combination results in us having the net good of lives both saved and desperately individually mattering. We achieve this by moral division of labour, with some people doing the job of being Utilitarians, others, Kantians, Virtue Ethicists, Sentimentalists, and so on. In recognizing that this is a good thing, we discover that morality may recommend conflicting things to different people. (The Utilitarian and the others may be advised by the one true morality to fight over the gun that may be used or not used to kill the wounded man.)

I've said the presence of psychopaths can be a good thing. I want now to give some simpler, briefer examples. Suppose you and I are in a slowly burning room with only one exit. There is lots of time for us to escape, but the exit is only big enough for one of us to leave at a time. Suppose we are both moral, altruistic people. Then likely each of us will say, "you first". Then, trying to be helpful, we'll both say, "OK, I'll go first". Then, back to "you first". Then maybe I reach into my pocket and say "let's flip a coin." Unfortunately you do the same thing at the same time. Then, trying to be helpful, I say, "let's use your coin." But of course you are simultaneously saying the same thing to me. No, this could in principle go on forever. But suppose one of us is an ordinarily morally decent person, the other, a psychopath. Then the psychopath's first impulse will be to leave first, and the decent person's first impulse will be to offer the other person first exit. "Me first" says the psychopath; "I was just going to suggest that", says the decent person.

Of course, sometimes it is useful to have an altruist around. Imagine the burning room contains two psychopaths. “Me first”, each says, and no one gets out. Then each tries to break the tie by mimicking altruism: “You first.” And now we have a repeat of the preceding problem. But suppose we replace one of the psychopaths with a morally decent person. Then she would say, “you first”, and the psychopath could say “thanks.” Problem solved.

It appears then that, despite the prima facie rightness of making moral evaluations of persons by the objectives given to them by their dispositions and characters – evaluations by whether they are selfish or generous, for example -- this does not correlate with whether their presence in a situation will be useful to the morally laudable solving of moral problems. Each character can have its place. Note that the burning room problem is not guaranteed to be solvable even by two altrupaths – they’d stumble all over each other trying to figure out whose coin to use. But the problem would certainly be solvable by the presence of a psychopath with an altruist.

Now back to whether there is a morally clean way for a psychopath to be designed into a system, given his usefulness in solving moral problems. There seems to be no way for this to happen. For if someone, say the platoon commander, arranges for this, then if the psychopath ever has to act, the commander is morally tainted, should feel some remorse about what the psychopath has done, and so on. On the other hand, if the commander does his best to prevent the presence of a psychopath, and if this results in his whole platoon being wiped out, the commander is obviously in for another sort of remorse. Even if he gets lucky, inserts the psychopath, and the psychopath doesn’t have to be used, or if he doesn’t insert the psychopath, and there proves to be no occasion for

his use anyway, the general is in line for a kind of moral condemnation, in this case, for either failing to make sure the platoon was equipped for a possible eventuality, or failing to make sure it wasn't infected with someone so cold-blooded.

What is the solution? Well, remember the special moral properties of the psychopath: he will feel no guilt, and he can't help do what he does. Then clearly the person whom it is morally best to have making the decision about whether he should be present or absent in a situation is the psychopath himself! He will feel no guilt either way, and he cannot be faulted either way because he has no choice about what he does given his nature.

My argument for there being able to be a good deployment of psychopaths presupposes that it is we who decide what situations the psychopath will be in, so we can make sure his nature will result in him doing things that have morally salutary results. But what if the psychopath manages to be in the position of being the social engineer who constructs the scenarios, using us for his purposes? Surely then he is not so morally useful.[12]

It is true that if we don't get to define the parameters in which psychopaths operate and instead they define the parameters, then there are moral risks. But what I've just suggested is that, in fact, that might at least sometimes be a good thing. A psychopath's taking over can be the morally best way to solve a moral problem.

What finally to say then about psychopaths? Should we vilify them, or welcome their alternative perspectives and values? Where behaving as a psychopath would cause a

[12] My thanks to Scott Edgar for this concern.

morally worse situation, as where there is a consensus on what ought to be done by all moral values but the psychopath's impulses put him at odds with this, then the psychopath is unwelcome and must be policed. But where there is no such consensus, and where, paradoxically, a morally cleaner result will be afforded by someone not bound to conventional morality, incapable of guilt, driven exclusively by his own interest, and compelled to test boundaries, then the psychopath is most welcome.

Remember that I use the term "psychopath" without judgment or prejudice. I take it merely for a term of art to describe a certain psychological type. I neither condemn nor valorize that type going in. Moreover, a good deal of the moral valuableness in some contexts that I'm attributing to psychopaths could be offered by degrees of ordinary selfishness. Not all of it, however. This is because, for any merely selfish person, as the suffering of another person rises, and as the cost of helping them falls, there is an intersection point where the selfish person would help. Merely selfish people are in principle reachable by considerations of the suffering of others. Psychopaths by definition are not. They are not on the spectrum of selfishness and generosity. They stand in a different relation to those ideas. My purpose here is to see what may be said in defense of such a type. Arguably good managers don't see people as good or bad, just differently useful for different situations; and as a philosopher, in trying to provide a context in which psychopathy is morally acceptable, I am operating as a kind of "manager" of the over-all moral scheme in which we live, proposing (or recognizing) a morally laudable use for a certain kind of person. This may make <u>me</u> a psychopath. For I am proposing to insert psychopaths into the moral mix, the very thing I've been arguing cannot be done in a morally clean way. There is a reason academics are the first to go in oppressive states!

At any rate, I suspect there is a morally good purpose for psychopaths in some situations. Indeed, according to evolutionary theory, nothing survives evolutionary testing unless it's good for something. Well, apparently at least one person in a hundred is a psychopath. And finding out why they haven't been eliminated from the gene pool would therefore be the same as finding out what they are good for, which is the same as finding out how they are good for us.

All right, but what exactly does all this have to do with the weapons industry? Weapons are things most cultures at one time or another have a need for. And as I will argue, weapons are both evidence of, and means towards, goodness in cultures. But the motives that drive weapons production are prima facie not moral. The aim to make a profit building devices for killing people is prima facie morally problematic. And yet there is a Utilitarian call for such weapons. So it is morally good that they get made. But it they are to get made, we need manufacturers who in effect have non-moral (neither right nor wrong), immoral (wrong), or amoral motives (motives had without regard to their rightness or wrongness). Someone has to have these motives in the division of moral labour. Metaphorically speaking, someone has to have psychopathic motives. And because some people have them, others of us get to have nice motives most of the time – we get to have the officially valorized humane motives. We get to be nice, until it's time to be not nice. And then, when we need weapons for self-defense or some other, hopefully good cause, the weapons manufacturer has products ready to sell. Moreover, weapons producers in effect select themselves into the business by the profit motive, a motive that is neither here nor there morally speaking; and in self-selecting into the business, they spare others the moral stain of having decided to put them into the mix.

Problem solved. Let's move out.

Now, it might be argued that we do not need to represent, and would be mistaken in representing, the typical player in the defense industry as being psychopathic, or as having psychopathic motives. Well, I agree that the first claim is too strong. Most people in the business are just ordinary people who are wonderful to their spouses, children, parents and friends, are good community citizens, and so on. They just happen to have unusual jobs. They aren't psychopaths. On the other hand, a part of their psychology is a little unusual: it allows them to build devices for killing people.

It might also be objected that we can see defense industry players as being perfectly ordinarily moral rather than psychopathic in their motivations if only we see them as people who wouldn't design and build weapons except for a good cause – the cause of killing only people who deserve to be killed, for example.

But this objection misunderstands my point. I'm saying that the weapons industry can only solve certain of our moral problems if it is prepared to produce not just weapons for those deemed to be on the good side of conflict. Rather, the problems I imagine the weapons industry to solve require a preparedness to sell weapons to <u>anybody</u>, good or bad. We need Lords of War. And if a given person in the weapons industry isn't that kind of person, he isn't contributing to the solution of the problems I have in mind. (Of course that might be fine. That person might be doing other things, perhaps morally useful things.)

I turn now to explaining this special role for the weapons industry.

**IV Right Makes Might**

I now suggest that the existence of the weapons the defense industry produces can be a good thing, even given, and indeed, because of, their terrible power; and a good thing not just because they can be used in self-defence or for some other prima facie good cause. I claim that their mere existence in a culture is a bellwether of the goodness of the culture, since it tends to be true that only to the degree that a culture offers everyone dignity, economic security, and respect for their rights can that culture attract the vast population and sustain the infrastructure needed to produce such weapons.

It is the measure of the goodness of a culture just how good its weapons are -- the better the weapons, the better the culture. Thus it is no coincidence that the most well-weaponed and powerful country on earth – the U.S. -- is also the country that mostly has the morally right end of the stick, and that most defends individual liberties. Probably too it is no coincidence that it is also a gun culture. For what is true in the large in this case is also true in the manner of fractals right down to the small.

But the better the cultures there are, what counts as virtue in a weapon changes. When there are good as well as very bad cultures, both ideologically evangelical, or at least one rapacious, cultures therefore constituted as engaged in mass conflict, weapons of mass destruction are virtuous. But when most cultures are good, and the only conflict is with misguided outlier cultures, or outliers within good cultures, it is weapons of precision and minimal or highly controlled lethality that are virtuous. Indeed, the subtilization of the world's weapons is a bellwether of the moral evolution of its cultures. This has come so far that now soft skills needed to win hearts and minds are the best tools

of warfare – they've been weaponized.[13] And this is the transformation of war into something else – the display of the virtues of a given culture to attract others to participate in it.

Given all of this it is right that military matters have come more to pervade university culture, just as law pervades all culture. It is obviously important material for academic study. And it is good to have this studied in a university context since it is there that it will be most independently studied, and there that the military impulse will be best negotiated with the sorts of liberal, left and pacifist thinking that tends to be found in universities. This will result in its tempering by the social sciences and the humanities, the soft arts; and its study is ultimately the sort of thing that the social sciences and humanities are for. They are supposed to be the deep and reflective conscience of a liberal culture. And it is especially important that this be studied in America, since America really is the leader of the free world. And increasingly, warfare as it is researched and taught at American universities is more statecraft than anything else.

One might think that, for obvious reasons, the defense industry is necessarily immoral or amoral. But some weapons are so fantastically knowledge-dependent, expensive, and labour intensive that they can only come to exist in highly socially stable nations with broad liberties, social safety nets, and so on. Only the morally best societies can afford the best weapons; morally best social arrangements tend to attract, and attract

[13] See David Miller and Tom Mills, "Counterinsurgency and terror expertise: the integration of social scientists into the war effort", Cambridge Review of International Affairs, Volume 23, Number 2, June 2010, pp. 203-219.

for morally good reasons, more people than other societies, and they tend insofar as they accrete other individuals through violent means to do this more justly than other societies – e.g., by fulfilling duties of rescue to those in unstable states, or in states whose regimes persecute them, then withdrawing all but the forces needed to supervise democratic reform. So the existence of superior defense industries in a society can come about only by virtue of the moral goodness of that society, their existence is evidence of the goodness of that society, and their existence tends to cause the morally good increased pervadingness of that society; for it provides the means for the society to defend itself, to fulfil duties of rescue, and to encourage the formation of other, like-minded states. The defense industry also employs vast numbers of people and makes huge contributions to the economy and to people's wealth. What with one thing and another, then, and again contrary to conventional thinking, Might Makes Right.

Counter-examples will be offered: Germany, Russia, China. But Germany lost, Russia lost and is losing still, and China only progressed by increasingly approximating the presumptively good societies of the West. And as more and more of these moral victories are achieved, the natures of the fruits of the defense industry are changing too, to a more moral product. Thus we move from weapons of mass destruction with which to fight wars, to weapons of micro-destruction to be used in police actions as we clean up intractable pockets of moral infection. Indeed, we are now at the point where the bigger the weapon you think you need to solve the problem, the bigger the mistake you are probably making in whether you are seeing the problem in the right way, and taking the right step.

What of the public/private distinction? First, one might think that federally produced weaponry should be governed by whatever would best advance the national defense. But should there then even be a private defense industry? Sure, for arguably not all issues of defense are national: individuals and sub-national entities have need of defense too. Well, should a defense company in one nation be able to sell to other entities? Arguably yes, on the ground that on average and over the long haul, whomever can best afford the best weapons is most likely the most just deployer of the weapons.

And in any case, a weapons industry that is not necessarily dictated by government will have a profit motive and therefore be capable of the quasi-moral role I discussed above, something perhaps not possible if it is an organ of government, with all the limitations that implies.

One might think that the best explanation for the predominance of the weapons industry in the U.S. is that, first, the weapons industry has in effect created a merely perceived need for its own weapons with false advertising, or has bought the interest of legislators in its products; or that, because its weapons were available to the U.S. in the past, the U.S. engaged in risky and violent adventurism in its foreign policies and now finds itself with many enemies for defense against whom it now needs these weapons. Either way, the predominance of the industry is, arguably, specious.

I favour another explanation: the U.S. is just the pre-eminent player in a larger social role, that of ensuring the stability of the global Assurance Game. Studies have shown that most people will do the right thing – not steal, not lie, work hard for others, and so on -- provided they think everyone else is being like this too. What many people won't do is be the only person doing the right thing – they won't play the sucker. Thus

most people in a given country obey its laws not from fear of being caught and punished if they don't, but because they are disposed to do so provided they don't think that others are taking advantage of them by cheating. Thus in these persons' minds, the role of the police is not so much to regulate them; it is to regulate others. And the same holds true, I suggest, of the relations between nations. Most nations will do their part in proper relations between nations provided they think all other nations are doing this too. And this would be advanced if there were an international force that would police violations of things like international agreements. Each nation would then feel like this force is not so much to regulate them, as it is to regulate deviating outliers.

Now, there is no giant supra-national enforcing agency. There is the UN, of course, and various international regulative bodies. But they have no muscle. Or rather, their muscle is provided by countries like the U.S.

Nations need of a sense that people and peoples won't get away with very bad behaviour. It is a good thing that there be large countries with large symbols of power to keep other countries in line, not necessarily from fear, but from the sense that someone will punish free-riders and marauders, this freeing the rest of us to do right things, confident that we won't be played for suckers.

Enter the massive weapons industries of the West, in particular, of the United States. The United States is a bit like Iron Man, or Superman, someone enormously powerful and, fortunately, benevolent, someone whose presence therefore makes others feel secure against offending outliers. It is of interest that there are very few people who really want to see the U.S. undergo a decline in its status as the world's only superpower.

The U.S. is a kind of Leviathan by default.[14] Indeed, the size of its power is widely seen as proof of its righteousness, and of its being suited to play this role.

I call it a kind of Leviathan, rather than a Leviathan unqualified, because it has influence and power not simply by the threat or exertion of force, but by being the best power in the market – it offers people what they want, so they aren't just agreeing to accept some strongman rather than none, nor even accepting the strongest strongman; they are accepting the best strongman, the one they'd create if they had the power.

Another way in which the U.S. is only a pseudo-Leviathan is that it is not itself invincible. But its moral compass is very appealing, and the head-start that its might provides in advancing a just cause attracts and emboldens others to fight arm-in-arm with it as required. It is a Leviathan "kernel", a nucleus around which other forces will gather to create a Leviathan ad hoc on an as and when required basis.

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[14] "Leviathan" is Thomas Hobbes' name for the state, conceived as an all-powerful force for the regulation of human affairs. He saw two possible ways people to come to be ruled by such a thing. The first way was by "institution": people who otherwise find themselves at war with each other agree to give up their power to another entity, one made more powerful by each person ceding her power to it, in hope that this entity will bring about more peace and order than is found in the war of all against all. The second way one could come to be ruled by a Leviathan is by an extant Leviathan threatening you with death unless you concede your power to it. This is coming to be ruled by a Leviathan by "acquisition". In the first way, people institute a Leviathan from fear of each other; in the second way, people get acquired by a Leviathan by means of conquest.

The foregoing argument may even provide an excuse for the existence of expensive weapons boondoggles. For their existence proves that there is a large and powerful authority constantly trying to perfect the weapons of authority, something which gives us all confidence that we are in a well-regulated assurance game. These giant weapons, most probably never to be used, are like the Pyramids of Ancient Egypt, symbols of a consensus about who should be the great power.[15] And the fact that so many people work on the production of these symbols tends further to be part of what gives them this power: they are the symbol of the security of the Assurance Game, they provide employment to many, the employment they provide is in the service of something prima facie good and powerful, they fuel an economy, and so on.

Why does someone have to have the most weapons? Because someone has to stand out as salient for the according of highest authority. And this means someone has to have the greatest symbols of such authority, the most "bling", even if, in some sense, this means having a superfluity of bling. Lots of countries have nuclear weapons. But the U.S. has the greatest superabundance of them, the capacity to destroy the world the most times over. Will it ever use them? Of course not. That's not why they exist. They exist to

[15] Josh Ritter has a song about an archeologist who unearths a mummified Egyptian Pharaoh. It is a story of a mummy's curse. The curse is that whoever awakes the mummy gives her life force to him. "Why pyramids?" she asks as she lies dying, mummifying. "Think of them as an immense invitation," he replies. Then he kisses her and hopes that she'll forget that question.

induce alliance, and to induce it not by fear, but by instilling confidence of righteousness and of victory.

Couldn't something else in a nation play this role? Perhaps. NASA may have done this for a while. And you can't kill people with pyramids. Maybe one day the salient kernel will be a giant health system. On the other hand, there has to be the sense that there is an undiluted source of justice and the power to enforce it.

So strong is the correlation between the increasing justice of a society and the increasing success of its defense industries that one might even wonder which is the tail and which the dog.

**V Bringing the Three Strands Together**

I have suggested that the most successful weapons tend to be deployed by the most just societies. This may go some way to easing the conscience of defense industry players. For on average, the only people who can afford to buy the best weapons are likely to be those morally just of heart and just in their intentions for these weapons. Now, it may seem that if one is selling weapons to one or both sides of your basic small potatoes civil war, it is not clear who has the right view about what should be the outcome. But this is really an argument to go ahead and sell your product; for the question who is in the right is in the process of being decided, and the winner will tend in the limit of inquiry to converge on the group that ought to win. One should simply sell to the highest bidder. (In fact, one should sell to all bidders. This is partly why one needs a certain amount of "psychopathology" in the defense industry: it has to be willing to do this, else culture cannot progress.) In general, on average and over the long run, the highest bidder will be the most just bidder, because the wealthiest societies will tend to be the most just. Selling

small arms to the highest bidder is defensible for the same reason as that the best weapons are had by the best culture. They'll tend to go to the highest bidder, who will be the best culture.

But of course, even if it were true that having good weapons is a bellwether or indicator that a culture is good, surely that doesn't constitute a justification for the existence of such weapons? E.g., surely if a culture was now good, but didn't have good weapons, it shouldn't go out and make some.

I reply that as it happens, the only way for a good culture to appear, to come about, is by dueling it out with other candidate cultures – it is precisely by the process of warring that one finds out which cultures are good. Over a suitably long period, might makes right. Right is therefore discovered by the contesting of mights; and the inevitable by-product is amazing weapons. The weapons phase is a necessary phase in the evolution of cultures, and one therefore morally justified. For while one might think that in the ideal culture there would be no need of weapons, people are still learning to live in large cultures, and still learning how to raise children well in them; and until the lessons are learned there will be conflict between cultures, and between people within cultures raised problematically and without the meeting of their basic needs. And weapons are necessary to resolve this. It might be thought that a better culture would be one that settles things by peaceful means, and that the existence of the weapons industry sabotages this by making available the tools to settle things by violent means. Unfortunately, the fact that conflict is best dealt with non-violently is itself a piece of cultural wisdom that had to be discovered the hard way, and that, ironically, still needs weapons to defend itself from those culturally unable to appreciate it.

Now, Jens Ohlin has recently used David Gauthier's ideas to provide argument to the effect that people and nations can find it rational to form and fulfill agreements to co-operate in Prisoners Dilemma type situations even without need of enforcement mechanisms for compliance.[16] And I used similar arguments above in a proposal about how to improve compliance with good codes of conduct in the weapons industry. Surely then I must think that it is false that conflict is inevitable, false that weapons are ever strictly needed, false even that we need a Leviathan, pseudo- or otherwise.

But the foregoing sorts of argument only establish that enforcement will not be needed among agents who can detect each others' natures and so who can restrict the offering of mutually beneficial deals that require mutual vulnerability to those who will be disinclined to exploit the vulnerability. This is no guarantee against the existence of irrational agents who will try to be predatory on the former sorts of agent. For these outlying agents you need force. The world of co-operators could create such a force for the neutralization of these irrational free-riders. This would be for the co-operators to create a kind of Leviathan by institution. But instead what it has done is allow such a force to accrete. That force is America. And it is both the Leviathan and armourer of the world.

[16] See Jens Ohlin, The Assault on International Law (New York: Oxford University Press, 2015).