

through historical blocs in power. That is, various subordinate groups can form coalitions and achieve power that is legitimated through popular consent. Democracy is the “forging of a legitimate consensus” (p. 62). For this to be achieved in a real sense, he believes that a “critical transformation” of the political order must be achieved. This is the focus of the second part of the book. In this part, the idea of “victims” (p. 69) assumes a central place. For the author, the victims are those members of the citizenry who have been marginalized and exploited, and whose empowerment is the primary purpose of democracy. But this approach to “people’s power” is overly simplistic and thus problematic. Dussel’s definition of “victims” or “the people” includes the poor, peasants, women, nonwhite people, the handicapped, the elderly, and so on. Indeed, it is exceptionally broad and encompassing, and he offers little theoretical explanation of what constitutes this assortment of groups as the people, nor does he explain how each of these different groups will be able to surmount problems of collective action and interest-group politics so as to coalesce politically into a unified force. In the same way, he fails to consider the possibility that individuals who are nonwhite, handicapped, elderly, and even of lower-class origins could belong to a power elite. In short, his theory of power leaves much unanswered.

In short, Dussel effectively fetishizes the very idea of “the people.” Rather than viewing a political community as an artifact created by political actors and leaders, he seems to assume that a people is out there and simply needs to realize its positive political power in foundational moments (this realization is what he calls *hypercentia*). One could argue that, in fact, a people is forged and shaped, that is, chronically redefined, and indeed that it has porous boundaries. There is no such thing as the people in itself. For this reason, we cannot begin to perform the kind of Husserlian phenomenology of “the people” that Dussel envisions. The Machiavellian insight is valuable here: Particular leaders (“princes”) must exist to shape and form a people out of an inchoate mass. Dussel does refer to Machiavelli often, and to some leaders such as Evo Morales, Hugo Chávez and Fidel Castro, but he seems to see them as expressions of popular will rather than as Machiavellian princes who shape their constituencies. He thus ignores the dynamics of leadership, patronage, and exclusion that are necessary in the shaping of a people, and that most certainly have been in play in the case of the leaders cited here.

For instance, in the case of Bolivia, which Dussel mentions often, Evo Morales’s strategy has in fact been to forge a principally indigenous-peoples movement into a political party and then into a ruling political class that tends to exclude nonindigenous peoples at the higher echelons. This tack, pace Dussel, is not universally inclusive (even if we were to grant it historical legitimacy), nor is it an expression of the totality of the Bolivian people. Indeed, a serious political theory of democracy

must be able to distinguish between the rhetorical power of populist leaders and the veracity of their claims to democratic legitimacy—a distinction to which Dussel seems indifferent.

Still, this book is relevant for us today because it defends the idea that an alternative to the status quo is indeed possible. Critical of Iris Young and Habermas, Dussel tells us that “[t]he excluded should not be merely *included* in the *old* system . . . but rather ought to participate as equals in a *new institutional moment* (the *new* political order). This is a struggle not for *inclusion*, but for *transformation*” (p. 89, emphasis in the original). That is to say, in the realm of politics, we have no reason to think that things should continue as they are. Political actors can choose conservative, liberal, or anarchic strategies, but the radical democratic option is also an alternative that needs to be explored theoretically and in practice. Here it becomes clear that Dussel is perhaps closer to the modernist ethos than to the postmodernist one. He seeks the *new*, which is one meaning of the modern. He also believes a political *order* is possible, as opposed to merely a multiplicity of points of power. As Machiavelli, the founder of modern political thought, believed, a new prince is needed to establish “new modes and orders.” This “exceptional political leader” (p. 90)—as Dussel describes him or her—is an important, yet undertheorized, element in his account. Equally untheorized is the complex relationship between such leadership and democracy. Such issues are nonetheless central to contemporary political theory.

How Do I Save My Honor? War, Moral Integrity, and Principled Resignation.

By William F. Felice. Lanham, MD: Rowman & Littlefield Publishers, 2009. 240p. \$44.95 cloth, \$29.95 paper.

Killing in War. By Jeff McMahan. New York: Oxford University Press, 2009. 248p. \$35.00.
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— Celestino Perez, *U.S. Army Command and General Staff College*

As Colin Powell emerged from his service in Vietnam, he and his fellow officers made a vow: “Many of my generation, the career captains, majors, and lieutenant colonels seasoned in that war, vowed that when our turn came to call the shots, we would not quietly acquiesce in half-hearted warfare for half-baked reasons that the American people could not understand or support. If we could make good on that promise to ourselves, to the civilian leadership, and to the country, then the sacrifices of Vietnam would not have been in vain” (quoted in Felice, p. 82). The substance of Powell’s vow presumes that an agent of the state has a moral duty to evaluate policy and to grant or not one’s acquiescence based on the findings.

Jeff McMahan’s *Killing in War* and William Felice’s *How Do I Save My Honor?* counsel that an agent of the state has a moral obligation to disobey the state’s order to facilitate

or prosecute an unjust war. Apart from their conclusions, the books' approaches differ greatly. *Killing in War* is an abstract examination of the moral choices a soldier faces when asked to fight in an unjust war. *How Do I Save My Honor?* looks closely at the actual reasons that particular American and British officials—both diplomatic and military—gave to protest their governments' post-9/11 Iraq policies. *Killing in War*, while politically aware, is mostly an exercise in philosophical ethics. The author's interlocutors are other academics. *How Do I Save My Honor?*, while philosophically aware, is mostly an exercise in politics, if we mean by "politics" the giving and taking of reasons for our actions. Despite their differences, the substance of each text is weighty and informative.

McMahan produces a retooled just war theory (JWT) in the hope that it will seep into citizens' imaginations and yield better war policy. Were McMahan's fundamental revisions to gain popular traction, active-duty soldiers "would be more reluctant to fight in wars they believed to be unjust." It follows that the subsequent "prospects of [military] resistance" might well "deter at least some [political leaders'] attempts to initiate unjust wars" (p. 7).

The fundamental flaw of orthodox JWT is the doctrine of the moral equality of combatants. This doctrine posits that soldiers do no wrong in war so long as they fight justly: i.e., they wear uniforms, they treat prisoners well, they discriminate between combatants and noncombatants, and they adhere to considerations of proportionality. It makes no difference whether a combatant fights in a just or unjust war. McMahan's principal claim, contra the just war tradition from Augustine to Michael Walzer, is that only combatants whose government wages a just war act rightly. If soldiers fight in an unjust war, they act wrongly even if they adhere fastidiously to the traditional rules of conduct in war.

Killing in War argues that orthodox JWT "has no plausibility outside the context of war. In contexts other than war, the morality of conflict is almost invariably asymmetric: those who are in the right may be permitted to use force and violence but those who are in the wrong are not" (p. 35). If a homeowner fires a pistol in self-defense against an armed burglar, the armed burglar has no right to fire back. *Mutatis mutandis*, an unjust combatant has no right to fire back at an attacking just combatant.

This conclusion is not entirely new. McMahan acknowledges drawing partial sustenance from such venerable thinkers as Francisco de Vitoria and Francisco Suarez. The novelty arises in *Killing in War's* employment of innocence and liability in ways contrary to orthodox JWT. First, an innocent person is not someone who is an unarmed civilian, but someone who is not personally liable to attack for wrongdoing. It follows that a just combatant, having done no wrong, is an innocent. Second, someone who takes up arms against a person who is innocent (i.e., a just combatant) becomes personally liable for wrongdoing.

These two premises inform his theoretical ripostes against those arguments in favor of the moral equality of combatants: e.g., that soldiers "consent" to be attacked, that a soldier is at an epistemic disadvantage in discerning whether a war is just, that soldiers ought to defer to their government's authority, and that war is a collective endeavor.

Killing in War is theoretically elegant, nuanced, and comprehensive. McMahan's proposed framing of just war, while not definitive, certainly deserves attention, and scholarly counterarguments to his position will surely be forthcoming. Indeed, McMahan's argument is philosophical, and his main targets are other philosophers. Yet *Killing in War* contains also a not so subtle and strange polemic against the soldier. McMahan asserts that there is too little sober, theoretical attention paid to discerning the morality of war in the military. He is right. There is virtually no discussion of JWT at (e.g.) the Command and General Staff College at Fort Leavenworth, which provides most midcareer officers with the intellectual capital they will need to serve as military staffers and battalion commanders in future assignments.

But it is true also that elected and unelected policymakers receive no formal training—as a matter of course—in JWT. Since policymakers have direct responsibility for formulating policy, which group—policymakers or soldiers—provides McMahan's heartfelt concerns about killing with the most direct, efficient target? If McMahan wants to stop wrongful killing in war, should his logical, most direct target be the policymaker, who is professionally responsible for war, or the soldier, who is professionally responsible for fighting a war justly?

Given *Killing in War's* contention that the campaign in Iraq is unjust (p. 76), it follows that American soldiers serving in Iraq today are unjust combatants. There is not a little condescension in his pages, despite McMahan's personal relationships with military professionals (p. viii). To wit: soldiers "have few scruples about setting off unquestioningly at the behest of their government to kill members of other nations" (p. 7). Soldiers as unjust combatants "have been worse than derelict in their duty to protect their people" and they "bear significant responsibility for the threat their civilians face" (p. 49). "We must stop reassuring soldiers that they act permissibly when they fight in an unjust war" (p. 95). The aim of most military organizations is to "convert them into largely unreflective instruments of the wills of their superiors" (p. 119). "[I]t is highly doubtful that many [soldiers] do take seriously their moral duty to examine the reasons for and against their participation in the war" (p. 150). "[S]oldiers very seldom even try to fulfill their rather exacting epistemic duties. So it is hardly surprising that they so often get it wrong" (p. 185).

Notwithstanding the fact that moral enquiry need not be a syllogistic endeavor, two possibilities present themselves. First, if the most direct, concrete problem McMahan

faces has to do with policymakers' ratiocinations and not the military, McMahan's condescension toward soldiers is oddly misplaced. Second, if it turns out that McMahan loses his theoretical campaign against JWT and, say, Walzer's orthodox position prevails—a possibility that, as an intellectual, McMahan ought to at least consider—McMahan's barbs lose their theoretical support, thereby rendering his patent condescension toward soldiers wrongful and unjustified.

McMahan's barbs seem all the more strange given his vacillating determination to make the world a better place. He wants to improve war policy by inculcating a new morality among soldiers, but he recognizes the utopian flavor of his campaign, which effectively outlaws war (p. 6). He claims that soldiers are unreflective instruments, but he asserts that most unjust combatants (e.g., American soldiers) are to a significant degree *excused*. He thinks, "at least at present, there are decisive reasons, mostly of a pragmatic nature, not to hold unjust combatants liable to punishment" (pp. 189–90). Yet, he also favors a future world in which it would be a good idea "to try to deter soldiers from participating in unjust wars by threatening them with punishment if they do" (p. 190). McMahan sees soldiers as ethical slackers, but he concedes that soldiers' commonsense thinking about war is fully supported by centuries of JWT since Augustine.

Felice's *How Do I Save My Honor?* begins not with theory but with the actual narratives of policy dissenters. *How Do I Save My Honor?* examines the justifications that civilian and military officials gave for either resigning from or remaining in office upon determining that the Iraq War was unjust. Although Felice focuses on civil servants, he proceeds with an awareness that responsibility for war extends beyond the foreign service and the military: "All of these persons have lessons to teach all of us about individual moral responsibility in a time of war. No matter what we are in society—teachers, community leaders, janitors, nurses, and so on—we all have a responsibility to the truth and our personal integrity and moral autonomy" (p. 5).

Much of the substance of *How Do I Save My Honor?* arises from a series of interviews Felice conducted with government officials who had moral qualms with British and American policy in Iraq. His method has the merit of concretizing and amplifying the problem that McMahan theorizes. For instance, the financial, professional, and legal risks officials and soldiers assume in resigning arise as tangible concerns. Moreover, Felice complicates the problem of discerning whether a war is just or not with enough time to take action. If *How Do I Save My Honor?*'s accounts of the mixed motives and intelligence shaping that took place within the U.S. and British governments are plausible, the epistemic problem associated with just war discernment is more difficult than *Killing in War* leads us to believe.

The dragons Felice slays include excessive loyalty, groupthink, the separation of "policy" and "ethics," and the hubris and self-delusional motives inherent in regime change justified on humanitarian grounds. Felice champions an ethic of principled resignation, which "is based on the idea that the primary duty of all government employees and all citizens is to individual conscience. From the very beginning of his or her government career, the individual government employee would understand that he or she was expected to always voice his or her objections to immoral policies. The employee is never to 'go along to get along'" (p. 190).

Among *How Do I Save My Honor?*'s most compelling arguments is the author's juxtaposition of Powell's post-Vietnam vow to resist half-baked, poorly understood, and insufficiently supported reasons for war with his role in facilitating the 2003 invasion of Iraq as secretary of state. The "Powell Doctrine," which contained the substance of Powell's post-Vietnam vow, demanded (in Felice's words) "war as a last resort, overwhelming force to bring about a quick end to the suffering, and clear political and military objectives." *How Do I Save My Honor?*, after a step-by-step analysis, concludes that "[e]very component of the Powell Doctrine was violated in the 2003 invasion and occupation of Iraq" (p. 84). Political scientists, military professionals, and citizens would do well to discuss, debate, and reflect on the validity of Felice's blistering critique of Powell's distinction between "ethical" and "policy" reservations.

Killing in War and *How Do I Save My Honor?* are serious books, and each deserves the attention of political scientists and, especially, military professionals. Yet, I see two omissions. The authors seem reluctant to consider Walzer's concept of *jus post bellum*, which explores the moral duties inherent in the intuition that "once we have acted in ways that have significant negative consequences for other people (even if there are also positive consequences), we cannot just walk away" (*Arguing about War*, 2004). It is inevitable that political leaders will make errors in judgment and—at times—willingly order the commission of wrongful acts. If so, we must discern when to stop the moral finger wagging and attempt to correct our wrongs. Those soldiers who deployed to Iraq after the regime's fall routinely ventured into the populace to stop the killing, improve governance, develop essential services and public infrastructure, grow the economy, train security forces, and improve the health and welfare of ordinary Iraqis. Indeed, it is plausible that significantly more soldiers were killed or wounded in the execution of these capacity-building, cooperative endeavors than in the execution of lethal raids or enemy-clearing missions. Determining the justness of a war may not be a discrete, one-time event, but a continuous discernment. The mission after Hussein's fall from power was not to topple a regime but to carry out a *military-generated* mission to protect the population (these issues are discussed in Noah Feldman's

What We Owe Iraq: War and the Ethics of Nation-Building [2004]).

A second line of investigation might fruitfully inform McMahan's argument and supplement Felice's interviews. Among the ranks of military professionals are persons trained in ethics, philosophy, and political theory. Many of these soldiers have taught cadets in the service academies or officers in military schools. How might the justifications of these scholarly warriors round out the analysis in *Killing in War* and *How Do I Save My Honor*?

One possibility is that soldiers have recourse to a frame not unlike that contained in Powell's vow. That is, the soldier discharges his or her duties not with bovine trust, but with the sacred trust akin to one's hope that his or her *other* will be faithful and true. Given the stakes of war, to proceed with such trust is not foolish. Of course, McMahan's and Felice's intuition is correct: soldiers "are not simply lumps of coal or dumb animals" (Felice, p. 181). If asked to conquer Mexico in a power-seeking grab or to commit genocide, a soldier must resign and face the expected consequences. But the policymaker, *ex officio*, has the capacity to place his or her soldiers and his or her citizens in moral and physical risk. The soldier, by vocation, has the capacity to place his or her subordinates in moral and physical risk. The policymaker's chief duty is to ensure that war policy is sound and just. The soldier's chief duty is to ensure the war's execution is efficacious and just. If both are faithful, no moral problem arises. If either betrays the other's trust, the souls and bodies of flesh-and-blood persons will suffer—often for a lifetime.

The Young Karl Marx: German Philosophy, Modern Politics, and Human Flourishing. By David Leopold. New York: Cambridge University Press, 2007. 338p. \$115.00 cloth, \$34.99 paper.

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— Bradley J. Macdonald, *Colorado State University*

The early works of Karl Marx—especially the *Critique of Hegel's Philosophy of Right*, *On the Jewish Question*, and *Economic and Philosophical Manuscripts*—have played a pivotal role in the debates concerning the character and nature of Marx's political theory, though, of course, not without controversy. Of particular note, the resurrection and publication of the notebook fragments, *Economic and Philosophical Manuscripts*, were heralded by certain participants within the Western Marxist tradition as a whole new way of understanding Marx's political theory, in which a sclerotic "scientific" Marx could finally be put aside for a figure more Hegelian and humanist in its concerns. Whatever one's perspective on the importance of this work for defining the overall position of Marx, these early works have consistently raised important dilemmas and conundrums for Marx studies: In what way are these works linked to his more mature writings? Are these works representa-

tive of a unique position on his part, or are they just brilliant echoes of early predecessors like Bruno Bauer, Ludwig Feuerbach, and, of course, Hegel? More specifically, is there a distinct political theory that lies within these opaque, dense, and oftentimes fragmentary writings, one that may have some relevance for our current understandings of politics?

Thankfully, in this thoughtful and well-argued book, David Leopold does not deal with all of these issues. Although he mentions these debates, his focus is actually more straightforward, and, for that reason, it provides an important foundation upon which scholars and students of Marx's political theory can begin to tackle the larger and more contentious metatheoretical issues themselves. While the early works of Marx have always provided an exciting entry point for interrogating the nature of his contributions to political theory, what has been less clear is the way in which they provide any consistent analysis of the nature of the state and its relationship to the flowering of human potentiality. Leopold sets his sights on actually providing a clarification and explication of these "suggestive," yet "opaque" (p. 1) texts, with the intent of offering a clear view of Marx's "account of the emergence, the character, and the (future) replacement of the modern state" (p. 11). What is important about these early works, he argues, is that they exhibit a concern with problems of the modern state, informed by a suggestive philosophical anthropology, that was eclipsed once Marx began to more rigorously develop his materialist conception of history.

To perform this exegesis of Marx's political theory, Leopold devotes separate chapters to "German Philosophy," "Modern Politics," and "Human Flourishing," each of which deals primarily with a particular, renowned text from Marx's early works. As may be expected in a book that appears in this eminent series devoted to "Ideas in Context" (coedited by Quentin Skinner), the main interpretative strategy is to clarify Marx's concepts via attentiveness to the intellectual and cultural context within which they developed. This hermeneutic orientation has clear advantages for the task Leopold sets himself (explication and clarification), and it produces extensive and helpful interpretations of Marx's well-known intellectual forebears and contemporaries (e.g., Hegel, Heine, Bauer, Feuerbach), not to mention a deeper understanding of relevant historical debates concerning the nature of German anti-Semitism and arguments about the political emancipation of the Jews in Europe.

In the chapter on German philosophy, Leopold primarily engages Marx's *Critique of Hegel's Philosophy of Right*, a text rarely read by even the most devoted Marx scholars, and one that is notoriously difficult given its fragmentary and exegetical form. (This is a completely separate text from the well-known companion piece, "Preface to A Contribution to the Critique of Hegel's Philosophy of Right," which contains Marx's famous comments on religion and

First of all, populists can still blame their failures in government on elites acting behind the scenes, whether at home or abroad, so protest can continue even when populists are nominally in charge. The claim to exclusive moral representation also explains why populist parties tend to colonize the state itself—again, justified by reasoning drawn from within the moral universe of populism and hence, again, with a clean moral conscience and continuous moral appeal to their supporters. Confusion arises, however, when populist leaders like the Dutch politician Geert Wilders or France’s Marine Le Pen evoke seemingly liberal-sounding values such as freedom of choice or tolerance in their habitual attacks on Muslims. Another problem of democratic legitimacy is the confusion of the voting as procedure of decision making and voting as legitimate principle. Addressing the theory of Pierre Rosanvallon author explains how the way of decision making mistakenly is taken as the core point of democratic legitimacy. It is not enough to explain the legitimating power of the state as based on the assumption of legal norms and moral principles. The article presents deep analyzes of legitimacy and the basics of the process of legitimization in democratic societies. Prima facie it may seem that the notion of legitimacy is quite ambiguous and extremely blurred, therefore it can hardly clarify the mechanism of the power institutes' functioning. It cannot be quantitated and exactly measured.