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<th>Can There be Virtue in Violence?</th>
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<td><strong>Authors(s)</strong></td>
<td>Stout, Rowland</td>
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<td><strong>Publication date</strong></td>
<td>2013-10</td>
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<tr>
<td><strong>Publication information</strong></td>
<td>Revue Internationale De Philosophie, 2013/3 (265): 323-336</td>
</tr>
<tr>
<td><strong>Publisher</strong></td>
<td>Cairn</td>
</tr>
<tr>
<td><strong>Link to online version</strong></td>
<td><a href="http://www.cairn.info/resume.php?ID_ARTICLE=RIP_265_0323">http://www.cairn.info/resume.php?ID_ARTICLE=RIP_265_0323</a></td>
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<td><strong>Item record/more information</strong></td>
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Is violence ever a virtue?

Consider the following line of thought:

“If someone attacks you for no good reason, they make themselves your enemy and in some circumstances you may then be entirely justified in fighting back – not just to defend yourself but to inflict serious harm on them.”

This line of thought expresses a norm concerning fighting back. It does not invoke instrumental considerations, but takes what has happened to warrant a violent way of behaving. In the language familiar from the debate about the justification of punishment, it offers a backward-looking rather than a forward-looking justification of violence.

The possibility of this sort of justification has been largely absent from philosophical discussion of violence, which focuses almost exclusively on instrumental or forward-looking justifications. Kai Nielson, in defending the possibility of some limited instrumental justifications of violence, expresses clearly the orthodox assumption that violence as an end in itself is unjustifiable:¹

It should hardly be necessary to add that a humane person, who understands what it is to take the moral point of view, will deplore violence, but – unless

¹ See also Hannah Arendt claiming straightforwardly that “violence, being instrumental by nature, is rational to the extent that it is effective in reaching the end that must justify it.” (Arendt 1970, 79)
he thinks that pacifism can be successfully defended – he will recognize that
sometimes the use of violence is a necessary means to a morally worthwhile
end and that moral persons, hating violence in itself, must, under these
circumstances, steel themselves to its employment. (Nielsen, 1981, 23)

This sort of approach might look at self defence justifications of violence and whether
such justifications can be extended into just war theory. Or it might look at violence
as a tool for terror, justified perhaps in achieving revolutionary ends if the state is
unreasonably oppressive or violent itself. The issue with this sort of approach is
whether the ends justify the means.

My issue however is not whether violence may be rational to the extent that it leads to
a good end. My question is whether violence may be rational to the extent that what
has happened demands it. My claim is that if one is in a fight one may be justified in
fighting back, and that this way of behaving is an aspect of virtue in the sense
explored by Aristotle in the Nicomachaen Ethics. The virtuous person has the
capacity for being violent when something has happened that merits it, and at least
one thing that might merit it is someone attacking them.

So my argument will have two stages. First of all I will argue that a fight is a
normatively constituted practice, like a game in that respect, only nastier since
harming your opponent is not normally part of playing a game. Being in a fight
means that certain actions – in particular acts of retaliatory violence – may be
justified. That’s the kind of practice it is. In the same way, picking up a ball and
throwing it in from the side line is justified in the game of football (but only when the
referee has signalled that your side has a throw-in). Now a genuine fight is not at like a football game in all sorts of important ways. But I will argue that it is a normatively constituted practice, and that certain behaviour which would not be justifiable outside of that practice may be justified within it.

It would not yet immediately follow that retaliatory violence was ever justifiable, since it might be argued that it is never justifiable to be in a fight, and so be subject to the norms of that practice. The second part of my argument is to show that there are, at least in theory, some circumstances where a virtuous person would accept that they are in a fight. For them in those circumstances the inclination to fight back – to retaliate with violence – may be a good inclination. So in this part of my argument I try to show that it is plausible to extend Aristotle’s notion of a virtuous person to someone who is willing and able to take themselves to be in a fight in the right circumstances.

It might be thought that a fight can be characterised in purely causal rather than normative terms. Isn’t it just two sides bashing each other? Certainly a central requirement of a fight is that the two parties are using force to try to harm one another and resist and neutralize the other’s harming of them. And arguably these requirements can be characterized in non-normative terms. But the concept of being in a fight is not captured just in the idea of producing and resisting a harmful force.

First of all, fights can be won or lost. In that respect they are like games, and unlike interactions of harming and resisting harm that are not normatively constituted. Mere interactions cannot be won or lost. It may be common to hear that in war there are no
winners. But this is a turn of phrase to suggest that even the winners in war end up losing too much. Although many wars may have no clear outcome, sometimes one side clearly wins. Stampedes, hurricanes, mountain climbs or car crashes are not the sorts of things that have winners and losers (however well or badly you come out of them); but fights are. If a fight were nothing more than two parties forcefully harming one another, then, while we might talk about success or failure for either party, it would make no sense to talk of their winning or losing.

Fights are also like games in as much as you are only in a fight if both (or more) parties take themselves to be in a fight. Beating someone up by itself does not constitute a fight. If you walk away from the injury done to you, then no fight has taken place. If you fight back, however, you are accepting that you are in a fight, and then a new set of rules is in place. Fighting is not merely a social activity; it is in a weird way a collaborative activity - something you do together with your enemy.

Fights and games are not collaborative in the normal sense that the opponents share goals within the practice. The opponents have directly conflicting goals; each wants to win and he other to lose. But the opponents do share a commitment to having the fight together or playing the game together. And if fights are indeed rule-governed activities, like games, then the opponents share a commitment to these rules. It is not just that they both happen to have the same commitment here. The point is that the commitment is literally shared. The opponents may not be on speaking terms. But something like an agreement is made when an attack is followed by a counter-attack.
Now what makes this notion of collaboration even more strained when applied to
fights, as opposed to games, is that usually the two antagonists in a fight do not want
their opponent to continue fighting. They may want their opponent to stop or not to
start fighting, or wish they had never started. Their goal may be to finish the fight in
one decisive attack rather than to make a move in a series of attacks and counter-
attacks. But having such an intention does not mean that the attack does not
constitute acceptance that one is in a fight – an agreement to conflict. The norms of
the practice of fighting are out there whether you like them or not. And when you
attack someone you are offering them a fight in virtue of these norms even if you do
not want them to accept and perhaps are trying to harm them so severely that they
cannot accept. And likewise when someone fights back they are accepting the offer.

The same sort of thing applies to arguments, which are practices very like fights –
indeed often are fights. Two people might be shouting at each other to shut up. But
once one of them does shut up that is the end of the argument. They are clearly
engaged in a joint practice of having an argument. Each feels that they are entitled to
shout at the other because the other has shouted at them. The person who started the
argument may not have meant to start an argument by their initial act of verbal
aggression. And the person who responded may have hoped that that would be an end
of it. But, in responding, they accepted that they were in an argument. Otherwise
they would have just shut up and walked away.

Normally when an action stands as an entry move into a practice there are ways of
doing that action and making further moves that stop it from counting as an entry
move into that practice. You can signal that you are not part of the practice despite
that action. For example, running on to the field of play might normally mean you are joining the game. But you can cancel this implication if you shout: “I’m not playing; I just need to get to the other side of the field.” It is less clear how you can avoid committing yourself to a fight when you attack someone. Consider the implausible claim: “I’m not in a fight with you; I just need to harm you for some other reason.”

But perhaps the example of punishment shows that it is possible to do violent harm to someone while not engaging in any sort of fight. It would be inappropriate to take yourself to be in a fight if the punishment is just, and if someone does ‘retaliate’ when punished justly then that is the first move in a fight not the second. What you are supposed to do when punished is to accept your punishment, but this does not go for violent attacks generally.

Also we can at least imagine a case where both parties in some act of forceful harming are completely disengaged from the norms of the practice of fighting. Suppose the instigator commits an act of violence on someone else without making any commitment to the norms of fighting. Then if the victim retaliates, the instigator makes no further move. They have done their act and now their part in the interaction is over. Perhaps this initial act of violence was done on a bet or in order to appease some third party bully. If the victim knows this then any ‘retaliation’ on their part would be misplaced. It would not be fighting back since the first act of violence would not count as the starting of a fight.

The concept of an enemy is bound up with that of a fight. If you take yourself to be in a fight, then the party you are fighting is your enemy. Your enemy becomes such at
the very moment you are in a fight. If one party takes themselves to be in a fight but
the other does not then the first party regards the second as their enemy, but the
second does not accept that the first is their enemy.

If someone is trying to have a fight with you and attacking you – trying to force harm
on you – you might resist that force without taking yourself to be in a fight or taking
them to be your enemy. In resisting this harmful force you might be described as
fighting against it. For example, you might be pushing someone’s arm away as they
try to punch you. In a sense you are fighting against their attack, but you are not
thereby in a fight.²

Suppose that someone attacks you and you fail to resist the harmful assault
completely – and so get harmed. At this point, if you or your representative is still
standing or can pick yourself up there is a further move that can be made. Having
failed to resist the assault you can now fight back. This is not self-defence, or at least
not directly. Fighting against the assault in the minimal sense of resisting it is self-
defence. Fighting back is contributing to the fight; it is being violent yourself.

Now fights can be highly formalised affairs. They might be staged in a particular
location (e.g. behind the bike sheds) with formalised entry and exit moves. The fight
might begin with an attack that has become highly stylised– throwing down the
gauntlet, a calculated insult or a declaration of war. There may be rules that govern
the sort of force that may be used and the level of harm that may be inflicted. In a
street fight it may be desirable that someone be hospitalised but unacceptable that

² In the same sense you might be said to fight against the current when swimming to shore but not be in
a fight with the current; there is no scope for fighting back in your engagement with the current.
they be killed. A war too should be pursued with clear rules of conflict. Prisoners should not be shot after they have surrendered. Chemical weapons should not be used. And there are often rules that determine the end of a fight. If the enemy surrenders then that is that; you’ve won.

The dividing line between fights and games may be unclear in certain circumstances. Fights must involve forcing harm on one another, but if the rules clearly require that the level of harm be so limited that the loser can always get up and fight again then a fight may count as an element of a series of encounters some of which you may win and some of which you may lose – like a series of games. If the harm done precludes the possibility of both parties coming back and doing it again the next day then it lacks that repeatable aspect that games have. Also games are joined on equal terms whereas fights are generally started by one side without the consent of the other; and this means that they are not games. But if the fight is agreed in advance then it is more like a game. Finally if the fight is joined for the thrill of it and in order to exercise skill and competitive flair then it really is a game. A boxing match is more of a sporting spectacle than a game, but perhaps that distinction is not very clear. Certainly a pair of slaves fighting to the death in the Roman Coliseum is not well described as a game.

Fights may also be less normatively constrained than games. One party tries to kill another. The other retaliates by trying to kill them back. Neither party accepts any rules governing this part of their behaviour, nor will they stop until one or the other of them is dead. But even here the engagement is partly constituted by rules. In particular the second party to the fight, by conceptualising their role as fighting back,
must see that it is conforming to the sort of rule offered up at the very start of this paper; “I’ve been attacked; so I’m entitled to fight back.” They are not entitled thereby to attack just anyone related to the initial attack, but are only entitled to attack the perpetrator of the initial assault and perhaps certain of the perpetrator’s associates. They are still fighting to win, and what counts as winning is entirely dependent on the rules of the particular fight they are having.

Seeing fights as practices constituted by norms, including the norm that if you are in a fight it may be appropriate to fight back, is not yet to treat fighting back as ever appropriate. For it might never be appropriate to take yourself to be in a fight. If you justify an act of violence by saying that you are in a fight and are therefore fighting back, the justification is a bad one if you are not entitled to take yourself to be in a fight. Fighting back is justified relative to a practice of being in a fight, but is only absolutely justified if that practice is.

So the non-instrumental justification of an act of violence that I am trying to articulate in this paper is a two-stage justification. First, the act of violence is justified as a move in the practice of being in a fight – in particular as the act of fighting back. Second, that practice itself has to be justified. Now fighting might plausibly be regarded as a very bad practice. But, given my concern here with fighting back, what would have to be shown is not just that fights should never be started; it is that fights should never be continued. And this may be a less plausible claim. Just consider someone saying: “I’d never start a fight, but if someone hits me for no good reason I’d hit them back.” So the kind of violence I am particularly concerned with here is retaliatory violence.
Jon Elster (1990) argued that the motivation for revenge is a psychological urge for honour – something that cannot be justified ethically. His examples are vendettas and gang violence generally. But the disreputable conception of honour as exemplified in Italian mafia gangs should not be taken to characterize completely the status that violent retaliation can protect. The status achieved by insisting that you are not to be messed with might be taken to be entirely respectable. It is an honourable status in a perfectly positive sense of the word.

Suppose that someone unjustifiably attacks you and harms you. It may be possible to find a peaceful resolution. For example, this may be an isolated incident. The person may be helped to see that their behaviour was wrong and they may provide some compensation. Society may come to your aid and punish that person or at least protect you against further injury. In all these cases, you can decide not to be in a fight. Even though someone has fought against you, you can choose to reject their offer of a fight. And if you are not in a fight then there is no sense in fighting back and no justification of any violence on your part.

But suppose now that the world is set up in a less desirable way. You are not protected from further attacks. If you do not fight they will continue to attack you and harm you and others will join in. Even so, you might reject the idea that you are in a fight while still fighting against these attacks. In this case you are defending yourself; you resist the attacks, but do not fight back. Fighting against an attack is not the same as fighting back after an attack and does not in itself mean that you are in a fight.
Your behaviour may be violent but only incidentally. You are doing just what you have to do to resist the attacks.

But now suppose that you cannot resist the attacks, and are harmed by them. You have tried appeasement and self defence and neither of them has worked. Now it’s time to fight back. If you don’t take on the fight you identify yourself as a feeble person, a loser, a sap, a quitter – not someone to be taken seriously. Taking on a fight in these circumstances is to insist on your own status as a strong, serious person – to be respected and not to be messed with.

These are considerations of virtue rather than of consequence. The idea is that it is part of being a good or virtuous person that you are willing to fight back in certain circumstances. Being too quick to fight back is a vice – the vice of being an excessively violent person. These days we call this particular vice “viciousness” as if it is the only one. But being too slow to fight back is also a vice – the vice of feebleness. Virtue is achieved as a golden mean – being violent to the right degree to the right people in the right circumstances.

In this respect I am arguing that violence has something in common with emotions like anger, grief, embarrassment and so on. When someone behaves disrespectfully to you it may be appropriate to be angry with them and to behave in a confrontational and punishing way. The reason for behaving in this way does not apply only hypothetically on certain further goals being desirable. The angry behaviour is directly warranted by the anger-worthiness of the situation.
The point is that anger has a place in what Aristotle describes as a virtuous life. While disproportionately much anger or misplaced anger is an aspect of vice rather than virtue (the vice of irascibility), so too is disproportionately little anger or failure to be angry at all when it is warranted (the vice of spiritlessness). The virtuous person “is angry at the right things and with the right people, and, further, as he ought, when he ought, and as long as he ought” (Aristotle, *Nicomachean Ethics*, Book 4, chapter 5, 1125b32, Ross translation). My suggestion is that the same sort of thing goes for violence.

Norberto Bobbio identifies meekness with “the refusal to exercise violence over anyone” (200, 35). He claims it is a virtue. I am arguing that it would be a vice. If we want to use the term “meekness” to name the virtue associated with violence and non-violence, then to be meek is to be inclined to violence in all and only those situations where that is the right response. This might mean that the meek person is hardly ever violent. In the same way the brave person must be capable of being frightened, else they are foolhardy and not brave, and the good-tempered person must be capable of being angry, or else they are spiritless.³

One apparent disanalogy between violence and anger is that anger is obviously an emotion and violence is not obviously one. Of course we can feel violent and someone can have a violent disposition; but in the first instance violence is a feature of actions rather than of dispositions or feelings. Acts of violence can be done with no violent feelings and with no violence in the way of behaving. For example a violent killer like Harold Shipman can commit murder by a gentle act of

³ This is quite compatible with thinking that it would be a good thing if we became meek in Bobbio’s sense, since the vice of being too violent is much more prevalent and more harmful than the vice of not being violent enough. But the better thing yet would be for us to become meek in my sense.
administering a large dose of morphine in a peaceful context in which the victim is quite content. He commits acts of violence non-violently. The corresponding notion of an act of anger done non-angrily is much more difficult to make sense of.

But this may not be a deep disanalogy. The word “angry” applies to a way of behaving rather than a type of action. But a word like “punitive” may correspond more closely to “violent” in as much as it does refer to a type of action. A punitive act can be done non-angrily and so not in a punitive manner. But punitive acts are precisely those that are appropriate when anger is being expressed.

Emotions like anger involve several things which all fit together in the Aristotelian approach that I am taking.⁴ To begin with the subject is assessing their situation as somehow worthy of anger. The target of the anger is construed as having committed some offence or affront which merits an angry response. Depending on the particular version of this approach the assessment may be taken to be a judgement or it may be taken to be something less cognitive, like an experience. But either way the angry person is taking the target to be worthy of an angry response.

In the same way one might assess someone as having attacked one in some way that merits fighting back. In this case the person who is responding with violence is taking the target to be worthy of a violent response. This response involves physiological changes as well as automatic behaviours or aspects of behaviour. For example, both angry and violent responses may involve blood pressure rising, going red in the face, the voice getting loud, movements getting abrupt, fists clenching, posture becoming

⁴ Such an approach is now quite orthodox. See for example the cognitive approaches of Solomon (1976), Taylor (1985), Nussbaum (2001), the perceptual approach of de Sousa (1987), and the appraisal theory of Frijda (1986).
aggressive, and so on. These changes may be apparent to the subject, who feels them in a certain way and therefore has a certain internal quality to their experience.

The responses also involve more controlled and goal-directed aspects of behaviour. In the case of anger these are punitive responses and may involve confronting and punishing the target of the anger. It is worth noting too that the appropriate response to an anger-worthy situation is not just the production of some behaviour. It involves, through the confrontation, eliciting a response from the target, perhaps an apology, or a climb-down or perhaps anger on their part, which then leads to forgiveness or escalation of the angry behaviour respectively. Anger-apt behaviour often has its place in a complex joint activity between subject and object. This exactly parallels the complex joint behaviour of having a fight that I have been discussing.

A notable aspect of this Aristotelian model is its circularity. The normative shape of anger is that the situation is assessed as worthy of an angry response, and an angry response is one that is appropriate to an anger-worthy situation. But just saying this says nothing that anchors our conception of what anger is. Similarly a violent response of fighting back is one that is appropriate to a situation which merits taking oneself to be in a fight. But to say this is not yet to say when it is appropriate to take oneself to be in a fight.

This sort of point is often made about Aristotle’s approach to virtue and ethics more generally. According to Aristotle, the virtuous person is one who is disposed to do the right actions, and right actions are those that would be done by the virtuous person. What provides a way into this circle for Aristotle is the idea of human
nature. In Aristotle’s own model we can get close to virtue by instinct and good training. We are creatures with a nature (first nature) that is brought into the realm of normativity and rationality by training or acculturation. This gives us second nature, and provides the starting point (arche) for virtue – knowledge of how to behave (Aristotle 1095b2-13). But it also puts us in a place where we can apply practical wisdom (phronesis) to refine our emotional dispositions and achieve the right balance. Once we have that capacity for rational evaluation we are not bound by the way we are trained, and only then are we properly virtuous.

The point of the automatic emotional response is to provide the starting point for practical wisdom or perhaps its raw materials; we could not use rationality to develop a fully virtuous disposition from having no automatic dispositions at all in the first place. Virtue is a development of nature not something outside of nature. And natural emotional dispositions remain a part of virtue even after rationality has worked on them. As Burnyeat put it in an influential account of the role of habituation in Aristotle’s conception of virtue: “A mature morality must in large part continue to be what it originally was, a matter of responses deriving from sources other than reflective reason. These being the fabric of moral character, in the fully developed man if virtue and practical wisdom they have become integrated with, indeed are now infused and corrected by his reasoned scheme of values.” (Burnyeat 1980, 80)

Anger is rooted in some instinctive behavioural responses and social forms. We can see these in less rational animals than ourselves. The sort of situation that sets off these instinctive or learned automatic responses is not as such a situation in which
these instinctive responses are *appropriate*. But at least we have a conception of a proto-angry way of behaving by looking at this. Reflection and social negotiation develop this until we have a genuinely angry way of behaving – one involving practical rationality. What makes a particular way of behaving an angry one is not the fact that it simply conforms to one of these instinctive or trained proto-angry behaviour patterns, but that it is a *rational development* of one.

Likewise fighting back feels like it is part of our more primitive nature – or first nature. When threatened our ancestors might have started a fight and when in a fight they might have fought back. They would have used their fists, feet, knees, teeth and heads. And it would have been a pretty violent spectacle.

But then we developed weapons and started to assault our enemies by throwing spears at them, aiming and setting bows then releasing arrows or laying traps. Our fighting took on an indirect element so that we might act in one way that initiated another process that resulted in the enemy being harmed. The first process – the initiation – might have been gentle and calm even though the act as a whole would have been a piece of violence. And social institutions gave us new weapons. Henry II might say “Who will rid me of this turbulent priest?” or words to that effect, and be taken to be instructing the assassination of the Archbishop of Canterbury. That’s all he had to do; he probably roared the words in an angry scream, but he might have been as calm as you like and still thereby have murdered Thomas Becket. His uttering of these words was an act of violence.
So fighting has developed in interesting ways since our prehistoric ancestors. It has also been conventionalised in various ways. The way of behaving that is fighting is taught to us all – boys and girls – through fictional and real role models and encouragement and rewards for fighting back when appropriate. Failure to fight back when attacked is regarded as weakness and to be despised.

There are of course some powerful countervailing social models – not least that of Jesus Christ urging his followers to turn the other cheek. But the overwhelmingly dominant social norm is to encourage fighting back. It is to encourage violence – at least in the right place, given the right situation and to the right degree. So fighting back seems to be part of our second nature.

Now it does not follow that it is justifiable. Having been provided with the starting points of virtuous behaviour and in particular with enough to get practical wisdom up and running, we might decide by use of this practical wisdom that violence is never justified. It might turn out that Christ’s dictum to turn the other cheek applies in all cases, and that we should all learn to be completely gentle and to be completely discouraging of violence. Fighting back leads to escalations of violence. Treating someone as an enemy – and therefore to be harmed – involves a failure of moral imagination. It is a failure to extend Christian love. Even when someone declares themselves to be your enemy with an act of violence towards you you can and should reject the identification and treat them as your neighbour.

But equally it might turn out that practical wisdom recommends us to develop the natural disposition to fight back and not to eliminate it. If there are powerful people
around out to get you if they can get away with it, then there will be good reasons for being someone naturally disposed to fighting back. You will then not just be able to fight against them, but also discourage them from attacking you in the first place by the threat of your fighting back.

This is Wild West morality and it may turn out that in the cultured developed world we can do without the inclination to fight back. The State will defend us and threaten potential attackers; we don’t have to do it for ourselves. But all I am trying to say here is that the capacity to fight back may form part of a virtuous person’s armoury. It would have to be an inclination only to fight back in the right way to the right extent in the right situation, etc, and this might mean that in normal circumstances it is never applied. But there is always at any rate a possibility that the State fails to deter evil doers and that fighting back is called for.

This partially instrumental justification for having a disposition towards the right sort of violence has something in common with the familiar instrumental justifications of having habits, instincts or fixed strategies of violence. Konrad Lorenz (1966) made the obvious point that the threat of violence can be used to persuade your conspecifics that you are not to be messed with and so enable you to achieve dominance and all the reproductive advantages that provides. And more sophisticated versions of this strategy were developed by Thomas Schelling (1960) who argued that the use of violence to give the impression that you would be willing to escalate a conflict uncontrollably gave you a competitive advantage in any game of conflict. This was developed into an argument for an ‘evolutionarily stable strategy’ of more complex patterns of aggression and submission by Maynard Smith (1974) and others.
These approaches generally work with some maximising model of rationality. The goal is something like that of maximising one’s reproductive advantage. Violent strategies are justified instrumentally by reference to this goal. This means that these justifications are not likely to have any ethical significance; maximising one’s advantage over others is not an ethical goal. However there may be ways to justify violent habits, instincts and commitments that are not so obviously immoral. Suppose the goal, rather than being that of maximising one’s advantage over others was merely to stop others having advantage over one. Presenting a believable threat of retaliatory violence by instituting an effective committed strategy of fighting back when attacked protects one’s status as someone to be taken seriously, at least in contexts where there is a lot of violence flying around in any case. This seems to be worth achieving, and is not obviously immoral.

These justifications of fixed strategies, instincts or habits of violence do not directly justify violent behaviour. They justify having something from which violent behaviour of a certain sort follows automatically. It is of the essence of the sort of strategies considered by Schelling that to be effective they must be such that the violent behaviour is inescapable given them. The successful bully must disable their reasonable decision-making and become so out of control that they have no further choice in the matter; otherwise the opponent would assume that the bully’s self interest would stop them from escalating the conflict. You win the game of chicken by throwing the steering wheel out of the window.
But what this means is that we do not find here any justification of violent behaviour as such. What is justified is something one remove from the behaviour. It is like the justification of the system of Mutually Assured Destruction (MAD) initiated by the Super Powers in the Cold War (or its only slightly madder caricature, the Doomsday Machine from *Dr Strangelove*).\(^5\) Such systems enable the retaliator to throw their hands in the air; the choice has been taken from them. My task though has been to find a justification that goes all the way through to the violent behaviour – a way of justifying dropping a nuclear bomb in retaliation, not just as a forced move but as a rational decision.

For this we need the violent behaviour to issue not from a disposition that leaves one no option except to behave in that way when activated, but from a disposition to engage in a normatively constituted practice. Such a practice – that of being in a fight - justifies the behaviour that issues from it.

So there might be a partially instrumental justification for having the concept of fighting back in some circumstances. It would be an instrumental reason for accepting a set of non-instrumental norms about when it is appropriate to attack someone. This is like the case of anger. There may be good instrumental reasons for having a character that includes the capacity for anger. But given this character, the reasons that justify getting angry are situational ones. For example, so and so has committed an affront that has shown an anger-meriting disrespect for me; therefore I should respond angrily. In the case of violence the inference would be that so and so has forced harm on me in a violence-provoking assault; therefore I should fight back.

\(^5\) The Doomsday Machine in *Dr Strangelove* had one fatal flaw, which was that no one had yet got around to making the existence of the machine known to the other side.
This is the neo-Aristotelian conception of emotion. An emotion involves the automatic and non-instrumental application of concepts of an emotion-meriting situation and emotion-apt behaviour. These concepts have been forged from natural patterns of response through learning and reflection – including instrumental reflection. But when they are applied the process is a perceptual or recognitional one. The subject just sees that the situation calls for a certain sort of response. That recognition is manifested by the subject making the very response that is called for.

Now consider some situation which is appraised as being violence-provoking or as meriting fighting back. This appraisal is the application of a concept that has been moulded out of our human and social nature by experience and reasoning. Given this appraisal, violent behaviour is justified. What constitutes violent behaviour is also a function of reason and nature. But these concepts are not worked out there and then. They have already been established and are now simply applied in responding to the situation in which one should take oneself to be in a fight. It does not follow that the response is a knee-jerk reaction. The recognition that a situation merits violence may involve careful ethical appraisal. But what is crucial to see for my purposes is that the justification of the response in this case involves no instrumental reasoning.

This is not just a point about a lack of conscious deliberation. There might or might not be conscious deliberation involved. The point is that the inferential pattern to which the subject’s behaviour is sensitive is not a means-ends one. A calculation of whether such a way of behaving serves the subject’s purposes is beside the point in determining whether they have a reason for behaving that way. Such a calculation
may of course provide a countervailing reason for not behaving that way. So while insisting that the pattern of reasoning justifying fighting back provides a reason for behaving in a violent way which is not conditional on instrumental considerations, we must of course acknowledge that one should apply some instrumental reasoning as well to ensure that one does not thereby embark on a disastrous course of action.

So one place that instrumental reasoning figures in emotional behaviour generally is as a possible countervailing reason. It may also figure in the background of the emotional reasoning itself, because it may figure in the process of developing the right concepts of violence or anger out of one’s nature and training. For example, the point of behaving angrily towards someone is to elicit an apology or a retreat and to establish your status as someone towards whom such an affront is unacceptable. It is a move in a complex game of establishing norms and is justified within that game. This background instrumental reasoning determines the right concept of anger to have and the right habits of angry response to develop. But in any particular instance of angry behaviour it is idle.

Similarly the point of fighting back is to establish your status as someone not to be messed with. It too is a move in a complex game of establishing norms. The concept of being in a fight is determined by instinct, training and reasoning – including instrumental reasoning. But in any particular situation of being attacked that concept will be applied as a matter of straightforward recognition, and the violent response will then be justified with no sensitivity to instrumental considerations.
Thinking of violence as an aspect of virtue is not to risk condoning violence as it is manifest in vicious activity. On the contrary, it enables us to criticise someone’s act of violence in a more properly nuanced way. Let us assume that such an act of violence is deliberately harmful and not justified by some higher goal. The less nuanced criticism of the behaviour is to say that it is a deliberate causing (or forcing) of harm and is thereby wrong. But this criticism makes no acknowledgement of the perpetrator’s sense of justification of what they are doing. It does not recognise their motivation as having any rational element, and so has no scope for persuading them of the error of their ways.

The more nuanced response is to explain why this is an inappropriate use of violence. By not condemning violence altogether one can acknowledge that the perpetrator has employed an aspect of their personality or humanity that is not bad or evil, but is rather out of control or out of proportion. If they were applying this disposition towards violence in the right way at the right time – in a way that was properly responsive to all the available considerations – then they would not apply it here. But nevertheless this disposition to violence is a good thing if properly handled. This is of course quite compatible with the pious hope that our society is set up so helpfully that a well moderated disposition to violence will never issue in acts of violence and can therefore safely wither away from disuse without any real loss.


