Many believe some version of all three of the following. (1) It is strongly presumptively wrong to kill children intentionally. (2) Modern war involves killing children intentionally. (3) Most modern wars are morally justified. These three sentences comprise an inconsistent triad. War Realism denies 1. Just War Theory denies 2. Pragmatic or Conditional Pacifism denies 3. Scrutiny reveals that one can justify, depending on the rest of what one believes, any one of the three positions but they cannot all be true. I suggest that the solution lies with pragmatic pacifism and relies upon James’s sentiment of rationality.

We live in a time when war abounds. We discuss the morality or the prudence of engaging in this or that war, the morality or prudence of this or that act of war, and sometimes we discuss the morality or prudence of war itself. So even though the particulars of the morality and prudence of war are unsettled, these debates reveal that now is a time when discussion can actually help to move us forward on these issues.

Most philosophical issues, whether epistemological, metaphysical, or ethical, run beyond the reach of reason and the morality of war is no exception. This is why they are philosophical issues. This is why they remain unsettled. If one finds, for example, the issue of the morality of war fully settled, it is, as William James would say, one’s rational sentiment rather than reason and evidence alone that is doing the work.¹ That is, emotion and imagination in addition to reason and evidence are playing what may be a deciding and a legitimate role in the judgment. But I do not think and James did not think that this insight condemns us either to pernicious relativism² or to skepticism. Instead, it entails a healthy pluralism consistent with the view that some beliefs are better than others – a pluralism between the two extremes of pernicious relativism and dogmatic absolutism. It is a pluralism that is consistent with epistemological fallibilism and philosophical pragmatism.

In this paper, my focus is the morality of modern war and, in particular, the noncombatant immunity thesis: that it is wrong to knowingly kill innocent people during war. The unsettled question I will investigate is: When, if ever, are we warranted in knowingly killing innocent people during war? I assume
that at the very least the children, the incompetent, and those who actively and justly oppose the war are innocent in the relevant sense.\(^3\)

My hypothesis is that we do not have a clear answer to the question at this time based solely on reason and evidence and, accordingly, we are permitted to allow our rational sentiment to settle the issue. But not every answer will do. Some answers are better than others. I will investigate long-standing answers to the question that the war realist, the just war theorist, and the pacifist provide.\(^4\) I will argue that each, dependent upon the state of his web of belief and desire, can find tenable, even fully tenable, his own position considered internally. I also argue that it is reasonable to believe that the question of the morality of war will be fully answered by future, better versions of us and that that answer will resemble one of these three positions. What we do here and now will help decide how future, better versions of us will decide the issue, much as we have decided such issues as cannibalism, slavery, and genocide. I will end by offering reasons why we should allow our moral sentiment to embrace and act upon pragmatic or conditional pacifism, and why pragmatic pacifism is our best option in the present to deal with the morality of war, even while recognizing our fallibilism and that other webs of belief and desire conclude differently.

There are, I believe, three paradigmatic positions on the issue of the morality of war that entail different views about noncombatant immunity. On one side, there is an amoral attitude toward war represented by war realism. This is the view that morality has no place in war so, at best, the prohibition against killing innocents is a mutually satisfying principle and should be obeyed only if the other participants in the war obey the principle.\(^5\)

In the center, there is just war theory.\(^6\) Just war theory holds that innocents may be killed during a just war only if their deaths are unintended, collateral deaths, and the war is a just war in all other respects. According to the principle of double effect, embedded within just war theory, the deaths may be foreseen but they cannot be intended.\(^7\) That is, they may not be the means to one’s end or one’s end, even though foreseeable. In addition to considerations of double effect, the collateral deaths must be proportionate to one’s end. If the value of the collateral deaths outweighs the value of the end, then the deaths are not proportionate. Such calculations need not be and usually are not strictly quantitative. They require a qualitative assessment of the situation.

On the other side, there is pacifism.\(^8\) Like the other two theories, pacifism comes in many flavors, ranging from absolute pacifism to militarist pacifism. The absolute pacifist argues that all war is morally wrong. The militarist pacifist argues that, generally, nonviolent means of national defense provide a practically better alternative to violent means.

Pragmatic pacifism lies between these two extremes of pacifism. I consider the pragmatic pacifist to be someone who holds, first, that knowingly killing innocent people (such as children) against their will is strongly presumptively wrong and, second, that since modern wars involve knowingly killing innocent people against their will, the burden of proof is on the one who