

**WHY KILLING IN WAR IS TRAUMATIC: EMMANUEL  
LEVINAS AND A MODEL OF MORAL INJURY FROM ACTIONS WE  
HAVE NORMATIVE PERMISSION TO PERFORM.**

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*A thesis submitted to fulfil requirements for the degree of Doctor of Philosophy*

*This is to certify that to the best of my knowledge; the content of this thesis is my own work. This thesis has not been submitted for any degree or other purposes.*

*I certify that the intellectual content of this thesis is the product of my own work and that all the assistance received in preparing this thesis and sources have been acknowledged.*

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## Abstract

This investigation will provide a model to make sense of why it is so inherently traumatic to kill another human – independent of normative circumstances. It will examine the construct of *moral injury*, a term that has entered the diagnostic and social lexicons under the guise of an explanation of why certain acts may be psychologically deleterious, and has rapidly become the ‘signature’ war-wound of contemporary engagements. Current research agendas identify existential dissonance caused by perpetrative agency, specifically killing, as the most potent causal factor. While research into why perpetration appears so etiologically significant is available under various guises, these accounts have been unable, or unwilling, to unravel the normative assignations that surround the suffering experienced. The paucity of such approaches in providing a basis for understanding why we would feel bad for certain actions which we have normative permission to perform, is the basis for an alternative, phenomenologically driven investigation, informed by the French philosopher, Emmanuel Levinas. Major topics such as death and suffering of ourselves and others, will be shown to play central roles in conceiving, and justifying, a compelling alternative to existing narratives. Through a disambiguation of the origins of one’s obligations, obligations that are inadvertently lain bare by agency, an ‘ethical model’ will be proposed that proffers a framework to accurately describe the previously unexplained distress pathway that arises from our agency (or lack there-of). In articulating a model which anchors both our ethical and moral sensibilities, a tool emerges with which to make philosophical and psychological sense of suffering that is buried deeper than normative determinations of moral expediency.

## **Authors Note**

It may be tempting to think that long and personal projects such as this, are the product of an individual. Nothing could be further from the truth. The trust, friendships, and belief offered throughout the writing of this work is an immeasurable comfort in what must otherwise be a lonely, and at times excruciatingly frustrating, pursuit of knowledge and excellence.

It's a triumph of family that profoundly supports personal achievement for current and future generations. In recognizing such, and the opportunity it begets, I can think of no better place to sincerely thank my father, John Shaw, for understanding so gracefully.

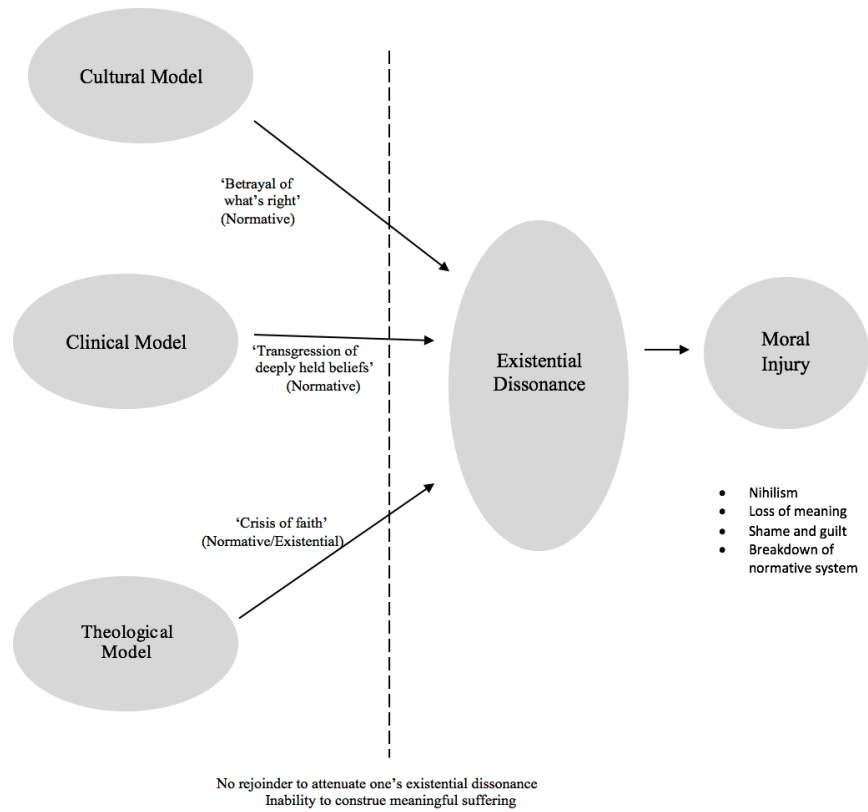
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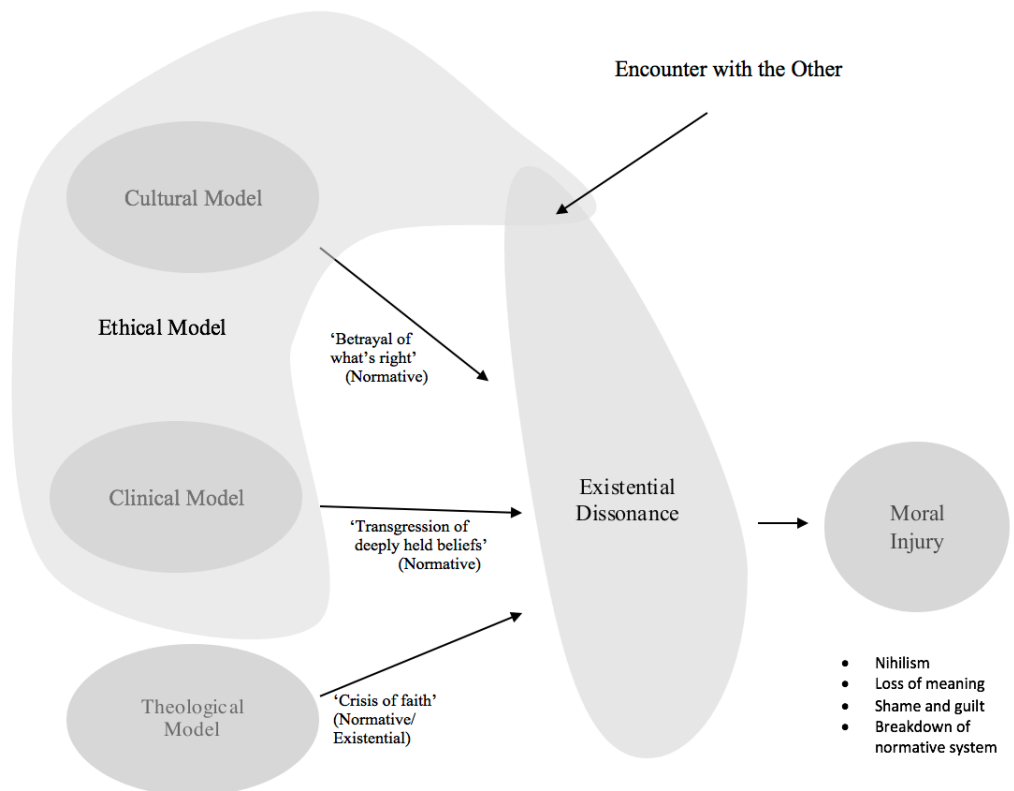
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## Visual Adumbrates

### EXISTING MODELS OF MORAL INJURY



### ETHICAL MODEL OF MORAL INJURY



## Preamble

### **Modelling the Morality of Perpetrative Agency**

#### *i.*     **Introduction**

The psychological sequela associated with wartime actions are not particular to contemporary military engagements; long having been a locus for social understandings of trauma. Ancient Greek tragedies, often written and performed by combat veterans, spoke of *miasma* — a moral pollution or defilement (importantly not necessarily implying moral or legal culpability) arising from participation in war, the cure of which was believed to be *katharsis*, or social cleansing.<sup>1</sup> While the phenomenon of combat induced trauma appears to be ancient, contemporary research has only recently begun to investigate trauma arising from impacts to spiritual or moral sensibilities, generally preferring to stress the physical and/or psychophysical tolls of war.<sup>2</sup> Contemporary investigations which attempt to bridge this gap between these two conceptualizations are evidenced in a burgeoning literature on the impact of experiences that precipitate various ethical and moral challenges faced during

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<sup>1</sup> Euripides, and Robert E. Meagher. *Herakles Gone Mad: Rethinking Heroism in an Age of Endless War*. (Northampton, Mass: Olive Branch Press, 2006): 20.

<sup>2</sup> Jonathan Shay, “Learning about Combat Stress from Homer’s Iliad,” *Journal of Traumatic Stress* 4, no. 4 (October 1991): 561; Jonathan Shay, *Odysseus in America: Combat Trauma and the Trials of Homecoming* (New York: Scribner, 2002): 3.



deployment.<sup>3</sup> Only recently has the salience of ‘existential dissonance’ - an inconsistency or contradiction arising from acts and one’s moral beliefs, been proposed as the significant factor to traumatic psychological sequela, as.<sup>4</sup> Loosely classified and understood under the umbrella term of *moral injury*, this psychological assignation has rapidly become the ‘signature’ war-wound of contemporary engagements which has, in the process, captured the attention of moral theorists and clinicians alike.<sup>5</sup> However it is uncertain whether current understandings of the term adequately describe such occurrences.

The emergent literature on moral injury designates a construct in its infancy. An emerging consensus is starting to consolidate around the view that moral injury is associated with the disturbance, disruption or diminishment of a uniformed person's moral outlook; as well as the depletion, degradation or disorientation of their inner-moral compass as a consequence of operational service.<sup>6</sup> Validation of this causal ascription is currently taking place along three principal line of research, grouped under the umbrella terms of *cultural*, *psychological* and *theological* perspectives.<sup>7</sup> The explanatory model of each perspective utilizes the conceptual etymologies particular to that evaluation to best understand the root causes of the phenomenon. Reliance upon the theoretical resources attached to these discrete fields

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<sup>3</sup> Kent Drescher, David Foy, Caroline Kelly, Anna Leshner, Kerrie Schutz, and Brett Litz. “An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans.” *Traumatology* 17, no. 1 (March 10, 2011): 8.

<sup>4</sup> Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society*, 1st ed. (Boston: Little Brown, 1995); Peter Kilner, *Thoughts of a Soldier-Ethicist* (accessed August 2017). Available from: <http://soldier-ethicist.blogspot.com.au/search?q=moral+injury>.

<sup>5</sup> National Public Radio. *The Impact of War: Moral Injury is the ‘Signature Wound’ of Today’s Veterans*. Aired November 11, 2014. Last accessed September 2017) Available from: <http://www.npr.org/templates/transcript/transcript.php?storyId=363288341>.

<sup>6</sup> Australia, Parliament, Senate, Defence and Trade References Committee Foreign Affairs, and Alex Gallacher. *Mental Health of Australian Defence Force Members and Veterans*, 2016: 67-70.

<sup>7</sup> Sheila, Frankfurt and Patricia Frazier. “A Review of Research on Moral Injury in Combat Veterans.” *Military Psychology* 28, no. 5 (2016): 318.

of study has, perhaps unintentionally so, created a conceptual trifurcation whereby divergent interpretations on what is constitutively important within the moral injury construct are proposed. The definitional malady belies a construct which exists as three discrete theories, each attempting to understand, and subsequently treat, the moral tolls of wartime agency.

This piecemeal tapestry of explanatory models impinges upon concise explanations of why psychological trauma is experienced by some for actions they are justified in doing. While the term *moral injury* appears to have stuck as a suitable expression to describe the phenomenon of distress of an existential nature in the diagnostic and cultural lexicons of contemporary discourse, existing models are at best vague, and at worse uncertain, about how their respective explanations account for observed distress pathways.<sup>8</sup> While recent academic interest has uncovered a significant correlation between perpetrative agency in wartime and psychological distress after deployment, to date no model has been successful in mounting an explanation detailing a causation pathway that can be accepted universally. A unifying framework to describe the moral salience of actions and their subsequent psychological effects, that accommodates the vicissitudes of existing models, is sorely needed. It will be a crucial first step in developing a stable platform for existing academic and clinical programs. Any proposed panacea to the current conceptual malady must provide a clear framework to explain the impact of those experiences in war that are the strongest predictors of psychological distress. Of such wartime experiences, the act of killing consistently ranks as the strongest predictor; with several studies suggesting that

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<sup>8</sup> Rachel MacNair, "Perpetration-Induced Traumatic Stress in Combat Veterans." *Peace and Conflict: Journal of Peace Psychology* 8, no. 1 (March 2002): 63; Shira Maguen, Barbara Lucenko, Mark Reger, Gregory Gahm, Brett Litz, Karen Seal, Sara Knight, and Charles Marmar. "The Impact of Reported Direct and Indirect Killing on Mental Health Symptoms in Iraq War Veterans." *Journal of Traumatic Stress* 23, no. 1 (2010): 86–90.

this is a result, of existential dissonance such an act causes.<sup>9</sup> There is, however, no definitive explanation for why this may be the case.<sup>10</sup> This investigation will critically examine how each of the existing models of moral injury, and the assumptions upon which each of them are based, account for the impact of this act. The inadequacies of each provide the impetus for an investigation on what constitutes the moral salience of the act of killing. This thesis thereby provides the first substantive attempt to address concerns over the efficacy of existing models and to provide an explanation for the etiological salience of killing at a level which is foundational, and not merely retrospectively ‘best-of-fit;’. Using the etiological significance of killing as a conceptual starting point, a catalyst will emerge to unravel what has been, up until now, a set of confusing pathways into what underlies the existential distress surrounding acts of perpetrative agency, whether intended as such or not.

The study will investigate how useful the field of Moral Psychology is in terms of providing the necessary conceptual tools to understand the morality of agency where one is seen, whether through the lens of society or a personal metric to be a perpetrator. Similarly, empathy, the construct believed to be the central component of what makes killing in war existentially damaging will be discussed. In doing so, this investigation situates its preliminary enquiries at the accepted epicentre of contemporary research. In successfully demonstrating the inadequacy of the empathy construct in providing a foundation to construe the imminence of killing in wartime, a new direction will be proposed which takes advantage of the phenomenological tools of Continental philosophy, in particular those of the renowned French ethicist, Emmanuel Lévinas. Braced with philosophical rigor, the arguments presented will open the door to address broader concerns about how we are to

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<sup>9</sup> Frankfurt and Frazier, “*A Review of Research on Moral Injury in Combat Veterans*,” 9.

<sup>10</sup> MacNair, “*Perpetration-Induced Traumatic Stress in Combat Veterans*,” 63.

construe our obligations to others and how such concerns influence understandings of psychological illness, themes hitherto ignored by psychological distress models.<sup>11</sup>

In employing the phenomenon of existential distress as the starting point to understand why killing is such an etiologically significant factor, the investigation takes a quasi-hermeneutical form whereby the next point of enquiry becomes evident. This step-by-step methodology acts as a vehicle to take the psychologically-minded reader far past where he or she might be otherwise be comfortable and simultaneously also providing a cross-disciplinary methodological safety-net. Such an approach makes accessible theoretical arenas which s/he might not have intuitively grasped without this process of conceptual bootstrapping. This approach will invite the reader to reimagine the precepts and the origins of our obligations to others, specifically how these may be affected in wartime generally, and specifically in the act of killing. In proposing that a fundamental ethical interchange between persons can be utilized to understand the foundations for our existential wellbeing, a profound alternative will emerge to the dominant and normative versions of moral injury which society and psychology currently trade. Using the philosophical tools that emerge from the ethical perspective of Lévinas, the construct will finally be able to discern a practical pathway to explain previously esoteric delineations of why existential dissonance causes psychological anguish. In successfully providing a framework to make sense of, and provide further richness to, existing models of moral injury, a clear rationale to re-imagine the psychological implications of killing, in particular why it is inherently so traumatizing to do so, will become evident.

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<sup>11</sup> Craig Edwards, "Ethical Decisions in the Classification of Mental Conditions as Mental Illness." *Philosophy, Psychiatry, & Psychology* 16, no. 1 (2009): 73.

**ii. Importance**

Western psychological models are currently employed to safeguard the lives of returning service men and women. Since consecrating a Post-Traumatic trauma pathway to diagnose the psychological wounds of war back in 1980, Western psychiatry has been acutely aware of the importance of a model that accurately addresses the ethical and moral stressors encountered in wartime. At stake is more than just a taxonomic need to classify dysfunction. Studies identify the prevalence of mental health problems in contemporary veteran cohorts to be at least as high as in the post-Vietnam era.<sup>12</sup> In the United States this is played out on a national stage by the sickening statistic surrounding veteran suicide rates. In 2013, the United States Department of Veterans Affairs released a study that showed roughly twenty two veterans were dying by suicide per day, or one every sixty-five minutes.<sup>13</sup> This reflected, for the first time, more service personal deaths on home soil by their own hand, than are lost on the battlefield. This tragedy testifies to an urgency, already too late, to have the best possible models in place to understand traumatic wartime experiences. Evidence of the failings of wartime psychological distress models is not difficult to find. It appears puzzling that the diagnosis and approbation of Post-Traumatic Stress Disorder has changed in significant ways in every single iteration of the Diagnostic and Statistical Manual of Mental Disorders since its inclusion in 1980. Such conceptual flightiness is driven by internal research trajectories that constantly redefine construct validity. Few cross disciplinary attempts have been proffered to attenuate this definitional

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<sup>12</sup> Terri Tanielian, Lisa Jaycox, Rand Corporation., California Community Foundation., RAND Health., and Rand Corporation. National Security Research Division. *Invisible Wounds of War Psychological and Cognitive Injuries, Their Consequences, and Services to Assist Recovery*. Santa Monica, (CA: RAND Center for Military Health Policy Research, 2008).

<sup>13</sup> Timothy Lineberry and Stephen O'Connor. "Suicide in the US Army." *Mayo Clinic Proceedings* 87, no. 9 (September 2012): 871.

crisis. A dearth of external models is perhaps surprising, considering that self-correction aimed at construct efficacy from within the field of psychology assumes that the conceptual tools available to, and within, the discipline can explicate the phenomenon, something that is by no means certain.

At an Australian policy level, concerns with the detection, diagnosis and treatment of mental health problems in serving and discharged defence force personnel have been the subject of concentrated national research into trauma and its sequela. However, until quite recently, little consideration has been paid to the impacts of deployment to moral values and identity, or how such values affected decision making.<sup>14</sup> Preliminary importance of understanding such questions is found in a study into lawful dissent in the defence force which indicates that the majority of personnel believed you could disobey an order which you *thought* was unlawful, increasing to ninety seven percent if you *knew* it was, while only half thought you could disobey an order if you thought it was immoral.<sup>15</sup> Until recently, questions such as this have been left conspicuously unanswered in domestic initiatives aimed at addressing the mental health and wellbeing of veterans. The *Veteran Mental Health Strategy* was tasked with creating a decade long vision (2013 – 2023) for the mental health and wellbeing of veterans and the ex-service community. Apart from identifying how an increase in operational tempo may have resulted in new and emerging issues in regard to the mental health of contemporary veterans, Australia’s national policy platform for the next generation of mental health interventions was silent on considerations of a moral derivation. A second publication, the *Mental Health Prevalence and Wellbeing Study*

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<sup>14</sup> Jeremy Ginges and Scott Atran. “War as a Moral Imperative (Not Just Practical Politics by Other Means).” *Proceedings of the Royal Society B: Biological Sciences* 278, no. 1720 (October 7, 2011): 2930.

<sup>15</sup> Rhonda Wheate and Nial Wheate. “Lawful dissent and the modern Australian defence force.” *Australian Defence Force Journal* 16, (may/june) (2003): 20.

represents the first comprehensive investigation of the mental health of a defence force serving population. In addressing moral considerations as a factor driving mental health considerations, the document also advocated for phenomenological investigation into wartime stressors:

Obsessional rumination in relation to harming another individual ... about the moral dilemmas associated with these activities and the internal conflicts this can create for individuals who have not been able to intervene as they might have desired. These manifestations of distress *require further analysis to investigate their phenomenology* and how they should be addressed in treatment.<sup>16</sup>

It is clear from the above excerpt that a need exists for phenomenological analysis into distress pathways. The aforementioned appeal encouraging phenomenological analysis to understand the manifestation of distress has recently been buttressed by a senate committee report where this solitary remark has been expanded into a full section on moral injury.<sup>17</sup> An additional indication of how important this avenue of investigation has become is evidenced by a Senate commitment for a comprehensive academic study on what is required for a better understanding of this condition.<sup>18</sup> Notably, this document also draws attention to the operational importance of having an accurate model of moral injury for soldiers in the field, not just for veterans. Lead academic investigator, Professor Tom Frame, identified several operational and tactical concerns that could emanate from injuries sustained from moral sources in the theatre of war:

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<sup>16</sup> Alexander McFarlane and Stephanie Hodson, Australia, Department of Defence, University of Adelaide, Centre for Traumatic Stress Studies, Australia, Department of Defence, Joint Health Command, and Psychology and Rehabilitation Branch Mental Health. *Mental Health in the Australian Defence Force 2010 ADF Mental Health Prevalence and Wellbeing Study: Report*. Canberra: Department of Defence, 2011. 58-59 [Emphasis added].

<sup>17</sup> Australia, Parliament, Senate, Defence and Trade References Committee Foreign Affairs, and Alex Gallacher. *Mental Health of Australian Defence Force Members and Veterans*, 2016: 67.

<sup>18</sup> Australia, "Mental Health of Australian Defence Force," 69.

The morally injured person can be debilitated by their injuries in a number of ways. He or she could abandon notions of right and wrong, good and bad, as they inhabit a world in which only legality defines morality... The morally injured could be paralysed by unremitting guilt and unrelieved shame with no creative or constructive forms of confession and absolution, forgiveness and reconciliation.<sup>19</sup>

A morally injured person could become completely hostile to all forms of authority and suspicious of institution bodies exercising any kind of power. Effective clinical treatment of service member and veteran cohorts was highlighted by Major Stuart McCarthy who noted that moral injury has the potential to significantly impact trust, the key resource for successful psychological treatment. Actions by authorities that destroy trust either during or subsequent to operational service can be a *cause* of psychological injuries. And a lack of trust can be a major barrier that *prevents* veterans receiving effective care.<sup>20</sup> The report concludes that while operational service might impose an inordinate number of physical and mental demands and be the cause of intense stress, moral injury arises from the *existential dissonance* between what a person believes to be morally right and what they, or others, have experienced or done. Scant mention is made of etiologic pathways, perhaps, because on a conceptual level, moral injury is different from the long-established post-deployment mental health problems that have traditionally been the focus of research. For example, whereas Post-Traumatic Stress Disorder is a mental disorder that requires a diagnosis, moral injury is a dimensional problem whereby there is no hard threshold for establishing its presence. Instead, at a given point in time, a veteran may have none, some or extreme manifestations of disease aetiology. Another salient point of difference between the diagnostic entities hinges on the importance, or otherwise, of transgression. Perceived perpetrative transgression, or ones utility as an agent that can effect change, is prominent

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<sup>19</sup> Australia, "Mental Health of Australian Defence Force," 68.

<sup>20</sup> Australia, "Mental Health of Australian Defence Force," 67.



within a determination of moral injury and is not necessary for Post-Traumatic Stress Disorder, nor does that diagnosis sufficiently capture the shame, guilt, and self-handicapping behaviours that often accompany moral injury.<sup>21</sup> This investigation will go beyond the limited research that examines associations between deployment experiences and subsequent mental health problems, factors that hamper efforts to understand and mitigate the consequences of combat exposure.<sup>22</sup> There is a high demand for adequate mental health intervention, and by extension, a thorough comprehension of the experiences of veterans that have left them traumatized.

Current research suggests that the emotional distress associated with perceived violations of one's moral code contribute to self-injurious thoughts and behaviours.<sup>23</sup> Transgressions committed by oneself are the strongest correlate with suicidal ideation severity. Specifically, the morally injurious markers of guilt and shame are direct causative factors in the incidence of suicidal ideation and suicide attempts in Vietnam veterans<sup>24</sup> and with the severity of suicidal ideation among contemporary era military personnel.<sup>25</sup> The link between both is further supported by studies that suggest a relationship between combat and self-injurious thoughts and behaviours.<sup>26</sup> These studies identify killing, and failing to

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<sup>21</sup> Shira Maguen and Brett Litz. "Moral Injury in Veterans of War." *PTSD Research Quarterly* 23, no. 1 (2012): 1

<sup>22</sup> Tanielian and Jaycox, "Invisible Wounds of War," 434.

<sup>23</sup> Craig Bryan, Chad Morrow, Neysa Etienne and Bobbie Ray-Sannerud, "Guilt, Shame and Suicidal Ideation in a Military Outpatient Sample." *Depression and Anxiety*, 30 (2013): 55.

<sup>24</sup> Herbert Hendin and Ann Haas, "Suicide and Guilt as Manifestations of PTSD in Vietnam Combat Veterans." *American Journal of Psychiatry*, 148, no. 5 (1991): 586.

<sup>25</sup> Bryan, "Guilt, Shame and Suicidal Ideation," 55.

<sup>26</sup> Alan Fontana and Robert Rosenheck. "A Model of War Zone Stressors and Posttraumatic Stress Disorder." *Journal of Traumatic Stress* 12, no. 1 (1999): 111-126; Shira Maguen, Thomas Metzler, Jeane Bosch, Charles Marmar, Sara Knight, and Thomas Ne Maguen, Shira, Thomas Metzler, Jeane Bosch, Charles Marmar, Sara Knight, and Thomas Neylan. "Killing in Combat may be

prevent the death of a friend, as acts with the strongest correlation with self-injurious thoughts and behaviours than other combat experiences.<sup>27</sup> Other findings appear to suggest that suicidal ideation and suicide attempts are not the only high-risk outcomes of concern; indeed, greater exposure to morally injurious combat actions can lead to greater risk-taking in a number of post-deployment scenarios.<sup>28</sup> Meaning, and subsequent cathartic assimilation of trauma, was also found to be mediated by morally injurious experiences through an inverse association between the accumulation of morally injurious experiences during deployment and veterans' ability to make possible traumas meaningful.<sup>29</sup> Findings align with theoretical and qualitative accounts which describe the sense of violation and loss of meaning that may characterize the experience of morally injured Veterans.<sup>30</sup> Of further importance was a significant indirect association between morally injurious experiences and mental health outcomes.<sup>31</sup> Thus from a clinical perspective as well as an operational one, these findings point to the importance of the moral injury construct adverse psychological conditions such as suicidal ideation and suicide attempts.

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Independantly Associated with Suicidal Ideation: Research Article: Killing in Combat and Suicide Risk." *Depression and Anxiety* 29, no. 11 (November 2012): 918.

<sup>27</sup> Brett Litz, Nathan Stein, Eileen Delaney, Leslie Lebowitz, William P. Nash, Caroline Silva, and Shira Maguen. "Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy." *Clinical Psychology Review* 29, no. 8 (2009): 695.

<sup>28</sup> Killgore, William, Dave Cotting, Jeffory Thomas, Anthony Cox, Dennis McGurk, Alexander Vo, Carl Castro and Charles Hoge. "Post-combat invincibility: Violent combat experiences are associated with increased risk-taking propensity following deployment." *Journal of Psychiatric Research*, 42, no. 13 (2008): 1112.

<sup>29</sup> Joseph Currier, Jason Holland and Jesse Malott. "Moral Injury, Meaning Making, and Mental Health in Returning Veterans: Moral Injury and Meaning." *Journal of Clinical Psychology* 71, no.3 (2015): 229.

<sup>30</sup> Jonathan Shay. *Achilles in Vietnam: Combat Trauma and the Undoing of Character*. 1. Scribner trade paperback ed. (New York: Scribner, 2003); Alison Vargas, Thomas Hanson, Douglas Kraus, Kent Drescher and David Foy. "Moral Injury Themes in Combat Veterans' Narrative Responses from the National Vietnam Veterans' Readjustment Study." *Traumatology*, 19 no. 3 (2013): 243.

<sup>31</sup> Currier, "Moral Injury, Meaning Making," 9.

### *iii.*     **Rationale**

This investigation aims to address failures in theorizing about psychological distress models. The study will confirm the need for a new direction by attempting to find an explanatory basis using philosophical tools familiar to the field (i.e. moral psychology), before transitioning into a sustained phenomenological investigation. This rationale satisfies calls by various mental health and wellbeing studies that identify the importance of new research directions underpinned by a phenomenological investigation of wartime stressors that can ‘investigate their phenomenology’ and how they should be addressed in treatment.<sup>32</sup> By simultaneously developing this argument and justifying its direction, this investigation will rely upon a quasi-hermeneutic structure whereby the next point of enquiry will become evident from the conclusions of the previous one. In doing so, this investigation alleviates the pressure, and at times criticism, of conceptual cherry picking that can be levelled at cross-disciplinary projects of this kind. In taking advantage of a step-by-step methodology which is informed by its own findings, this investigation gently takes the construct of moral injury to where it might have been otherwise difficult to reach. Direct validation for the privileged position a Levinasian ethics has in this investigation can be found from within the field of psychology. The self-psychology movement, have shown recent interest in the works of Lévinas’ that situate ethics as a starting point for thinking about our responsibility to the other — the person who exists beyond his role in our psyche as an object of lust or aggression, beyond his place as mirror, twin, or idealized object,

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<sup>32</sup> S. Hodson, A. McFarlane, M. Van Hooff & C. Davies (2011). *Mental Health in the Australian Defence Force – 2010 ADF Mental Health Prevalence and Wellbeing Study: Executive Report*, Department of Defence: Canberra: 58-59. [Emphasis added]

beyond his provision of holding, containing, or empathic attunement.<sup>33</sup> Apart from what is hoped is an intuitive flow of this investigation, the choice of philosophic focus comes with impeccable conceptual credentials to reimagine the construct of moral injury. In his works, Lévinas invites us to reimagine the precepts of normativity. In arguing that the ethical interchange between the self and the other constitutes the foundation for justice at the familial, societal, and national levels he suggests that ethics begins within a dyadic relationship and then extends up into political, and theoretical practices. In other words, the ethical relationship is the precursor to justice. This perspective will be shown to provide a profound alternative to the dominant and normative versions of the self with which society and psychology trade. It will become apparent why, for Lévinas:

Even the simple dream of justice that so delights human foolishness, promise a painful awakening. Men are not only the victims of injustice; they are also the perpetrators<sup>34</sup>

By analysing Lévinas' work, a powerful philosophical etiologic of moral injury will emerge. It is through this lens that a main intellectual lynchpin will be derived which will allow for the re-imagination of the existential implications of killing. It is assumed that, ultimately, this thesis will be able to explain moral injury as a symptom of the tension between ethics and justice; a tension that is nowhere more evident than in the work of Lévinas. Ultimately, then, Lévinas provides a counterbalance to approaches that privilege the ego as fundamentally self-reflexive and narcissistic, an inevitable extension of the Western philosophy — and, in turn, Western psychology — dominant constructs of self. Through inspecting moral injury through the philosophical prism of Lévinas, it is hoped

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<sup>33</sup>Gregory Rizzolo, "Alterity, Masochism, and Ethical Desire: A Kohutian Perspective on Lévinas' Ethics of Responsibility for the Other," *Psychoanalysis, Self and Context* 12, no. 2 (April 3, 2017): 101

<sup>34</sup>Emmanuel Levinas. *Difficult Freedom: Essays on Judaism*. (Baltimore: Johns Hopkins University Press, 1997): 91.

that it will be easier to relate the underlying construct of psychological trauma, and the field of psychology in general, with a coherent theory of moral responsibility.

**iv. Chapter Synopsis**

*Chapter 1* concerns itself with setting the scene to understand the conditions, theoretical, clinical and social, that led to the development of the moral injury construct. In doing so it will be necessary to understand the development of a wholly different, yet related, diagnostic entity: Post-Traumatic Stress Disorder. While moral injury is described as plainly not synonymous with Post-Traumatic Stress Disorder, this chapter will suggest that such an assignation bellies a somewhat contorted relationship these two constructs share. How this relationship has played out over time, and the implications of this, will be elaborated upon. In teasing these relationships apart, this chapter lays the necessary groundwork for understanding the limitations of the three contemporary perspectives of moral injury. The further argument for the potential eminence of a moral injury construct to future diagnosis of Post-Traumatic Stress Disorder will be investigated with the role of perpetrative agency specifically identified as a key marker for conceptualizing moral injury. The challenge of providing a construct that simultaneously takes seriously the amoral nature of trauma with the aim of providing a normative moral roadmap to its etiology thus becomes apparent.

*Chapter 2* will analyse what constitutes the etiologically significant perpetrative agency in war to identify killing as the axiomatic case. Once established, the morality of killing in war will be specifically identified as it is construed under the ambit of the Just War Tradition, a school of thought that is the most uninterrupted, longest-continuing study of

moral decision-making known in the Western World.<sup>35</sup> Once completed, this investigation will have outlined the morality of perpetrative agency from its theoretical underpinnings in the trauma literature to how its most etiologically significant expression, killing, is understood in the theatre of war. Following this, the chapter will tighten the understanding of moral injury by outlining the various attempts to explicate the cause of existential dissonance resulting from the talking of life. Various inadequacies that are apparent in each perspective to account for the signet elicitor of psychological distress, killing, will be noted, and the case made for an alternate grounding for the search for a basis for the dissonance that moral injury describes.

*Chapter 3* investigates whether the current philosophical tools available to the field of Moral Psychology are adequate in determinations of morality. Inherent limitations within the intellectual paradigm of moral psychology are uncovered, and discussed, in relation to concerns that psychological distress models have paid inadequate attention to the relevance of wider philosophical assumptions about the objectivity of ethics and the concept of personhood to our understanding of illness. The apparent structural failure of any normative, virtue-based normative approaches in the quest to understand why perpetration is such an etiological salient issue, leaves this work at the very limit of contemporary understandings of how to construe the moral injury construct. The chapter will go onto tentatively identify a separate philosophical method as a possible conceptual panacea, along with a target of investigation, empathy, which currently enjoys the prominent position in contemporary explanations on why killing in war is so inherently traumatic.<sup>36</sup>

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<sup>35</sup> Paul Ramsey, *War and the Christian Conscience: How Shall Modern War Be Conducted Justly?* (Whitefish, Mont.: Literary Licensing, 2017): xxiii [emphasis added].

<sup>36</sup> Rita Brock and Gabriella Lettini, *Soul Repair Recovering from moral injury after War*. (Boston: Beacon Press, 2012): (Kindle Locations 1427-1428)

*Chapter 4* commences with a philosophical inquiry into the appropriateness of empathy in determination obligations to others. It then proceeds with an examination of empathy as construed by the Western tradition and its utility in providing a conception to transition to a sympathetic response. As predicted by the previous chapter, the value-based approach mandated by the Kohlbergian tradition inspired by the works of David Hume, Emmanuel Kant and John Rawls will be found to be ineffectual. Empathy as it is construed in the value-neutral transcendental phenomenological tradition will be evaluated through the works of Max Scheler and Edith Stein. Found to still be unable to provide a framework of intentionality, the investigation will turn its attention towards a ‘special hermeneutic of empathy’ as proposed by the existential phenomenological philosopher, Martin Heidegger. The eventual determination of whether empathy is an appropriate catalyst to determine moral salience will be made and the importance of a more basal level of human interaction will be proposed as a more relevant prism through which to construe our obligations to others.

*Chapter 5* develops the provocation of Heidegger’s hermeneutic which highlights the advantages of a process based in a value-neutral phenomenological tradition which privileges lived experience. The central Heideggerian conception of how death generates meaning for *Being* will be elaborated upon, and subsequently contrasted with an alternative view from French existentialist, Emmanuel Lévinas. How Lévinas understands murder, and how such an act differs from killing, will be a central argument in understanding the value we attribute to the taking of life. Once established, the philosophical oeuvre of Lévinas will be explored in terms of the provision of an alternate explanatory basis to the existential dissonance that previous models have tried to encapsulate. In the process, an argument will be made for an ethics *against* empathy. The completion of this chapter will see the

investigation armed with a philosophical armoury with which to commence sustained phenomenological investigations into the existential basis of suffering.

*Chapter 6* will identify the suffering of another individual as the locus of primordial, morally salient, intentionality. In doing so, it will identify several conditions of suffering that explain the distress experienced from morally injurious events. First, and following from the previous chapter that outlined our asymmetric moral mandate to the other, suffering will be shown to be an inescapable reality of an ethical existence. On establishing this broad basis on how suffering relates to our ethical existence to the other, the chapter will then identify the very particular way we must understand our own suffering, a suffering that Lévinas calls ‘useless’. Within the reconciliation of these two seemingly antagonistic positions, inescapable suffering and useless suffering, an articulation of the suffering associated with moral injury will become clear. Through the prism of Lévinas, a ready-made pathway to investigate a cathartic process will become evident through an understanding of the suffering other.

*Chapter 7* will proceed by proposing the confluence of a Levinisian ethics with the intellectual tradition that exists within contemporary psychology. The origin for the existential dissonance that causes the suffering associated with injuries sustained of a moral nature will then be proposed and its relevance to existing models analysed. In doing so, a quasi-proof of conceptual rationale will emerge as it is shown how Levinisian ideas are able to offer an insightful commentary on existing models of moral injury. Such insights explain the previously arcane etiological significance of the ending the life of another, and provide novel explanatory pathways, many of which have not been developed by either the originators of the theories, or auxiliary studies. Finally, this chapter will outline a new model to explain the morality of perpetrative agency, the *ethical model*. Through the



phenomenology of Lévinas, a completely new understanding of psychologically induced trauma will emerge that simultaneously incorporates the exigencies of existing models. By providing a method to understand our existential sufferings, this ethical model will provide a clear rationale as to why we feel bad about acts of commission that may (or may not) be normatively acceptable. In doing so, this investigation will have provided a solution as to why it is so inherently traumatic to kill another human – independent of circumstances.

*The conclusion* will frame the importance of the thesis findings through what the Czech philosopher, Jan Patočka, calls the ‘solidarity of the shaken.’ Patočka’s challenge is for a philosophical solution to crystalize those experiences — made uniquely possible by the violence of the front line — that are not a mere function of instrumental totality and which in turn inform a life in responsibility recognized as uniquely constitutive.<sup>37</sup> The ethical model of Lévinas’ will be shown to be able to attenuate this challenge and in doing so tease out societal implications for any such construct identity. Following from this, the various major themes upon which existing models of moral injury trade will be shown to be explicitly addressed, and lengthened, through the mournful valances of Lévinas’ ethical optics and his treatment of the stranger in his works. The conclusion will effectively demonstrate the value of Levinasian ethics in explicating root causes of moral injury and the difficulties associated in the taking of life in wartime.

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<sup>37</sup> Dodd, “*Violence and Phenomenology*,” 133.

## Chapter 1

### **Theoretical, Social and Clinical Genesis of Moral Injury**

#### **1.0 Introduction**

Society and its institutions have long sought a construct to make sense of psychological trauma. This chapter describes attempts to understand the psychological trauma associated with the morality of perpetrative agency. In doing so questions on how morality has been described by Western theories of trauma, the psychological constructs they have been incorporated into, and the social uses they have been intended, are important considerations in preparing this investigation. Somewhat counter-intuitively, answers to these questions involve the delicate analysis of the separate, but etiologically related construct, of Post-Traumatic Stress Disorder. I will argue that the construct of Post-Traumatic Stress Disorder, in its formal definition, how it changed over time and how it influenced our social approbations of trauma, was instrumental to the genesis and any subsequent understanding of moral injury. The analysis of how psychological trauma is explained under the Post-Traumatic Stress Disorder construct will simultaneously bring to attention the poor track record of psychiatry in formulating effective diagnostic models for psychological trauma. Artificially distorted research trajectories and the impossibility of incorporating normative considerations into value-neutral constructs, are important drivers of ineffective diagnostic models. In contextualizing the disorder within cultural and clinical settings, I will identify a process of profound social change that has recast the role of the trauma survivor who,

once merely a victim has become an authentic voice to the horrors of our age.<sup>38</sup> The role of perpetrative agency within Post-Traumatic Stress Disorder will be specifically identified as a key marker for the conceptualization of psychological distress models which socially mandated uses of the disorder had done much to obscure. The identification, and particular salience, of the morality of perpetrative agency will become evident for understanding moral injury – a property that has received scant attention in contemporary trauma research.<sup>39</sup>

### **1.1 The Morality of Perpetrative Agency: *Trauma Theory***

The unlikely confluence of the feminist sexual political agenda and military unease over compensation claims made by Vietnam veterans, were two central considerations in the social discourse that resulted in the development of the Post-Traumatic Stress Disorder construct.<sup>40</sup> The former desired a construct to speak about sexual abuse suffered in childhood, while the latter sought a codified diagnostic entity to explain wartime trauma that would confer an entitlement to compensation. In their own ways, both sought social validation for formerly silent sufferings. The introduction of Post-Traumatic Stress Disorder moved the discussion of trauma beyond potentially culpable pre-morbid personality traits, to represent a normalized reaction to an abnormal stressor.<sup>41</sup> With one ascription of cause (i.e. exposure to a traumatic event) and effect (psychological injury),

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<sup>38</sup> Didier, Fassin and Richard Rechtman. *The Empire of Trauma: An Inquiry into the Condition of Victimhood*. (Princeton; Oxford: Princeton University Press, 2009): 22.

<sup>39</sup> Michel Foucault, *History of Madness*. (New York: Routledge, 2006): xxxiv.

<sup>40</sup> Fassin and Rechtman, “*The Empire of Trauma*,” 78.

<sup>41</sup> Arieh Shalev, Omer Bonne, and Spencer Eth, “Treatment of Posttraumatic Stress Disorder: A Review,” *Psychosomatic Medicine* 58, no. 2 (1996): 165.

both interest groups were placated, having each a diagnostic construct that not only legitimized their claims, but also removed the veil of victim culpability that had formally acted as a shroud of silence on these issues. The result, victims of sexual assault were no longer blamed for their abuse; just as traumatized soldiers were no longer looked on as malingers trying to lock in a compensation payout. Rather than attempt to codify such experiences which would involve engaging with a myriad of contextual and social ambiguities, psychological responses to trauma typically take the ‘self’ and its relationship with the outside world as a ‘given,’ with traumatic events seen as having an impact on this self and these relationships in isolation from the social, political and cultural context.<sup>42</sup>

Unlike the vast majority of psychiatric diagnoses that privilege processes internal to the individual, the significant change ushered in by the concept was the stipulation of an etiological agent outside the individual (i.e., a traumatic event) rather than an internal inherent individual weakness (i.e., a traumatic neurosis).<sup>43</sup> A focus on symptoms, as opposed to causes, combined with an evolving diagnostic nomenclature had important implications on how trauma was understood and conceptualized, sanctioning some pathways while sidelining others. Trauma, construed in this way, obliterated experience, obscuring the diversity and complexity of experiences by screening off the event and its context on one hand, and meaning given to it by the individual, on the other.<sup>44</sup>

Also problematic was how this conception of trauma which was justified *vis-a-vis* itself, could coexist in a society that largely tethers trauma to some form of victimhood. While

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<sup>42</sup> Patrick Bracken, Joan Giller and Derek Summerfield. “Psychological Responses to War and Atrocity: The Limitations of Current Concepts.” *Social Science and Medicine* 40, no. 8 (1995): 1078.

<sup>43</sup> Matthew Friedman. *PTSD History and Overview*. United States Department of Veterans Affairs. 2007. Accessed August 8, 2015 Available: <http://www.ptsd.va.gov/professional/pages/ptsd-overview.asp>.

<sup>44</sup> Fassin and Rechtman, “*The Empire of Trauma*,” 281.

the physiology of stress reactions may be reducible to a biological sequence of events, this is clearly not true of the cognitions and emotions that accompany the countless experiences that may count as traumatic. The preoccupation with codifying the psychological and physiological reactions to warzone stressors, at the expense of the underlying nature of these stressors, resulted in the inadvertent neglect of important root causes. In sum, psychiatrists working with the Post-Traumatic Stress Disorder construct were uninterested in the stressors or their nature, unless they played a role in the resolution of trauma during therapy.<sup>45</sup> Because of the difficulty of assigning normative ascriptions to stressor events, currently no investigations have been conducted into the basis of the salience of these stressors and how this salience can be used to inform more accurate psychological distress models. In providing a construct to validate the trauma suffered, no clues were given as to the nature of these stressors or — when these stressors did produce suffering because of psychological or existential dissonance — a basis through which these dissonances could be understood. Much like the doctor who treats a broken leg regardless of whether it was broken kicking or been kicked, trauma is not contingent upon a validating moral metric. The theory of trauma that underpinned emerging constructs was one and the same for both victim and perpetrator. The diagnosis no more explained than it excused acts of commission, in fact it said nothing at all about them.<sup>46</sup> In this way, trauma was an essential truth of humanity that stood apart from any moral qualities that defined victimhood. Trauma became *a priori* true, and, as such, amoral.

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<sup>45</sup> Matthew Dobson and Richard Marshall. "The stressor criterion and diagnosing posttraumatic stress disorder in a legal context." *Australian Psychologist* 31, no. 3 (1996): 221.

<sup>46</sup> Fassin and Rechtman, "*The Empire of Trauma*," 94.

## 1.2 The Morality of Perpetrative Agency: *Clinical Agendas*

A diagnosis of Post-Traumatic Stress Disorder was thrust into existence through its classification in the third Diagnostic and Statistical Manual of Mental Disorders (DSM-III), an official publication of the American Psychiatric Association in 1980.<sup>47</sup> Before its formalization, war-related psychiatric syndromes were understood under a variety of differing names such as shell shock, combat exhaustion and traumatic war neurosis.<sup>48</sup> The construct was revolutionary in explicitly doing away with vagaries of interior causation, instead attributing psychological harm to an intrinsic property of the stressor event. In doing so, it filled an important niche in psychiatric nosology by finally presenting a valid syndrome to describe trauma occurring as a consequence of severe stress.<sup>49</sup> The DSM-III identified this traumatic event as any event that would evoke significant symptoms of distress in almost anyone.<sup>50</sup> This was subsequently broadened in the DSM III-R to events that were outside the range of normal human experience.<sup>51</sup> In this regard, it is easy to understand why researchers indicated that any such suffering described by this construct should be considered as a normal adaptive reactive process to an abnormal situation.<sup>52</sup> One

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<sup>47</sup> American Psychiatric Association, *Diagnostic and statistical manual of mental disorders* (3rd ed.), (Washington, DC: Author, 1980).

<sup>48</sup> Matthew Friedman, Peter Schnurr, and Andrew McDonagh-Coyle, "Post-Traumatic Stress Disorder in the military veteran." *Psychiatric Clinics of North America* 17, no. 2 (1994): 265.

<sup>49</sup> Nancy Andreasen, "Posttraumatic stress disorder: a history and a critique." *Annals of the New York Academy of Sciences*. 1208, (2010): 67.

<sup>50</sup> APA, *DSM-3*.

<sup>51</sup> American Psychiatric Association, *Diagnostic and statistical manual of mental disorders* (3rd ed., text rev.), (Washington, DC: Author, 1987).

<sup>52</sup> Robert Lifton. Understanding the traumatized self: Imagery, symbolization, and transformation. In *Human Adaptation to Extreme Stress: From the Holocaust to Vietnam*. Wilson, J. P., Harel, Z., and Kahana, B. (eds.) (Plenum Press, New York, 1988): 9.

of the limitations inherent in such an assumption, however, is the necessary absence of any normative data on what constitutes ‘normal’ human experience.<sup>53</sup>

In the subsequent versions of the DSM-IV and IV-TR, the stressor criterion refers to an individual who has been exposed to a traumatic event in which “the person experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others the person’s response involved intense fear, helplessness, or horror.”<sup>54</sup> This definition is important to note because it was the one in operation at the time the construct of moral injury was proposed. It is telling to notice the complete absence of any hint to what a ‘perpetrator-mediated’ pathway would entail. The DSM accentuated this conceptual bifurcation through the way responses to stressors were framed in the nomenclature. The manual identified *fear* as the key emotion, facilitating the easy application of the construct to victim-centric causes. The explicit identification of this emotional pathway had the effect of spawning numerous research agendas determine the role of fear in delineating the construct.<sup>55</sup> However, while fear is the most accessible of emotions to test and biologically map, it does not reflect the responses from a full range of stressors.<sup>56</sup> Soldiers consistently report feelings of excitement and elation in high threat combat experiences, particularly in present day militaries where the fear response is further suppressed through routine training. In such circumstances clearly fear is not a substantial factor, let alone the capstone

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<sup>53</sup> Horowitz, Mardi. *Stress Response Syndromes*. (Jason Aronson Inc., New York, 1986): 17; Richard Bryant. “Atomic testing and Post traumatic stress Disorder: Legally defining a Stressor.” *Australian Psychologist* 31 no.1 (1996): 34.

<sup>54</sup> American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (4th ed.), (Washington, DC: Author, 2000).

<sup>61</sup> Tanja Jovanovic and Kerry Ressler. “How the Neurocircuitry and Genetics of Fear Inhibition May Inform Our Understanding of PTSD.” *American Journal of Psychiatry* 167 no. 6 (2010): 648.

<sup>56</sup> Jovanovic and Ressler, “*Neurocircuitry and Genetics of Fear*,” 648.

emotion. The influence of the nosology on research trajectories is thus seen clearly in how fear pathways have, up until only recently, dominated the DSM.<sup>57</sup>

In the first iteration of the construct, as described in the DSM-III, ‘guilt about surviving while others have not or about behavior required for survival’ was explicitly stated as one central causality actor. Despite studies showing the potential significance of guilt as an important etiological factor, this moral assignation was relegated to an ‘associated feature’ in DSM-III-R and is completely absent in all future manuals.<sup>58</sup> With the removal of guilt and the dominance of fear as the emotional precursor to Post-Traumatic Stress Disorder, perpetration, and the emotions these engendered, were effectively sidelined as acts of commission lost any explanatory mechanism. This is despite findings that intense combat guilt is the most significant explanatory factor of both suicide attempts and preoccupation with suicide in veterans presenting with Post-Traumatic Stress Disorder.<sup>59</sup> Further studies suggest that guilt has received scant attention as a symptom of Post-Traumatic Stress Disorder because it has been defined narrowly as survivor guilt.<sup>60</sup> Interestingly, trauma-related guilt defined in this way, utilizes a psychodynamic framework in which guilt is represented as an existential and unconscious defense mechanism, as opposed to a cognitively accessible reaction to a moral violation.<sup>61</sup> In the latter manifestation, guilt for acting contrary to one’s personal values under coercive situational pressure can lead to

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<sup>57</sup> Lisa Hathaway, Adriel Boals, and Jonathan Banks. “PTSD Symptoms and Dominant Emotional Response to a Traumatic Event: An Examination of *DSM-IV* Criterion A2.” *Anxiety, Stress & Coping* 23, no. 1 (January 2010): 119.

<sup>58</sup> Edward Kubany. “Thinking errors, faulty conclusions, and cognitive therapy for trauma related guilt.” *National Center for PTSD Clinical Quarterly* 7, (1997): 27.

<sup>59</sup> Hendin and Hass, “*Suicide and Guilt as Manifestations*,” 586.

<sup>60</sup> Kubany, “*Thinking Errors, Faulty Conclusions*,” 27.

<sup>61</sup> Tom Williams. Diagnosis and treatment of survival guilt. In Williams, T. (ed.), *Post-Traumatic Stress Disorders: A Handbook for Clinicians*, Disabled American Veterans, (Cincinnati, OH, 1987): 75.



moral guilt, which, in the Post-Traumatic self, can result in an internal struggle within the self that can produce seeds of self-destruction, self-transformation and personal growth.<sup>62</sup> Such pathways should occupy a central causative and predictive role in relation to both Post-Traumatic Stress Disorder and moral injury. The absence of guilt within the DSM-IV-TR signals, at the very least, a historical unwillingness to engage with moral theories that describe the interplay between perpetrator-modulated dysfunction and psychology.

The current, and Fifth, iteration of the DSM makes a radical about-turn in how the disorder is classified. Rather than remain under the ambit of Anxiety Disorders, in the DSM-5, the construct is moved to its own classification of disorder, Trauma and Stressor-related Disorders.<sup>63</sup> The re-classification is perhaps best understood as a tacit acknowledgment of a research agenda that effectively split off stressors not mediated by a fear response. After such a long association with pathogenesis, the removal of the requirement that “the person’s response to the event must involve intense fear, helplessness, or horror,” appears to testify to such a conclusion. In what can only be described as an attempt to mediate the damage done from this historical research agenda, two new symptoms have been proposed as etiologically salient. Criteria D symptoms of persistent and distorted blame of self or others, and persistent negative emotional state, and Criteria E symptoms of reckless or destructive behavior, are included. The inclusion of symptoms that sound suspiciously like assignations that have previously been placed under the purview of moral injury, hint to a deeper and ongoing relationship between Post-Traumatic Stress Disorder and moral injury than that currently recognized in the literature.

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<sup>62</sup> John Wilson, “Posttraumatic Shame and Guilt,” *Trauma, Violence, & Abuse* 7, no. 2 (April 1, 2006): 132.

<sup>63</sup> American Psychiatric Association. Trauma and stressor-related disorders. In *Diagnostic and statistical manual of mental disorders* (5th ed.), Washington, DC: Author, 2013.

The removal of the fear response stripped Post-Traumatic Stress Disorder of its old intellectual constraints that have tethered the disorder to a doctrine of fear and pave the way for a new understanding of how broader conflicts between the abstract imperatives of morality and justice can be etiologically descriptive. Such changes go some way to attenuating the narrow research agenda previous DSM guides had prescribed. For example, a recent study purports to show just this by using the new Criterion D symptoms of ‘persistent and distorted blame of self,’ to show that that ex-combatants for whom perpetrated violent acts were their index trauma, were significantly more affected by DSM-5 Post-Traumatic Stress Disorder.<sup>64</sup> While the tide appears to be turning for the implicit recognition of acts of perpetration as a core driver of psychological distress, pathways for this remain unexplored, yet keenly hypothesized. For example, Schaal and Colleagues concluded that the missing association between Post-Traumatic Stress Disorder symptoms and perpetrated violent acts might be explained by the fascination and excitement some people feel at the time of these acts.<sup>65</sup> Further findings that utilized the new stressor criterion D symptoms have found these symptoms to be associated with suicide behaviors in veterans, attenuating the gap in the understanding of the underlying relationship between suicidality and Post-Traumatic Stress Disorder.<sup>66</sup>

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<sup>64</sup> Susanne Schaal, Anke Koebach, Harald Hinkel and Thamas Elbert. “Posttraumatic stress disorder according to DSM-5 and DSM-IV diagnostic criteria: a comparison in a sample of Congolese ex-combatants”. *European Journal of Psychotraumatology*, 6 (2015): Online publication.

<sup>65</sup> Edgar Jones, “The Psychology of Killing: The Combat Experience of British Soldiers during the First World War” *Journal of Contemporary History* 41, no. 2 (April 2006): 229.

<sup>66</sup> Margaret Legarreta *et al.*, “DSM–5 Posttraumatic Stress Disorder Symptoms Associated with Suicide Behaviors in Veterans.,” *Psychological Trauma: Theory, Research, Practice, and Policy* 7, no. 3 (2015): 277.

### 1.3 The Morality of Perpetrative Agency: *Social Appropriation*

Society finally had a construct to understand, if not consecrate, trauma that was a result of an event or action that was outside the sphere of normal human experience. This contemporary notion of trauma had the effect of inculcating psychological injury as the central reality of all violence, spawning concentrated research interest into the psychosomatic responses of people who have, in one way or another, been *victims* of trauma. The original recognition that the response to the stressor may be delayed, because such a delay would be adaptive within the context of combat, was extended in unanticipated ways.<sup>67</sup> Once exclusively the domain of military experience, the model was used to elucidate a plethora of social traumas such as rape,<sup>68</sup> natural disasters,<sup>69</sup> foster care,<sup>70</sup> refugee status,<sup>71</sup> Holocaust survivors<sup>72</sup> and even cancer remission.<sup>73</sup> A commonality of all such ascriptions is their victim-centric status. By the start of the twenty-first century, the appropriation of Post-Traumatic Stress Disorder as a social diagnostic construct was complete. However, the extensive use of the model in society for victim-centric traumata

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<sup>67</sup> Andreasen, Nancy. "What is Post-Traumatic Stress Disorder?" *Dialogues in Clinical Neuroscience*, 13, no. 3 (2011): 242.

<sup>68</sup> Barbara Rothbaum, Edna Foa, David Riggs, Tamera Murdock and William Walsh. "A prospective examination of Post-Traumatic Stress Disorder in rape victims" *Journal of Traumatic Stress* 5, no. 3 (1992): 455.

<sup>69</sup> Anna Bokszczanin. "PTSD symptoms in children and adolescents 28 months after a flood: Age and gender differences." *Journal of Traumatic Stress* 20, no. 3 (2007): 347; Peter Steinglass and Ellen Gerrity. "Natural disasters and Post-Traumatic Stress Disorder: short-term versus long-term recovery in two disaster-affected communities." *Journal of Applied Social Psychology* 20, no. 21 (1990): 1746.

<sup>70</sup> Amy Salazar, Thomas Keller, Kris Gowen, and Mark Courtney. "Trauma Exposure and PTSD among Older Adolescents in Foster Care." *Social Psychiatry and Psychiatric Epidemiology* 48, no. 4 (April 2013): 545.

<sup>71</sup> Derrick Silove, Vijaya Manicavasagar and Zachary Steel. "Anxiety, depression and PTSD in asylum- seekers: associations with pre-migration trauma and post- migration stressors." *British Journal of Psychiatry* 170, (1997): 351.

<sup>72</sup> Yoram Barak and Henry Szor. "Lifelong Posttraumatic Stress Disorder: Evidence from Aging Holocaust Survivors." *Dialogues in Clinical Neuroscience* 2, no. 1 (2000): 57.

<sup>73</sup> Kathleen Meeske, Katherine Ruccione, Dennis Globe and Margret Stuber. Posttraumatic stress, quality of life, and psychological distress in young adult survivors of childhood cancer. *Oncology Nursing Forum* 28, no. 3 (2001): 481.

had the unintended consequence of sidelining trauma that was a result of perpetration. Social approbation of the model left no room for trauma suffered as a consequence of perpetrative agency, regardless of clinical findings that attest to the power of such a pathway in modulating Post-Traumatic Stress Disorder presentation in combat veterans.<sup>74</sup>

The dominant models forwarded to explain pathways of symptomology are centered on cognition of which are pre-existing beliefs and models of the world, and the difficulty of assimilating information provided by a traumatic event into them.<sup>75</sup> Thus a perpetrator, through a transgression of their personal belief systems, risks being unable to assimilate his actions with his sense of self. In this way, while the actual psychological trauma that underpins psychological trauma has a morally neutral value, personal moral judgments can nonetheless be etiologically salient. The theatre of war raises an additional challenge for assimilating traumatic experiences. Unlike acts of perpetration committed within the moorings of social life, war is the ‘big exception’ where perpetration morphs from an atypical occurrence, to an expected and necessary action.<sup>76</sup> It migrates from a social exception to a situational norm. In this way, the psychiatrist Robert Lifton describes aspects of combat as ‘atrocious-producing situations,’<sup>77</sup> while other authors have explicitly drawn attention to the theatre of war, in and of itself, representing a reality ‘outside the range of

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<sup>74</sup> Dragica Kozaric-Kovacic, Tajana Ljubin, and Ana Marusic. “Combat-Experienced Soldiers and Tortured Prisoners of War Differ in the Clinical Presentation of Post-Traumatic Stress Disorder.” *Nordic Journal of Psychiatry* 53, no. 1 (1999): 11.

<sup>75</sup> Chris Brewin, Tim Dalgleish and Stephen Joseph. “A dual representation theory of post-traumatic stress disorder.” *Psychological Review*, 103, no. 4 (1996): 670; Anke Ehlers and David Clark. “A cognitive model of posttraumatic stress disorder. *Behaviour Research and Therapy* 38, (2000): 319.

<sup>76</sup> Richard Norman. *Ethics, Killing, and War*. (Cambridge; New York, N.Y.: Cambridge University Press, 1995): 1.

<sup>77</sup> Robert Lifton, “The Postwar War,” *Journal of Social Issues* 31, no. 4 (October 1975): 181

normal human experience.’<sup>78</sup> This, arguably, necessitates a split from the moral tethers of social norms, a process buttressed and accelerated by military conditioning. While the rising tide of morality is evident in our conceptions of victim social trauma, it does not lift all boats, at least not equally.

The moral partition inherent in the Post-Traumatic Stress Disorder construct allowed for a conceptual space that ushered into existence the forerunner to moral injury, the ‘self-traumatized perpetrator.’<sup>79</sup> According to Allan Young, this is a special category not seen before in history.<sup>80</sup> Unlike the victim whose traumatic past has turned him into a victimizer (e.g. the abused child becomes the child abuser), this victim represented by the self-traumatized perpetrator, is unique as they are a victim as a consequence of having been a perpetrator.<sup>81</sup> In this way, he or she is unlike the *topos* of the historical figure that suffers emotional distress for something that he or she has done as the suffering accorded to the self-traumatized perpetrator is somehow unjust, been, as it is, self-mediated. In this sense, they are not only a perpetrator and a victim, but also a patient who is deserving of medical care. While a diagnosis of trauma-induced psychological impairment, in theory, opened the door for perpetrators to be given the same *a priori* clemencies as those who are suffering from the disorder because of being a victim, this recognition was not adopted at a social level. While trauma-induced psychological injury can occur in both victims and perpetrators, the nature of the stressors in both cases are completely different, even poles

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<sup>78</sup> Kidson, Malcolm, John Douglas and Brendan Holwil, “Posttraumatic stress disorder in Australian World War II veterans attending a psychiatric outpatient clinic.” *Medical Journal of Australia* 158, no. 8 (1993): 563.

<sup>79</sup> Allan Young. “The self-traumatized perpetrators a transient mental illness.” *L’Evolution psychiatrique* 67, no. 4 (2002): 630.

<sup>80</sup> Young, “*Self-traumatized Perpetrators*,” 633.

<sup>81</sup> Young, “*Self-traumatized Perpetrators*,” 633.

apart, and as such will be precipitated by quite different cognitive and emotional pathways.<sup>82</sup> To make sense of psychological injury due to perpetration, however, requires morality to be reintroduced into our conceptions of trauma. While trauma itself contains no moral value in terms of its prima facie presentation in the sufferer, it appears that moral judgment cannot be devolved from it. Trauma today enjoys its status more as a moral, rather than a psychological category. It confers upon socially ‘sanctified’ sufferers an air of unchallengeable authenticity. It identifies complaints as justified and causes as just, and ultimately, it defines the way in which contemporary societies problematize the meaning of their moral responsibilities.<sup>83</sup> Trauma of this sort is not an individual reality but a social reality whereby the individual is the context in which social trauma is inflicted.<sup>84</sup> The challenge of simultaneously providing a construct that takes seriously the amoral nature of trauma while wanting to provide a normative moral roadmap to its etiology thus becomes apparent.

#### **1.4 Concluding Remarks**

Today, victim testimony has an almost unimpeachable authenticity that testified to a truth informed by — but also importantly transcendent of — experience. In recounting trauma, the victim attests to the truth of his or her version of events, while simultaneously becoming a vector through which the very embodiment of our humanity can be affirmed.<sup>85</sup> However, this incontestable authenticity, grounded in moral authority, comes at a conceptual cost.

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<sup>82</sup> Bracken, Giller and Summerfield, “*Psychological Responses to War and Atrocity*,” 1073.

<sup>83</sup> Fassin and Rechtman, “*The Empire of Trauma*,” 284.

<sup>84</sup> Warren Kinghorn, “Combat Trauma and Moral Fragmentation: A Theological Account of moral injury,” *Journal of the Society of Christian Ethics* 32, no. 2 (2012): 63

<sup>85</sup> Fassin and Rechtman, “*The Empire of Trauma*,” 23.

Through creating a causative link between experience and psychological injury, Post-Traumatic Stress Disorder consecrated the stamp of authenticity that victim experiences now command.<sup>86</sup> The diagnostic entity also radically influenced the relationship between victim and perpetrator-mediated violence in unforeseen ways. While on a strictly psychiatric level, there is no moral delineation between the psychological trauma experienced by the perpetrators of atrocity from that of the victims, there appeared to be no pathway available to describe trauma emanating from the act of the latter.<sup>87</sup> Much like the doctor who treats a broken leg regardless of whether it was broken kicking or being kicked, a diagnosis of Post-Traumatic Stress Disorder is not contingent on a moral metric. The diagnosis no more explains than it excuses acts of commission, in fact it said nothing at all about them, a stance that was perhaps all too quiet in the morally polarizing social milieu.<sup>88</sup>

The DSM is a powerful tool for diagnosis of psychiatric illnesses, however it has been accused of creating the very disorders it seeks to explain.<sup>89</sup> In a classic form of conceptual reification, while attempting to define a disorder, it concurrently set the research agenda surrounding that very disorder. This section has shown how such a process subverted the Post-Traumatic Stress Disorder diagnostic construct creating a conceptual void that is only now been filled by moral injury. Of crucial importance is the identification of acts of perpetration as a key etiological marker of moral injury, and more recently it seems, Post-Traumatic Stress Disorder. Such findings appear to buttress claims to treat killing as a separate component of theoretical model to Post-Traumatic Stress Disorder.<sup>90</sup> Perpetrative

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<sup>86</sup> Fassin and Rechtman, *"The Empire of Trauma,"* 28.

<sup>87</sup> Lifton, *"The Postwar War,"* 181.

<sup>88</sup> Fassin and Rechtman, *"The Empire of Trauma,"* 94.

<sup>89</sup> Rachel Cooper. "What is wrong with the D.S.M.?" *History of Psychiatry* 15, no. 1 (2004): 5.

<sup>90</sup> Litz, *"Moral Injury and Moral Repair,"* 695.

agency as embodied in the act of killing appears to have a pathway of pathology, commanding the nosological prominence proposed by various scholars. While the diagnostic nomenclature around Post-Traumatic Stress Disorder may have resulted in the emergence of moral injury, the moral moorings it appears to be based upon remain unaddressed. This focus is in stark contrast to previous theories such as Post-Traumatic Stress Disorder which focus on symptoms *without* regard to causes.

Central questions to emerge in relation to the association between Post-Traumatic Stress Disorder and moral injury include: to what extent have changes to nomenclature which has seen a reabsorption for markers of moral injury into the Post-Traumatic Stress Construct impact the various. This thesis will not attempt to provide these answers, however will provide the groundwork from which this can be achieved. Much like Pérez-Álvarez and colleagues who argue for more Aristotle and less DSM, such a suggestion poses the question as to the genesis and nature of these realities without denying the reality of mental disorders.<sup>91</sup> In any case, clarification of this issue is not likely to come from within the fields of psychiatry or clinical psychology, committed, as they are, to their own logic and perspectives.<sup>92</sup> The issue is, in any case, more philosophical than scientific in nature and an example of the need for philosophical thinking within the mental health professions.<sup>93</sup>

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<sup>91</sup> Marino Pérez-Álvarez, Louis Sass and José García-Montes. "More Aristotle, Less DSM: The Ontology of Mental Disorders in Constructivist Perspective." *Philosophy, Psychiatry, & Psychology* 15, no. 3 (2008): 211.

<sup>92</sup> Pérez-Álvarez, Sass and García-Montes, "More Aristotle, Less DSM," 212.

<sup>93</sup> Pérez-Álvarez, Sass and García-Montes, "More Aristotle, Less DSM," 213.



## Chapter 2

### **Wartime Killing and Models of Moral Injury**

#### **2.0 Introduction**

The previous chapter described the various ways in which the morality of perpetrative agency identify what constitutes etiologically significant instances of perpetrative agency in war to identify *killing* as the axiomatic paradigm. Acts of perpetrative agency, such as killing, and their subsequent psychological costs have, until recently, received scant academic attention, reasons for this will be addressed and the morality of killing in war will be identified.<sup>94</sup> This chapter will address this concern to describe the impact of killing in war and how this killing has been morally contextualized under the Just War Tradition. Utilizing the depth of thought available to this tradition takes advantage of a school of thought that is arguably the most uninterrupted and longest-continuing study of moral decision-making known in the Western World.<sup>95</sup> Once completed, this investigation will have outlined the morality of perpetrative agency from its theoretical underpinnings in contemporary trauma literature, to how its most etiologically significant event, killing, is understood in the theatre of war. In so doing, it will be able to introduce how existing models of moral injury attempt to pierce this phenomenon. The emergent literature on moral injury delineates three distinct lines of enquiry, the *Historical*, *Clinical* and *Theological* perspectives. How each of these explain the impact of killing in war will be

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<sup>94</sup> Natalie Purcell *et al.*, "Veterans' Perspectives on the Psychosocial Impact of Killing in War," *The Counseling Psychologist* 44, no. 7 (October 2016): 1062

<sup>95</sup> Ramsey, "*War and the Christian Conscience*," xxiii. [emphasis added]

outlined. While definitional stability surrounding these models has been tentatively developed, there remains a paucity of literature on the moral moorings on which these constructs rely.

## **2.1 Perpetrative Agency in War: *Killing***

Acts of perpetrative agency, such as killing, and their subsequent psychological costs have, until recently, received scant academic attention because of what American sociologist, Rachel MacNair, posits are three main reasons.<sup>96</sup> Firstly, our collective sympathies for those that have killed in war on our behalf precipitate active denial that they, in fact, have anything to feel guilty for. Secondly, the presence of a collective desire to transfer blame for psychological damage to the ‘enemy’ as opposed to the country responsible for sending those effected to war. And finally, consecrating injury that is perpetrator-induced comes perilously close to the politically unsavory position of honoring wartime atrocities. Yet distress emanating from perpetrative agency is a reality. It is a reality affirmed by countless soldier testimonies that show that such act to be potent drivers of psychological distress, suggesting that humans cannot easily reconcile themselves to the act, or even witnessing the act, of killing another human. Verbal and written accounts or wartime traumata consistently rate killing, of both civilian and enemy combatant, as impacting them, sometimes to a greater extent, than either fear for their own lives, physical injury or the death of comrades.<sup>97</sup>

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<sup>96</sup> Rachel MacNair, *Perpetration-Induced Traumatic Stress: The Psychological Consequences of Killing* (New York: Authors Choice Press, 2005). Preface.

<sup>97</sup> MacNair, “Perpetration-Induced Traumatic Stress,” 10.

In a well-cited autobiographical account of the Spanish Civil War, George Orwell remarks, “I had come here to shoot at ‘Fascists’; but a man who is holding up his trousers isn't a Fascist, he is visibly a fellow-creature, similar to yourself, and you don't feel like shooting at him.”<sup>98</sup> One of the first contemporary attempts to attempt to understand the psychological resistance to killing to which Orwell eludes, was conducted by United States military psychiatrist Dave Grossman (b.1946) who builds a case for identifying the act of taking another human’s life as an inherently traumatic experience.<sup>99</sup> Grossman introduces the findings of historian, S.L.A Marshall to present his case:

Fear of killing rather than fear of being killed, was the most common cause of battle fatigue in the individual... (For) the average and normally functioning individual – the man who can endure the mental and physical stresses of combat – he still has such a usually unrealized resistance towards killing a fellow man that he will not of his own violation take life if it is possible to turn away from that responsibility. It is likewise something which needs to be analyzed and understood...<sup>100</sup>

The conclusion reveals a military culture which requires a denial of any moral distress at being asked to kill.<sup>101</sup> In this way, military training breaks down important inhibitions against killing, inhibitions that are not just psychological, but the basis for our moral inhibitions.<sup>102</sup> Marshal goes on to say that this resistance to killing is ‘hidden’ from ourselves:

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<sup>98</sup> George Orwell, and Peter Davison. *Orwell in Spain: The Full Text of Homage to Catalonia, with Associated Articles, Reviews and Letters from The Complete Works of George Orwell*. (Penguin Classics. London: Penguin Books, 2001): 349.

<sup>99</sup> Grossman, “*On Killing*,” 5.

<sup>100</sup> Samuel Marshall. *Men against Fire: The Problem of Battle Command in Future War*. (Cloucester, Mass: Smith, 1978): 79.

<sup>101</sup> Zenobia, Baalbaki. “Perpetration in combat, trauma, and the social psychology of killing: An integrative review of clinical and social psychology literature with implications for treatment.” Ph.D. diss., (Wright Institute Graduate School, 2009): 92.

<sup>102</sup> Norman, “*Ethics, Killing, and War*,” 183.

Though it is improbable that he may ever analyze his own feelings so searchingly as to know what is stopping his own hand, his hand is nonetheless stopped... This is something to the American credit.<sup>103</sup>

In analyzing reasons as to why killing in war is so difficult, what might have been ‘improbable’ to comprehend according to Marshall, is precisely what this investigation seeks to explicate. While this inherent resistance to killing is in some way admirable, presumably based on moral traits, Marshall’s primary aim was to ‘prevail against’ these interests in the name of battle efficiency. In substantiating the observations of Marshall that soldiers generally shy away from taking life, Grossman draws upon what were previously inexplicable war records that showed a high proportion of discarded muskets had been loaded with multiple rounds which he attributes to fake or mock firing. While Grossman’s conclusions were reached primarily through observation and historical enquiry, there is a burgeoning quantitative literature on the psychological costs of killing in combat. One such study argues that psychological distress as a consequence of combat needs to be considered in isolation *vis a vis* pre-morbid personality traits.<sup>104</sup> A similar study found traumatic stimuli, particularly when severe enough, far outweigh the contribution to pathology of pre-existing characteristics.<sup>105</sup> A subsequent model of different warzone stressors found, contrary to initial hypotheses, that the perception of threat to one’s own life did *not* contribute to post-combat disorders, rather the killing of others had a strong, and direct, effect.<sup>106</sup> A causative

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<sup>103</sup> Marshall, “*Men against Fire*,” 79.

<sup>104</sup> Bruce Hiley-Young, Dudley Blake, Francis Abueg, Vitali Rozytko, Fred Gusman. “Warzone violence in Vietnam: An examination of pre-military, military, and post military factors in PTSD in-patients” *Journal of Traumatic Stress* 8, no. 1 (1995): 125.

<sup>105</sup> Brian O’Toole, Richard Marshall, Ralph Schureck and Matthew Dobson. “Risk Factors for Posttraumatic Stress Disorder in Australian Vietnam Veterans.” *Australian and New Zealand Journal of Psychiatry* 32, no. 1 (1998): 22.

<sup>106</sup> Fontana and Rosenheck, “*War zone Traumas*,” 748.

link between killing and such post combat psychological disorders in combat veterans has subsequently emerged, with symptom severity correlated with whether or not one had taken life.<sup>107</sup> Those who were in light combat but had killed were more affected than those who had experienced heavy combat but had not killed.<sup>108</sup> Findings such as these highlight the profound impact of taking another's life, in the context of combat, can have on military personnel. The importance of this relation becomes salient when considered against the rates of killing in contemporary military operations. Over eighty percent of soldiers in combat infantry units returning from Operation Iraqi Freedom reported shooting or directing fire at the enemy, with approximately sixty percent reported being responsible for the death of an enemy combatant, and almost thirty percent reported being responsible for the death of a noncombatant.<sup>109</sup> A further study found that once extraneous deployment factors were accounted for, a strong correlation existed between this killing and Post-Traumatic Stress Disorder symptomology.<sup>110</sup> Another study on a Gulf War veteran cohort found a similar correlation and concluded military personnel returning from modern deployments are at risk of adverse mental health symptoms related to killing in war.<sup>111</sup> Studies such as these point to the importance of a pathway long-maligned in mainstream literature, that of perpetration-induced psychological trauma.

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<sup>107</sup> MacNair, "Perpetration-Induced Traumatic Stress," 63; Shia Maguen, Thomas Metzler, Shannon McCaslin, Sabr Inslicht, Clare Henn-Haase, Thomas Neylan and Charles Marmar. "Routine Work Environment Stress and PTSD Symptoms in Police Officers" *Journal of Nervous and Mental Disease* 197, no. 10 (2009): 754.

<sup>108</sup> MacNair, "Perpetration-Induced Traumatic Stress," 69.

<sup>109</sup> Charles Hoge, Carl Castro, Stephen Messer, Dennis McGurk, Dave Cotting, and Robert Koffman. "Combat Duty in Iraq and Afghanistan, Mental Health Problems, and Barriers to Care." *New England Journal of Medicine* 351, no. 1 (2004): 13.

<sup>110</sup> Maguen *et al.*, "Reported Direct and Indirect Killing," 86.

<sup>111</sup> Shira Maguen, Dawne Vogt, Lynda King, Daniel King, Brett Litz, Sara Knight, and Charles Marmar. "The Impact of Killing on Mental Health Symptoms in Gulf War Veterans." *Psychological Trauma: Theory, Research, Practice, and Policy* 3, no. 1 (2011): 21.

## 2.2 Morality of Killing in War: The Just War Tradition

The justification of killing in war has been *the* preoccupation for theologians and philosophers who had set themselves the task of articulating a coherent justification of war itself. It would, indeed, be morally obtuse to offer an answer *when* may we fight the enemy state, without also focusing explicitly on the question *how* can we kill all these (enemy) persons?<sup>112</sup> According to the esteemed Christian ethicist, Paul Ramsey (1913 — 1988), identifying the various conditions under which killing in war can be justified is a task which is eminently pertinent and is “of the highest importance for constructive ethical analysis of our times.”<sup>113</sup> Contemporary discussion centres around the Just War Tradition, a tradition described as the most uninterrupted, longest-continuing study of *moral decision-making* known in the Western World.<sup>114</sup> While rejecting pacifism on the one hand and banal expediency on the other, this tradition attempts to find a compromise between those for whom [in war] nothing is lawful and those for whom all things are lawful.<sup>115</sup> Over recent years, interest in the Just War Tradition has undergone a significant resurgence. Its lexicon once solely the domain of academics and political theorists, has pervaded foreign policy and domestic rhetoric.<sup>116</sup> In its contemporary manifestation the theory is split into three sets of criteria; *jus ad bellum* (justice pre-war), *jus in bello* (justice in war) and *jus post bellum*

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<sup>112</sup> Noam Zohar, “Collective War and Individual Ethics: Against the Conscriptio of ‘Self-Defense.’” *Political Theory* 21, no. 4 (1993): 606

<sup>113</sup> Ramsey, “*War and the Christian Conscience*,” xvii.

<sup>114</sup> Ramsey, “*War and the Christian Conscience*,” xvii. [emphasis added]

<sup>115</sup> Grotius, Hugo. *De Jure Belli Ac Pacis Libri Tres*. Translated by Kelsey, F, 1925: Preface

<sup>116</sup> “The Nobel Peace Prize 2009”. Nobelprize.org. Nobel Media AB 2014. Web. 25 Dec 2017. Available online at: [http://www.nobelprize.org/nobel\\_prizes/peace/laureates/2009/](http://www.nobelprize.org/nobel_prizes/peace/laureates/2009/)

(justice post-war).<sup>117</sup> The central principle considered by *jus ad bellum* is ‘just-cause’, a notion that in contemporary Just War thinking is tightly bound to a conception of self-defence, a principle anchored in Aquinian natural justice. However, unlike the teachings of Aquinas for whom a just-cause was a monadic moral property of the soldiers themselves, under contemporary Just War theory, just-cause remains the sole domain of a political elite, in no way impinging upon the *in bello* considerations of the soldier. The radical separation of the justness of ones’ cause (*jus ad bellum*) from the justness of one’s actions in battle (*jus in bello*) is of critical importance to the theory via necessitating a situation whereby soldiers are divorced from the morality of the cause they fight for. The most distinguished proponent of the Just War theory, Michael Walzer, labels this the ‘moral equality of soldiers’ doctrine.<sup>118</sup> It is this principle that provides the ethical and legal context for combatants on all sides to justly kill in war. However, the dichotomy it presents is at the heart of all that is most problematic in the moral reality of war.<sup>119</sup>

According to the moral equality of combatants’ criterion, a soldier is no longer a legitimate target simply because of their *ad bellum* moral status; rather, necessity to attack is a function of a threat posed. All persons have a right *not* to be attacked [which] is lost by those who bear arms ‘effectively’ because they pose a danger to other people.<sup>120</sup> Thus, the familiar justification for killing in war emerges, that of mutual self-defence. This idea,

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<sup>117</sup> Brian Orend, “Jus Post Bellum.” *Journal of Social Philosophy* 31, no. 1 (2000): 117–137; Nicholas Rengger. “On the Just War Tradition in the Twenty-First Century.” *International Affairs* 78 (2002): 358.

<sup>118</sup> Michael Walzer. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. Fifth edition. (New York: Basic Books, a member of the Perseus Books Group, 2015): 34.

<sup>119</sup> Walzer, “*Just War Tradition*,” 21.

<sup>120</sup> Walzer, “*Just War Tradition*,” 145.

known as the ‘symmetry thesis’, stipulates that the same *jus in bello* rights and obligations are held by combatants on both sides of any conflict.<sup>121</sup> The case for symmetry is pragmatic, and related to ensuring restraint of wartime actions. By reducing the dangerous ambiguity of the justness of a cause, the symmetry thesis hopes to exclude cases where it is not some moral deficit, but instead moral excess from the perceived justness of one’s cause, that accounts for the savagery with which war is conducted.<sup>122</sup> This is not only a break from millennia of Just War thinking where war rights were conceived as applying unilaterally to the side with a just-cause, but also propagates the idea that one makes oneself liable to defensive attack merely by posing a threat, a concept with no intuitive plausibility outside the context of war.<sup>123</sup> The symmetry thesis would seem to require a fundamentally *a rational* connection between reasons and normative permissions and restrictions.<sup>124</sup> The traditional Augustinian justification for killing in war focused exclusively, albeit conveniently, on the *ad bellum* moral culpability of the enemy. In contrast, the modern conception of innocence (where harm propensity rather than the justness of one’s cause is the morally distinguishing yardstick) is solidly grounded in the etymology of the term. The term ‘innocence’ derives from the Latin word *nocentēs*, a word that refers to that which is menacing or injurious. In this way, to be ‘in-*nocentē*’ is simply *not* to be *nocentē*. Thus, according to Thomas Nagel:

The operative notion of innocence is not moral innocence, and it is not opposed to moral guilt... moral innocence has very little to do with it, for in the definition of murder ‘innocent’ means ‘currently harmless,’ and it is opposed not to ‘guilty’ but to ‘doing harm.’ The consequence that in war we may often be justified in killing

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<sup>121</sup> David Rodin. *The Moral Inequality of Soldiers: Why jus in bello Asymmetry is Half Right*. In: Rodin, D and Shue, H Just and UnJust Warriors: The Moral and Legal Status of Soldiers. (Oxford: Oxford University Press, New York, 2008): 44.

<sup>122</sup> Coates, Anthony. *Is independent Application of jus in bello the Way to Limit War?* In Just and Unjust Worriers. Ed. Rodin, D and Henry Shue. (Oxford university Press, New York, 2008): 178.

<sup>123</sup> David Rodin and Henry Shue. *Introduction*. In: Rodin, D and Shue, H. Just and UnJust Warriors: The Moral and Legal Status of Soldiers. (Oxford: Oxford University Press, New York, 2008): 15.

<sup>124</sup> Christopher Kutz. *Fearful Symmetry*. In: Rodin, D and Shue, H Just and UnJust Warriors: The Moral and Legal Status of Soldiers. (Oxford: Oxford University Press. New York, 2008): 86.



people who do not deserve to die, and unjustified in killing people who do deserve to die, if anyone does.<sup>125</sup>

Construed in this way, innocence, is quite obviously not analogous to how we most commonly identify with the term. According again to Nagel, if it were:

Then we would be justified in killing a wicked but non-combatant hairdresser in an enemy city who supported the evil policies of his government, and unjustified in killing a morally pure conscript who was driving a tank toward us with the profoundest regrets and nothing but love in his heart.<sup>126</sup>

Social notions of innocence are typically concerned with moral character and are understood in the language of guilt and culpability as opposed to descriptions of levels of threat. Thus, a picture of Orwell's 'moral atmosphere' of war emerges as a reflection of truncated innocence.<sup>127</sup> Symmetry thesis proponents do not deny the arbitrary nature of this point but argue that the radical separation between *jus ad bellum* and *jus in bello*, is necessary to remove asymmetries in justification which may otherwise lead to reduced *in bello* restraint. Innocence as construed under the symmetry thesis seeks to attenuate the moral-zeal born out of a perceived just cause that overwhelms restraint, a possibility clearly seen in the rallying cry of St. Bernard of Clairvaux: "O mighty soldiers, men of war, you have a cause for which you can fight without danger to your souls."<sup>128</sup> However, despite the apparent benefit to wartime restraint, the pragmatic case for symmetry ought to leave a bad taste in the philosophical mouth as it creates an entrenched normative structure that is fundamentally incoherent with the structures that govern our lives in the realm of private

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<sup>125</sup> Thomas Nagel, "War and Massacre." *Philosophy and Public Affairs* 1, no. 2 (1972): 140-141 [emphasis added].

<sup>126</sup> Nagel, "War and Massacre," 140 – 141.

<sup>127</sup> Orwell, "Homage to Catalonia," 349.

<sup>128</sup> Ben James. *The Letters of St. Bernard of Clairvaux*. Letter to England to Summon the Second Crusade, 1146. (London: Burns Oates, 1953): 462.

violence.<sup>129</sup> Through an important corpus of work stretching several years, American philosopher Jeff McMahan has shown with devastating clarity how different, and in general how awfully permissive, the existing laws of war are than the rules of morality for ordinary life:

If we begin with a case of justified self-defence against a culpable assault and continue to add more aggressors, more victims, and increasing levels of cooperation and coordination... we will eventually reach a scale of conflict that counts as war. The claim here is not that we cannot find a point along this continuum at which conflict becomes war. *It is, rather, that the morally significant differences, if any, between war and conflicts that are not war are matters of degree, not kind.*<sup>130</sup>

His view is derived from the universally binding nature of the Aquinian conception of natural justice. In this way, his position on the morality of war is staunchly individualistic in so much as the morality of action in war is continuous with the morality of individual action outside the context of war, and in particular that killing in war has to be justified by reference to the same moral principles that govern individual acts of killing outside the context of war, especially the principles governing killing in self — or other — defence.<sup>131</sup>

As McMahan observes:

There is no alchemical moral transformation with the shift from conflicts that do not rise to the level of war to those that constitute war.... *criteria will not distinguish permissible killing, or killing for which the agent is not morally responsible, from murder.*<sup>132</sup>

According to McMahan, the problem of killing in war is reducible to calculations of individual moral culpability, which he believes to be the *only* criteria for determining

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<sup>129</sup> Kutz, "Fearful Symmetry," 70 [emphasis added].

<sup>130</sup> Jeff McMahan. "Precis: The Morality and Law of War." *Israel Law Review* 40, no. 3 (2007): 675.

<sup>131</sup> McMahan, "Morality and Law of War," 676.

<sup>132</sup> McMahan, "Morality and Law of War," 675.

whether a person has given up their claim right not to be killed. For McMahan war does not call forth a different set of principles, but merely complicates the application of moral principles that are of universal application. This sentiment is echoed by the likes of American Holocaust historian, Christopher Browning, who sees no separation of moral sensibilities in war and in peace time.<sup>133</sup> Such a critique of wartime actions highlights the inability of institutional notions such as innocence to construe a basis to understand the morality of one's actions. When the morality of war requires what the law forbids, McMahan believes one must do what morality requires but ought to concede the violation and make a plea for leniency by appealing to a higher form of justification.<sup>134</sup>

### **2.3 Existing Models of Moral Injury**

The previous chapter outlined how our theoretical, social and clinical conditions impacted how we understand the morality of perpetrative agency, while this one identified killing as the axiomatic example of this in war. Subsequently, how the Just War tradition attempted to justify this act on moral grounds was explored. With the morality of perpetrative agency for the most part adequately described in both social and wartime settings, how various models purport to explain this phenomenon will now be addressed. How do existing models of moral injury explicate the various ways in which perpetrative agency impacts our ethical and moral lives? Jonathan Shay (b. 1941), draws upon a rich historical tapestry to illustrate a continuity of wartime trauma, from the ancient Greek epics, to contemporary veteran accounts. For Shay, cultural and shared social histories are primary. He explicates how the

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<sup>133</sup> Christopher R. Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*, Reissued (New York, NY: HarperPerennial, 1998).

<sup>134</sup> Jeff McMahan. The morality of war and the law of war. In Rodin, David, and Henry Shue, eds. *Just and Unjust Warriors: The Moral and Legal Status of Soldiers*. (Oxford; New York: Oxford University Press, 2008): 39.

great Homeric narrative fictions experiment with the moral materials of military practice, in particular, the social and ethical world of soldiers within the ecology of power in their *own* forces.<sup>135</sup> He believes these experiments will continue to offer substantial insight into wartime trauma so long as humans engage in the social practice of war, and the return to domestic life afterward. Shay is first careful to draw our attention to the historical changes in the wartime casualty rate:

It is hard for us in the twenty-first century to recall that the main killers of troops throughout history have been the privations of the nonhuman physical environment: heat, cold, dehydration, hunger, and above all, disease. The fact that Homer's *Iliad* opens with a plague – “and the funeral pyres burned day and night” – is entirely realistic, not merely the poet's evocation of the gods' heavy hands.<sup>136</sup>

The fact that a hostile ambient environment has, in centuries past, put a premature halt to moral injuries, is coupled by the ‘miracle’ of today's military medicine where, if attended to within the ‘golden hour,’ very few of the wounded die. A confluence of a greater survival rate from a hostile ambient environment and a decreased mortality rate from injuries sustained has created the conditions for another, more insidious, wound to manifest.<sup>137</sup>

While the logistics of supplying physical support to wounded soldiers is continually improving, there may be no golden hour on the battlefield, but rather only a golden five minutes for psychological wounds.<sup>138</sup> For Shay, the wound sustained and internalized within that ‘golden five minutes’ is exactly that, a wound. Shay was the first to begin to refer to this traumatic suffering work not as ‘disorder’ but as ‘injury’. Veterans with post-combat

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<sup>135</sup> Jonathan Shay, “Moral Injury,” *Intertexts* 16, no. 1 (2012): 57.

<sup>136</sup> Jonathan Shay, “Casualties,” *Daedalus* 140, no. 3 (2011): 180.

<sup>137</sup> Guy Strawder, “The ‘Golden Hour’ Standard: Transforming Combat Health Support”, Joint Force Quarterly 41, 2<sup>nd</sup> quarter (DTIC Document, 2006): 60 .

<sup>138</sup> Shay, “Casualties,” 180.

traumatic disorders are war-wounded, carrying the burdens of sacrifice for the rest of us as surely as the amputees, the burned, the blind, and the paralyzed carry them.<sup>139</sup> Shay emphasizes that like any injury, psychological and moral injury associated with combat is rooted in the body, may be irreversible, and can result in a wide spectrum of disability.<sup>140</sup> Shay contends that such wounds are the result of a “betrayal of ‘what’s right’ in a high stakes situation by someone who holds power.”<sup>141</sup> In this model, the above sentence breaks down the three discrete and important aspects;

Firstly, a betrayal of what’s right - *that’s squarely in the culture*; secondly, by someone who holds legitimate authority—*that’s squarely in the social system*; thirdly, in a high stakes situation—*that’s inevitably in the mind of the service member being injured, such as the love he has for his buddy*. The whole human critter is in play here: body, mind, social system, culture.<sup>142</sup>

Shay argued that these feelings of betrayal could surface during or soon after the betrayal, but could also surface years after the event(s) took place. Empirical research supports Shay’s clinical experience, finding that moral injuries are more strongly associated with delayed, rather than immediate, onset traumatic reactions.<sup>143</sup> Yet this particular notion of moral injury differs, importantly, in the ‘who’ of the violator. For Shay, the violator is not the self, but a person in a position of power or authority. He emphasizes leadership malpractice, not to scapegoat, but rather because this is something that, he believes, can be practically addressed; indeed, such a strategy belies the sense of pragmatism that pervades

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<sup>139</sup> Shay, “*Achilles in Vietnam*,” 4.

<sup>140</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 60.

<sup>141</sup> Shay, “*Odysseus in America*,” 240.

<sup>142</sup> Shay, “*Moral Injury*,” 59.

<sup>143</sup> Nathan Stein, Mary Mills, Kimberly Arditte, Crystal Mendoza, Adam Borah, Patricia Resick, Brett Litz, *et al.*, “A Scheme for Categorizing Traumatic Military Events.” *Behavior Modification* 36, no. 6 (November 2012): 787.

this model of moral injury.<sup>144</sup> From the cultural perspective, moral injury manifests itself in a multitude of symptomology that include a deterioration of character and a destroyed capacity for trust that it is replaced by the settled expectancy of harm, exploitation, and humiliation from others. Any yet, while going some way to describing potential pathways of ‘injury’, this approach, does not make a substantive contribution to understanding the implications of perpetrative agency. Shay’s conception of morally injured veterans as victims of others wrongdoing mirrors views found elsewhere in the mental health and ethics literature regarding the central role of breaches in social moral contracts and damage to belief systems.<sup>145</sup> The strengths and weaknesses of the cultural model coalesce around the notion of betrayal of ‘what’s right’ by a power holder. While ‘a person in authority’ presents a traction point to push the message do what’s right, it doesn’t accommodate a pathway to understand the impacts of one’s own agency. Shay is forthright in acknowledging that both his and the psychological model are important; both can coexist; one can lead to the other.<sup>146</sup> He gives the following example that moral injury [cultural] often, in the same instant, causes moral injury [psychological]—think of a situation where an infantry Marine is ordered to leave behind the body of his dead buddy or even worse, a wounded buddy.<sup>147</sup> While a focus on persons in authority was shown to be a pragmatic consideration, ultimately such a consideration is secondary and fails to adequately address the literature on agency as an important predictor and causative agent of moral injury.

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<sup>144</sup> Shay, “Casualties,” 183.

<sup>145</sup> James Bernstein. “Suffering Injustice: Misrecognition as Moral Injury in Critical Theory.” *International Journal of Philosophical Studies* 13, no. 3 (September 2005): 303–24; Ronnie Janoff-Bulman. “Assumptive Worlds and the Stress of Traumatic Events: Applications of the Schema Construct.” *Social Cognition* 7, no. 2 (June 1989): 113

<sup>146</sup> Shay, “Moral Injury,” 59.

<sup>147</sup> Shay, “Moral Injury,” 65.

The second model of moral injury and the one that forms the basis of renewed contemporary interest in the topic is the clinical model. American psychiatrist Brett Litz and his colleagues reintroduced the concept of moral injury in a more empirically accessible form.<sup>148</sup> In doing so the ‘who’ of the violator was restricted to the *self*, and processes internally privileged to the individual. No longer was a person in a position of power necessary for the equation of moral injury. Litz and his colleagues drew upon the growing literature on the phenomenology of stress in combat which identified enduring distress and alterations in functioning following events in which combatants perceive themselves to violate, through action or inaction, their own moral codes.<sup>149</sup> Arguably providing a focus on perpetration rather than victimization, they propose the following metric to describe conditions resulting in existential moral dissonance as:

perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations.<sup>150</sup>

It is no accident that precisely that aspect of the trauma that characterizes it as moral injury also has to do with the *perpetrative agency* of the soldier.<sup>151</sup> An act of transgression leads to serious inner conflict because the experience is at odds with core ethical and moral beliefs. Morals are defined as personal and shared rules for social behaviour that are fundamental for our assumptions about how things should work and how one should behave in the world.<sup>152</sup> Violation of these rules and assumptions, given certain disposing and sustaining factors, results in moral injury, the healing of which consists in the ability of the

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<sup>148</sup> Litz, “*Moral injury and Moral Repair in War Veterans*,” 695.

<sup>149</sup> William Nash, Teresa Carper, Mary Mills, Teresa Au, Abigail Goldsmith, and Brett Litz. “Psychometric Evaluation of the Moral Injury Events Scale.” *Military Medicine* 178, no. 6 (June 2013): 647

<sup>150</sup> Litz, “*Moral injury and Moral Repair in War Veterans*,” 700.

<sup>151</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 62.

<sup>152</sup> Litz, “*Moral Injury and Moral Repair*,” 699.

veteran to address the morally injurious experience and to develop a strategy to go on in a psychologically integrated way. The focus on agency this model proffers allows moral injury to provide a framework for military personnel serving in war whom are confronted with ethical and moral challenges that slip through the safety net that effective rules of engagement, training, leadership usually provide.<sup>153</sup> In making the case for their model of moral injury, Litz and his colleagues draw attention to why prevailing theories of Post-Traumatic adaptation only partially explain the development and maintenance of moral injury. This is to be expected, they believe, because theories of Post-Traumatic Stress Disorder attempt to explain the long-term phenomenology of individuals harmed by others (and other unpredictable, uncontrollable, and threatening circumstances) and have not considered the potential harm produced by perpetration (and moral transgressions) in traumatic contexts. Consequently, moral injury requires an alternative (but also complementary) model.<sup>154</sup> While this model takes seriously the etiological importance of perpetration it stops well short of describing *why* such an act is of such importance. According to this model, I know that I am responding to a moral obligation when I do that which I do not wish to do, or that which I cannot not do and still consider myself to be a moral person.<sup>155</sup> The closest they come is saying that such acts transgress *deeply* held beliefs. Yet it is not certain what they mean by this. Are deeply held beliefs those of strong deontological conviction, or are the rather those beliefs are so ingrained in us that we hardly even know we have them, let alone their basis. The former provides a model to understand distress emanating from cognitively arrived at deliberations, while the latter is more

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<sup>153</sup> Maguen and Litz, "Moral Injury in Veterans of War," 8.

<sup>154</sup> Litz, "Moral injury and Moral Repair in War Veterans," 699.

<sup>155</sup> Clifton Spargo, "Vigilant Memory: Emmanuel Lévinas, the Holocaust, and the Unjust Death." (John Hopkins University Press, Baltimore 2006), 11.



concerned with distress for which no normative or cognitive pathway is imminently available to explain.

The third model of moral injury is that of the theological perspective. This avenue has enjoyed increasing popularity amongst Christian interpreters of combat trauma.<sup>156</sup> Until recently, the theological approach was limited to aspects of redemptive recovery through the integration of faith-based and spiritual communities, as well as other communities from which individuals seek support.<sup>157</sup> However recently there has been a concerted push to deepen an analysis to conceptual independence with Brock and Lettini suggesting:

Veterans with moral injury have souls in anguish, not a psychological disorder. Feelings of guilt, shame, and contrition were once considered the feelings of a normal ethical person. Secular approaches tend to view them as psychological neuroses... yet many veterans do not believe their moral struggles are psychological illness needing treatment. Instead they experience their feelings as a profound spiritual crisis that has changed them, perhaps beyond repair.<sup>158</sup>

According to this theological perspective, a therapeutic gaze as articulated by the psychological approach makes no sense. In fact, it aims to fix what is not broken: to pathologise what is not pathological.<sup>159</sup> While a clinical ascription of moral injury is a welcome and potentially influential way forward in the context of the contemporary psychology of trauma, from a Christian moral-theological perspective, its identity as a psychological construct proves to be unhelpfully limiting.<sup>160</sup> While the psychological

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<sup>156</sup> Kinghorn, "Combat Trauma and Moral Fragmentation," 60.

<sup>157</sup> Maguen and Litz, "Moral injury in Veterans of War," 3.

<sup>158</sup> Brock and Lettini, "Soul Repair," Kindle Locations 1113-1118.

<sup>159</sup> Matthew Hallgarth, "The Philosophy of War and Exile: From the Humanity of War to the Inhumanity of Peace, by Nolen Gertz," *Journal of Military Ethics* 15, no. 2 (April 2, 2016): 163.

<sup>160</sup> Kinghorn, "Combat Trauma and Moral Fragmentation," 62.

approach, to its credit, forces critical analysis of the relationship between combat trauma and the moral agency of the acting soldier, it can say nothing of what constitutes this trauma, or why such agency is so morally salient. According to psychiatrist and moral theologian Warren Kinghorn this is because:

Empirical suppositions do not allow them to pass moral judgment on these rules and assumptions or to speak directly about teleology, they are *unable to distinguish between meaningful and non-meaningful moral suffering*, so reduction of self-described suffering, measured empirically, becomes the primary goal of the clinical encounter.<sup>161</sup>

Proponents of moral injury, as construed under the theological perspective, are at pains to separate it from its psychological manifestation that tethers the construct to the role of a mere *describer* of psychological impairment. The theological approach advocates for familiarity with clinical discussions about moral injury, but then pushes beyond the cognitive-psychological constraints of the psychological construct to create imaginative morphological spaces within which veterans can experience reconciliation.<sup>162</sup> According to one such commentator within the tradition, these morphological spaces are those which people might imagine Gods solidarity with them as those who lose a future they had hoped for and who carry the weight of this loss inside themselves.<sup>163</sup> In so doing, the theological approach, unlike the clinical disciplines, names the moral trauma of war not simply as irreconcilable psychological determinations, but as true existential dissonance that gives direct access to meaningful moral suffering as is a tragic reminder that the ‘peace of God’ is still not yet a fully present reality.<sup>164</sup>

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<sup>161</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 67. [emphasis added]

<sup>162</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 70.

<sup>163</sup> Philip Kenneson, “Trauma and Grace: Theology in a Ruptured World - By Serene Jones: Theology, Ethics and Philosophy,” *Reviews in Religion & Theology* 18, no. 2 (March 2011): 149.

<sup>164</sup> Kenneson, “*Trauma and Grace*,” 149.

## 2.4 Concluding Remarks

Killing is the axiomatic, and most potent, example of perpetrative agency resulting in psychological distress. However, the moral assignations of such an act remain poorly understood despite its meticulous treatment through the lens of the Just War Tradition that provides a framework to contextualize cognitive assignations of normativity. The uneasy commerce between moral judgments extraneous to socially enshrined moral ontologies, is nowhere more evident than conceptions of moral culpability developed in society and those proposed by the symmetry thesis within the Just War theory. Indeed, according to Just War theorist Anthony Coates:

The manner in which individuals conduct themselves in war is not best understood abstractly (or ‘morally’), that is, simply as the result of autonomous decision –making, divorced from its social and cultural setting... those characters and those habits are much indebted to the communities to which individual belligerents belong and in which their moral education has taken place.<sup>165</sup>

Such a treatment was able to explicate important moral exigencies particular to the taking of life in war, yet accounts of moral injury fail to describe the mechanism for distress that is pre-cognitive, or distress *not* caused from normative reflection on the moral praxis of social and wartime circumstances. Such models do not provide a justification for ones’ actions beyond the subjectivity of the social. For example, according to philosopher James Dodd, what is addictive about war, is not what war brings, or the dividends it pays, but rather the sense that the violence of war could fortify the hold that our life has on us, giving

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<sup>165</sup> Coates, “*Independent Application of jus in bello*,” 178.

it meaning.<sup>166</sup> According to the tenants of the clinical interpretation, very little can be said of such meaning, in fact the clinical model leaves little room to pass judgment on the validity of the moral rules and assumptions that individual soldiers carry, since to do so would be to venture into the ethics of war. It cannot name any deeper reality that moral assumptions, and the rules that engender them, might reflect, in effect reducing moral suffering to a psychological phenomenon only. The most notable difference in the psychological approach is the return of the ‘who’ of the violator back onto the self, and those processes that are internally privileged to the individual. In other words, through a return to agency, no longer is a person ‘in a position of power’ a necessary factor in the equation of moral injury. The recognition of moral injury therefore forces trauma psychology to regard the human person in all of his or her complexity as a moral agent. However, to do so requires the sufferer to be fully situated within, and constituted by, a sociocultural matrix of language and meaning and valuation in which ‘trauma’ cannot be understood apart from understanding of that matrix.<sup>167</sup> It is at this point that the promises and pitfalls of treating complex issues of human moral agency from a contemporary psychological perspective become apparent. The medical model inducts post-combat suffering into the means-ends logic of technical rationality.<sup>168</sup> Contemporary psychotherapists who have enshrined trauma as a normatively value-free phenomenon are faced with a structural dilemma as identified by Kinghorn:

They can presume or even articulate a structure of shared moral assumptions that would allow for judgments between redemptive and non-redemptive post combat suffering (and look like moral/philosophical traditions) or they can aspire to value-

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<sup>166</sup> James Dodd, *Phenomenological Reflections on Violence: A Skeptical Approach*, 1 [edition], Studies in Philosophy 52 (New York: Routledge, Taylor & Francis Group, 2017): 128.

<sup>167</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 63.

<sup>168</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 65.

neutrality in an effort to maximize social and scientific acceptability (and look like scientific biomedicine), but they cannot do both.<sup>169</sup>

At stake is whether the impingement of ones deeply held beliefs should be understood as a negation of justice as construed in the clinical model, or whether the historical facticity of injustice requires us to frame a relation to suffering, independent, from our intuition of what ought to have been for the other.<sup>170</sup> Accordingly, the psychological approach is in a double bind. While Litz and colleagues do not wish to deny the sociocultural frameworks that give rise to guilt and shame in particular soldiers, their disciplinary context does not allow them to speak about these phenomena in anything other than psychological and cognitive terms. The model cannot pass judgment on the validity of the moral rules and assumptions that individual soldiers carry, nor can it name any deeper reality that moral assumptions, and the rules that engender them, might reflect. It is no secret that psychologists have balked from making normative ascriptions, it is, after all, the job of preachers, educators and moralists — not scientists — to preach, educate and moralize.<sup>171</sup> moral injury as it has evolved in the clinical literature, is at its root a psychological, not a theological, concept; it is a psychological concept that in its subject matter looks a great deal like moral theology.<sup>172</sup> And yet the promise of the theological perspective that alludes to an approach that is about more than the relief of psychological suffering, remains undelivered due to the prerequisite of faith to construe meaningful moral suffering.

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<sup>169</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 66.

<sup>170</sup> Spargo, “*Vigilant Memory*,” 263.

<sup>171</sup> Kristján Kristjánsson, *Virtues and Vices in Positive Psychology: A Philosophical Critique* (Cambridge; New York: Cambridge University Press, 2013): 97 – 98.

<sup>172</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 60.

We are left with the dual task of finding a conception of moral injury that is sensitive to the agency of the individual yet robust enough to accommodate the moral meanings of suffering. The issue is, in any case, more philosophical than scientific in nature and one of many examples of the need for philosophical thinking within the mental health professions.<sup>173</sup> The question of how to approach this task necessitates a philosophical investigation into the basis of our moral sensibilities. With this in mind, the thesis will move onto the utility of the philosophical field of moral psychology in providing a substantive link between acts of perpetration and the moral injury.

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<sup>173</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 60.

## Chapter 3

### **Integration of Morality by the Psychological Tradition**

#### **3.0 Introduction**

Building upon this foundation and the suggestion that the moral salience of agency, in particular killing, is a prominent factor for the conceptualization of moral injury, this chapter will proceed to discuss the necessary foundations for an appropriate philosophical framework. At first blush it seems a given that moral injury should be best described by the philosophical tools available to it from within the ambit of moral psychology, a field of study that attempts the empirical study of morality. Indeed, such an assumption appears well founded when taking into consideration the dynamic nature of the enquiry which is beset with unprecedented interdisciplinary interest burgeoning within, and between, the two bastions of the field: philosophy and psychology. It is, however, an uneasy alliance. From the standpoint of psychology, the study of morality has been obstructed by philosophical principles weighted down by onerous theoretical tenets with little practical relevance. On the other hand, those with a philosophical bent align mental processes to the empirical and often experimentally derived psychological sciences, producing what the enigmatic Icelandic moral philosopher Kristján Kristjánsson describes as, at best, hollow ringing platitudes.<sup>174</sup> While sometimes exaggerated, the division is not artificial and reflects

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<sup>174</sup> Kristján Kristjánsson. "Does Moral Psychology Need Moral Theory?: The Case of Self-Research." *Theory & Psychology* 19, no. 6, (2009): 825

important differences between the two intellectual traditions. The field's pre-eminent reference book, The Moral Psychology Handbook, describes the tension in this way:

The discipline of moral psychology is a hybrid inquiry, informed by both ethical theory and psychological fact... [however] the central questions in the field – *What is the nature of moral judgment? Why do people behave well or badly?* – want empirically informed answers, while developing these answers in theoretically sophisticated ways requires delicate inquiry in philosophical ethics.<sup>175</sup>

The fit between philosophy and psychology is necessarily an uneasy one, with the boundaries constituting a highly contested intellectual space between those for whom psychology needs to be 'moralized', and those whom believed morality should be 'psychologized'. An exploration of this interplay will be used to determine whether moral psychology has the necessary conceptual tools to inform a more complete understanding of the morality of perperative agency. Why we 'feel bad' for certain actions, actions that may very well be able to be normatively justified and rationalized, are of the utmost importance to understand and currently very poorly understood. To date, the term moral injury has resisted any social or clinical attempts at reification. It thus begets a set of challenges for theorists and clinicians alike in determining the place which morality occupies in psychology, the role in which it plays in psychological impairment, and the mechanisms of pathology. The historical integration of philosophy in psychology will be critically analysed and concerns that psychological distress models have paid inadequate attention to the relevance of wider philosophical assumptions about the objectivity of ethics will be raised.<sup>176</sup>

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<sup>175</sup> Michael Doris and Moral Psychology Research Group. *The Moral Psychology Handbook*. (Oxford; New York: Oxford University Press, 2010): 1.

<sup>176</sup> Edwards, "Ethical Decisions in the Classification of Mental Conditions," 73.



### 3.1 Moralized Psychology

Of those scholars within the tradition of moral psychology who believe that *psychology should be moralized*, no one is more historically significant than American psychologist and Harvard University academic Lawrence Kohlberg (1927 — 1987). Kohlberg can be credited with launching the research program into moral psychology as a discrete school of thought with its main objective to explicate the general belief structures underlying moral reasoning, as opposed to determinations of how moral reasoning varies from situation to situation.<sup>177</sup> It is important to note that this represented a subtle but critical shift in the research focus. Whereas the primary focus of previous research into moral judgment was a situational analysis of moral judgment, Kohlberg's emphasis was on the reasoning behind that decision.<sup>178</sup> In shifting focus away from situational moral conjecture, or what he dubs the 'psychologists fallacy,' he delivers a forthright message for those wondering on the relation of philosophy to psychology:

The epistemological blinders psychologists have worn have hidden from them the fact that the concept of morality is itself a philosophical (ethical) rather than a behavioural concept.<sup>179</sup>

His grand vision can be thus summed up in the title of his famous essay, From is to ought: How to commit the naturalistic fallacy and get away with it in the study of moral development. Here he offers up a vision on how to 'moralize psychology,' and in so doing,

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<sup>177</sup> Benjamin Marx. Understanding the relationship between moral reasoning and liberalism-conservatism." Ph.D. diss., University of Sydney, 2005.

<sup>178</sup> Lawrence Kohlberg, Charles Levine, and Alexandra Hewer, *Moral Stages: A Current Formulation and a Response to Critics*, Contributions to Human Development, v. 10 (Basel; New York: Karger, 1983)

<sup>179</sup> Lawrence Kohlberg. "The Philosophy of Moral Development: Moral Stages and the Idea of Justice," 1st ed, *Essays on Moral Development*, v. 1 (San Francisco: Harper & Row, 1981): 97

close the logical gap between what 'is' the case and what 'ought' to be the case.<sup>180</sup> He goes on to say that the *ought* statements of philosophers of knowledge and morality, and the *is* statements of psychologist should be based on mutual awareness.<sup>181</sup> The key philosophical platforms that Kohlberg relied upon to give normative weight to his 'ought' claims, borrowed heavily from the ethical works of Emmanuel Kant and the distributive justice dictums of John Rawls:

These 'equilibration' assumptions of our psychological theory are naturally allied to the formalistic tradition in philosophic ethics from Kant to Rawls. This isomorphism of psychological and normative theory generates the claim that a psychologically more advanced stage of moral judgment is more morally adequate, by moral philosophic criteria.<sup>182</sup>

It is this explicit association with value-based normative philosophy, and Kantian ethics in particular, that is crucial for understanding the innovative significance of Kohlberg's theory and its enduring attraction to scholars of many disciplines.<sup>183</sup> Kohlberg's empirical data were inseparable from the theory-laden Kantian paradigm from which it drew much of its normative authority. As the German sociologist and philosopher, Jürgen Habermas, astutely points out, such Kantian ethics rely on a type of argument that draws attention to the inescapability of the general presuppositions that *always already* underlie the communicative practice of everyday life and that cannot be picked or chosen. This type of argument is made from the reflective point of view, not from the empiricist attitude of an

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<sup>180</sup> Laurence Kohlberg. From is to ought: How to commit the naturalistic fallacy and get away with it in the study of moral development. In *Cognitive Development and Epistemology*, ed. Mischel, T. (New York: Academic Press, 1971).

<sup>181</sup> Kohlberg, "The Philosophy of Moral Development," 105.

<sup>182</sup> Lawrence Kohlberg, "The claim to moral adequacy of a highest stage of moral judgment. *Journal of Philosophy*." 70, no. 18 (1973): 632.

<sup>183</sup> Daniel Lapsley and Patrick Hill. "On Dual Processing and Heuristic Approaches to Moral Cognition." *Journal of Moral Education* 37, no. 3 (2008): 313.

objectivizing observer.<sup>184</sup> Thus, the validity of Kohlberg's theory is connected to the validity of Kant's moral universalism – a philosophical paradigm that can never be verified empirically.

The 'moralizing' impact of Kohlberg's theory manifested itself in several important ways on the psychological landscape. In the philosophical tradition of normative ethics, it was important for Kohlberg that this theory remained objective to resist the trap of making pronouncements from a (normatively weak) position of moral relativism. He argued that the objective study of the history and development of moral ideas must be "guided not by cultural and ethical relativism but by reflective rational standards and principles of morality."<sup>185</sup> In this way, he distinguished his project from that of his contemporaries, by relying not on a culturally constructed moral theory, but on what he considered a set of universal underpinning moral principles.<sup>186</sup> With the Kohlberg paradigm the unwelcome spectre of ethical relativism was to yield to empirical findings.<sup>187</sup> It was in this way he proposed that pronouncements on the transition from 'is' to 'ought,' and the mental and ethical processes that underpinned them, could be made. In his attempt to remove the spectre of ethical relativism, Kohlberg was particularly critical of moral and ethical frameworks that were underpinned by Aristotelian virtue-ethics. For Kohlberg, the notion that morality is about a set of virtues acquired originally through habit was fatally problematic in that the so-called virtues are situation dependent and that "everyone has his

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<sup>184</sup> Jürgen Habermas, *Moral Consciousness and Communicative Action*. Studies in Contemporary German Social Thought. Trans. Lenhardt and Nicholsen, (Cambridge; Mass: MIT Press, 1983/1990): 130

<sup>185</sup> Kohlberg, "Essays on Moral Development," 98.

<sup>186</sup> John Gibbs *et al.*, "Moral Judgment Development across Cultures: Revisiting Kohlberg's Universality Claims," *Developmental Review* 27, no. 4 (December 2007): 443.

<sup>187</sup> Lapsley and Hill, *Dual Processing and Heuristic Approaches*," 314.

own bag.”<sup>188</sup> The noble intention that underpins Kohlberg’s framework, which attempts to peel back normative ascriptions beyond their situational and cultural relativism, holds intuitive promise for the conceptualizing of moral injury. It appears to provide a holistic rubric to potentially understand trauma that accompanies actions as a result of the compromise of moral beliefs. Under this rubric, morally compromising actions and the ensuing mental anguish may be a quasi-ethical transition between what ‘is’ and what ‘ought’ to be.

As well as combatting objections of subjective relativism, the insistence of ethical theory to establish the observable parameters for psychological investigations was also a priority for the Kohlberg model. This was important historically to refute the influence of two competing psychological models, behaviourism and psychoanalysis. Behavioural models rejected processes of cognitive moral reasoning as wellsprings of moral decision-making, instead seeking to explain human behaviour as an effect of the environment. An assignation of this kind reduced human subjectivity (thoughts, desires, hopes, etc.) to a mere a by-product of biological processes.<sup>189</sup> On the other hand, models of human behaviour in the psychoanalytic tradition, as popularized by Sigmund Freud and Carl Jung, emphasized emotional drives and unconscious processes to the exclusion of deliberative moral judgment. The Kohlbergian model, underpinned by a formal framework of normative Kantian ethics that situated the moral quality of behaviour at the level of an agents’ subjective judgment and intention, contrasted these views through the exclusive demarcation of moral judgments to be within the realm of ‘conscious processes.’<sup>190</sup> Such a

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<sup>188</sup> Kohlberg, “*The Philosophy of Moral Development*,” 184.

<sup>189</sup> Burrus Skinner, *About Behaviorism* (New York: Vintage Books, 1976).

<sup>190</sup> Kohlberg, “*Moral Stages*,” 8.

framework asserts that cognition, if it is to count as moral cognition, must be conscious, explicit, and effortful as the decision-making calculus of the moral agent is our best evidence of moral autonomy. Thus, the prototype of a moral action became “an intentional action, which excludes actions derived from subconscious processes, unreflective habituation, or mere feelings.”<sup>191</sup> This idea became an intellectual juggernaut within the cognitive developmental tradition, so much so that it became a given that morality, by definition, depends on the *agent’s subjective perspective*.<sup>192</sup> The Kohlbergian paradigm of moralized psychology was not only to leave a lasting impression on how morality was conceptually bounded, but also on how it was actively studied. For Kohlberg, progress in moral psychology occurred through “a spiral or bootstrapping process in which the insights of philosophy serve to suggest insights and findings in psychology, that in turn suggest new insights and conclusions in philosophy.”<sup>193</sup> This dictum was seen to be so successful that it is now part of the received view that philosophical analysis must precede psychological work.<sup>194</sup> Through a Kohlbergian prism, psychology was moralized to such an extent as to delineate both the boundaries of the moral arena *and* its content.

### 3.2 Psychologized Morality

In a classic case of academic parricide, there has been a recent push from within the field of psychology to dismantle the Kohlberg’s paradigm, suggesting that instead morality

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<sup>191</sup> Kristjansson, “Does Moral Psychology Need Moral Theory?” 82.

<sup>192</sup> Augusto Blasi. “How should psychologists define morality? Or, the negative side-effects of philosophy’s influence on psychology.” In *The moral domain: essays on the ongoing discussion between philosophy and the social sciences*, ed. Thomas Wren, 38–70. (Cambridge; Mass: MIT Press, 1990): 59.

<sup>193</sup> Kohlberg, “*Essays on Moral Development*,” 98.

<sup>194</sup> Lapsley and Hill, “*Dual Processing and Heuristic Approaches*,” 314.

should be ‘psychologized.’<sup>195</sup> Indeed, underlying this push is an explicit message; moral educators have little to learn from traditional schools of academic philosophy. Indeed, they do better to stay away from it.<sup>196</sup> Provoking this acerbic repudiation of the Kohlbergian paradigm, was the belief that such a research agenda saddled the field with disabling presuppositions that unduly “moralizing” psychology, instead of “psychologizing” research into morality. This can be formalized around two main objections. First, the *a priori* pursuit of an empirical basis for refuting ethical relativism — a central tenant of the Kohlbergian model — had the unintended consequence of isolating moral development research from advances in other domains of psychological study. Entire lines of research were ruled out of bounds if they were deemed incompatible with Kantian moral agency; or if they were thought to give aid or comfort to ethical relativism.<sup>197</sup> Secondly, the Kohlbergian ascription that the only deliberative processes that count as moral are those that result from a cognitive (conscious and rational) process, had the effect of actively excluding actions derived from subconscious processes. this limitation of the moral domain in this way, significantly narrowed the range of functioning that can be the target of legitimate moral psychological explanation.<sup>198</sup> Indeed such a model places an unacceptable *a priori* constraint on legitimate lines of inquiry. As such, ‘psychologized morality,’ purports to have a way in which *a priori* philosophical constraints have been jettisoned,

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<sup>195</sup> Kristjansson, “Does Moral Psychology Need Moral Theory?” 821.

<sup>196</sup> Robert Fullinwider. “Philosophy, Casuistry, and Moral Development.” *Theory and Research in Education* 8, no. 2, 2010: 173.

<sup>197</sup> Lapsley and Hill, ‘*Dual Processing and Heuristic Approaches*,’ 315.

<sup>198</sup> Iris Murdoch, *Metaphysics as a Guide to Morals*, 1st American ed (New York, N.Y., U.S.A: Allen Lane, Penguin Press, 1993): 297.

and moral psychology has asserted its autonomy.<sup>199</sup>

While Kohlberg will remain the fields' pioneer, his particular way of integrating a Kantian brand of normative philosophy is now no longer looked upon as a viable model to research, and subsequently, understand moral functioning within psychology. Furthermore, and with direct relevance to its applicability to the moral injury construct, his claim to be able to circumvent the naturalistic approach of traveling from 'is' to 'ought' with the normative power of a Kantian philosophical rubric did not materialize in any real sense. No framework to understand the traumatizing impact of agency could be proffered this approach. The end result is somewhat disconcerting. On the one hand the previous chapter made the case for a philosophical model to describe moral injury, while on the other we have just seen the malady such attempts appear to have had on the historical integration of morality and psychology. Do the failures of normative ethical theory in accounting for morally injurious actions necessitate a complete revocation of a philosophical method within the study of morality in psychology? As one critic of psychologized morality notes:

What is at stake in this battle over the corpse of Kohlbergianism is *the 'special relationship' between ethical theory and moral psychology* that continues in part to characterize the Kohlbergian *tradition* (as opposed to Kohlberg's specific developmental model) even as the field has evolved.<sup>200</sup>

In short, Kohlberg would take exception with the suggestion that this relationship be normalized and, consequently, philosophy shown the door. Rather than the inevitable consequence of adhering to philosophical starting points, the Kohlbergian

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<sup>199</sup> Daneil Lapsley and Darcia Narvaez. "Psychologized morality" and its discontents, or, do good fences make good neighbours? In *Getting involved: Global citizenship development and sources of moral value*, eds. Oser & Veugelers, Rotterdam, The Netherlands: Sense Publishers, 2008.

<sup>200</sup> Bruce Maxwell. "Does ethical Theory Have a Place in Post-Kohlbergian Moral Psychology?" *Educational Theory* 60, no. 2 (2010): 169. [emphasis added]

conceptualization of the moral domain is the result of a founding mistake. Inferring, erroneously, that if moral actions are necessarily intentional then they are also necessarily deliberate.<sup>201</sup> The systemic failures that were proffered earlier as an argument for a ‘psychologized morality,’ should not be ascribed to failures of philosophy, but rather of its flawed application. Kohlberg’s attempt to integrate ethical theory into the psychological study of morality ultimately led his critics to conflate the question of its philosophical adequacy with that of its psychological adequacy.<sup>202</sup> Such an approach raises questions about how morality can be construed in psychology. Are we to disregard all value-based assignments of moral accountability, in effect leaving the field normatively barren? Is an unavoidable consequence of this a field where how human beings *should* behave, are reduced to a more descriptive metric of how humans *do*. We can seemingly not do without ethical theory to make normative prescriptions, while that very same ethical theory circumscribes those very prescriptions. While this section showed how inappropriate application could circumscribe research agendas and models of disorders, there is still a need in psychology for a construct of morality to be able to come at some of the underlying sense-generating precepts that create psychological dysfunction. When a subject reflects upon what ‘is’ to what ‘ought’ to be, and this reflection uncovers a breach in their moral code, how can we account for this without falling back to ethical relativism?

### **3.3 Empathy and Morality**

Moral philosophers have always been concerned with moral psychology and with articulating an agent’s motivational structure since the philosophical articulation of

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<sup>201</sup> Maxwell, “*Does ethical Theory Have a Place,*” 184.

<sup>202</sup> Maxwell, “*Does ethical Theory Have a Place,*” 168.



principles for the normative evaluation of human behaviour has to be psychologically plausible. Normative rules are commonly thought of as expressing an obligation for human agents and as asserting a motivational pull on the agent's will. For that very reason, descriptive knowledge of the psychological or biological constitution of human beings can be understood as providing us with knowledge of plausible constraints for evaluating the validity of various normative standards.<sup>203</sup> The primary locus for discussions of the self and the suffering of others in moral philosophy is pity, as understood through empathetic reaction. Aristotle's analysis of the structure of pity — a pain that arises when we witness serious and undeserved suffering in another who is similar to us, or similar to someone close to us — has not been significantly challenged by much of the moral philosophic tradition.<sup>204</sup> Access to pity has been explicitly identified as empathy by one of the first sustained investigations into moral injury, a construct which they believe makes moral consciousness possible, and “undermines” the will to kill.<sup>205</sup> In explicating the relation between moral conscience and empathy, these theorists go on to say:

Moral conscience is grounded in empathy and compassion for others and the capacity to recognize what is good and know when something is profoundly wrong. That so many veterans managed to hold onto moral conscience in the face of so much pressure to suppress it, and suffer to the point of suicide rather than abandon their souls, is testimony to the resilience of conscience and to their basic goodness.<sup>206</sup>

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<sup>203</sup> Karsten Stueber, "Empathy", The Stanford Encyclopedia of Philosophy (Winter 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2014/entries/empathy/>>.

<sup>204</sup> Elizabeth Belfiore. Pleasure, Tragedy and Aristotelian Psychology, in: *Politics, Rhetoric and Aesthetics*, Aristotle, critical assessments; 4 (London: Routledge, 1999): 272.

<sup>205</sup> Brock and Lettini, “*Soul Repair*,” Kindle Locations 1427-1428.

<sup>206</sup> Brock and Lettini, “*Soul Repair*,” Kindle Locations 1427-1428.

Current research agendas have stressed the importance of empathy for moral agency.<sup>207</sup> While such correlations between empathy and universal moral rules are certainly suggestive, exactly how our capacity for empathy is constitutive of moral agency and the foundation of moral judgment is still a controversial point amongst philosophers. Those with a Kantian bent, while generally unimpressed by arguments of moral sentimentality, at times credit empathy as one among a number of factors epistemologically relevant for moral deliberations.<sup>208</sup> On the other hand, within the context of an ethics of care, empathy is positioned as the foundational principle of moral judgments made by an agent toward the target of his or her actions.<sup>209</sup> In this interpretation, one's ability to empathize defines the boundary of the human community, providing the 'cement' of the moral universe.<sup>210</sup> Further conceptual support for the primacy of empathy as a 'building block' for morality can be adduced from the evolutionary perspective. Such a perspective suggests that we are moral by nature, not by choice through the evolution of communities of empathy.<sup>211</sup> Regardless of the merits or otherwise of each theory, it is clear that the role of empathy for moral injury is a relationship that requires greater attention to determine a motivational basis for moral principles.<sup>212</sup> While the existing literature identifies empathy as *the* construct through which morally injurious actions can be understood, it is by no means clear from the outset what methods of enquiry should be employed. A review of philosophical research methods on the phenomenon of empathy found subtle variance on what could be adduced from such

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<sup>207</sup> Martin Hoffman, *Empathy and Moral Development: Implications for Caring and Justice* (Cambridge, U.K. ; New York: Cambridge University Press, 2000).

<sup>208</sup> Nancy Sherman, "Empathy and Imagination," *Midwest Studies in Philosophy* 22, no. 1 (September 1998): 82.

<sup>209</sup> Michael Slote, *The Ethics of Care and Empathy* (London ; New York: Routledge, 2007).

<sup>210</sup> Michael Slote, *Moral Sentimentalism* Oxford ; (New York: Oxford University Press, 2010): 13

<sup>211</sup> Frans de Waal, Stephen Macedo, and Josiah Ober, *Primates and Philosophers How Morality Evolved* (Princeton, N.J.; Woodstock: Princeton University Press, 2009)

<sup>212</sup> Stueber, Karsten, "Empathy", *The Stanford Encyclopedia of Philosophy* (Winter 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2014/entries/empathy/>>.

investigations that hinged upon the explicit focus of the investigation.<sup>213</sup> For instance, in researching the topic of empathy, one could explore the lived experience of a person who is empathetic; another could aim to explore the general structure (or essence) of the lived experience of ‘being empathetic’; yet another could explore the stories people tell of their experience of feeling empathetic. Underlying these different approaches, with their varying points of focus, are questions that ask to what extent should we always aim to produce a general (normative) description of the phenomenon, or is idiographic analysis a legitimate aim?<sup>214</sup> These questions will be addressed in the following chapter through a sustained critique of the empathy, the construct identified by the first book to explore the idea and effect of moral injury on veterans, their families, and their communities.<sup>215</sup>

### 3.4 Concluding Remarks

Psychological research under a Western liberal tradition stresses an essential ‘other-independence’ whereby the world becomes a marketplace of values from which we are able to pick and choose in order to assemble an arrangement which is truly ours.<sup>216</sup> Contemporary psychological theory attempting to identify a salient moral basis to understand ones action/inaction towards another is hamstrung by the subjective perspective of the ethical agent.<sup>217</sup> Because of this apparent conceptual snookering, the chapter went to great pains to

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<sup>213</sup> Linda Finlay. “Debating Phenomenological Methods,” *Phenomenology and Practice* 3, no. 1 (2009): 9.

<sup>214</sup> Finlay, “*Debating Phenomenological Methods*,” 6.

<sup>215</sup> Brock and Lettini, “*Soul Repair*,” Kindle Locations 1427-1428.

<sup>216</sup> Scott Greer. Self-esteem and the de-moralized self: A genealogy of self-research and measurements. In D. Hall & M. Krall (Eds.), *About psychology: Essays at the crossroads of history, theory, and philosophy*. (Albany, NY: SUNY Press, 2003)

<sup>217</sup> Greer, “*Self-esteem and the de-Moralized Self*,” 169.

uncover the fraught relationship that philosophical enquiry, in general, and normative ethical theory, in particular, has with moral psychology. The first (§3.2) showed the promise, and eventual paucity, of a model to bridge the naturalistic fallacy that relied upon rationalization as its philosophical precept. Yet, while shown to be ultimately inadequate, this approach was the first attempt to engage with the challenge of what the psychological study of the development of moral concepts ‘requires’ in the way of epistemological and moral philosophical assumptions.<sup>218</sup> The second (§3.3) took seriously the untethering of psychology from any tools of philosophy, before concluding that such an approach risked emancipating psychology from the fact the the concept of morality is itself a philosophically ethical, rather than a behavioural, concept.<sup>219</sup> Kristjánsson makes this very point when he concludes that:

Attempting to bring Kohlberg into the fold of value-neutral social science involves the omission of the best in Kohlberg’s paradigm: his academic ecumenism, his moral realism and his ensuing insistence that moral functioning cannot be investigated with morally neutral constructs.<sup>220</sup>

Perhaps counter-intuitively, moral psychology does *not* provide the best conceptual arena to address moral injury. Not only are we unable to talk in any meaningful way about acts of agency that causes psychological distress for fear of tangling with normative ascriptions of right and wrong, but we also lack a vector to express relationships to the world that constitute the sediment meaning of all our voluntary and involuntary experiences.<sup>221</sup> The current framework fails to account for how violence is experienced, the ‘sense’ of it,

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<sup>218</sup> Kohlberg, “*Essays on Moral Development*,” 10.

<sup>219</sup> Kohlberg, “*Essays on Moral Development*,” 102.

<sup>220</sup> Kristjánsson, “*Virtues and Vices in Positive Psychology*,” 97 – 98.

<sup>221</sup> Maurice Merleau-Ponty and Claude Lefort, *The Visible and the Invisible: Followed by Working Notes*, Northwestern University Studies in Phenomenology & Existential Philosophy (Evanston: Northwestern University Press, 1968): 322

according to its protagonists.’<sup>222</sup> Indeed, the conceptual wrangling from within the tradition appears to have validated remarks made by Kristjansson that unless psychologists are willing to become:

Full-blown moral philosophers trying to pursue some good old-fashioned normative inquiry, rather than fooling themselves into thinking that they are engaged in a non-normative enterprise and, consequently, producing (at best) hollow-ringing platitudes, or (at worst) profusions of confusion on matters of the utmost importance for human well-being.<sup>223</sup>

This chapter has shown how, in theory, any normative, virtue-ethical, approach to understand the morality of morality of perpetrating agency will fail. A preoccupation with moral psychology and the tradition of virtue-ethics which underpin many of our understandings of how acts are justified, falls into the trap of trying to address psychological distress models while paying inadequate attention to the relevance of wider philosophical assumptions about the objectivity of ethics and the concept of personhood to our understanding of illness.<sup>224</sup> Furthermore, it’s a trap where the stakes are high with consequences for matters of the utmost importance for human well-being. It thus begets the need for a new approach tethered to alternative philosophical tools in order to cut through the current white-moral noise.

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<sup>222</sup> Michael Staudigl, “Towards a Relational Phenomenology of Violence,” *Human Studies* 36, no. 1 (March 2013): 44.

<sup>223</sup> Kristjansson, “*Does Moral Psychology Need Moral Theory?*” 825.

<sup>224</sup> Edwards, “*Ethical Decisions in the Classification,*” 73.

## Chapter 4

### **Empathy as *the* Catalyst of Moral Salience**

#### **4.0 Introduction**

The previous chapter showed how theoretically difficult it was to construe morally salient acts within the existing paradigm of the psychological tradition and made the case for an approach based in a value-neutral approach. This chapter will explore this suggestion through an analysis of empathy which has been presented as the catalyst of moral salience and that which provides a suitable locus to understand why killing in war is so inherently traumatic.<sup>225</sup> While the findings of the previous chapter suggest any normative, virtue-based ethical approaches will not yield results, this chapter will commence with a disambiguation of these in order to substantiate this claim. This approach also acknowledges that phenomenology and analytical philosophy share a number of common concerns, and it seems obvious that analytical philosophy can learn from phenomenology, just as phenomenology can profit from an exchange with analytical philosophy.<sup>226</sup> The current debates dealing with empathy, social cognition, and the problem of other minds widely accept the assumption that, whereas we can directly perceive the other's body, certain additional mental operations are needed in order to access the contents of the other's mind. In recent years, there has been a great deal of controversy in the philosophy of mind,

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<sup>225</sup> Brock and Lettini, "*Soul Repair*." Kindle Locations 1427-1428.

<sup>226</sup> Dan Zahavi, "Subjectivity and the First-Person Perspective," *The Southern Journal of Philosophy* 45, no. S1 (March 2007): 66.

developmental psychology, and cognitive neuroscience both about how to conceptualize empathy and about the relationship between empathy and inter-personal understanding.<sup>227</sup>

For many participants in the clinical debate, much of the interest in empathy is generated by its potential link to interpersonal understanding.<sup>228</sup> Given the great number of existing models and positions, it is perhaps not surprising that commentaries from existing commentators of moral injury are unhelpfully vague as to *why* empathy should occupy its privileged position within the construct. This chapter will present a philosophical inquiry into the appropriateness of empathy as the catalyst of moral salience in determining our obligations in relation to others. Through an extended analysis of the relationship between empathy and its related, yet conceptually distinct, notion of ‘sympathy’ it will become evident as to why a value-neutral phenomenological investigation is warranted over and above that of a normative orientation. Found lacking, empathy is unable to cognitively penetrate the Cartesian impasse which can shed light on the intentionality of our actions. Focus will be shifted away from the value-based approach mandated by Kohlberg and inspired by the works of David Hume, Emmanuel Kant, and John Rawls. Instead, a value-neutral conception of empathy as it is construed in the value-neutral transcendental phenomenological tradition will be evaluated through the works of Max Scheler and Edith Stein.<sup>229</sup> Found to still be unable to provide a framework of intentionality, the investigation will turn its attention towards a ‘special hermeneutic of empathy’ as proposed by the

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<sup>227</sup> For example, Batson distinguishes eight (!) related but distinct concepts of empathy in: Daniel Batson (2009) *These things called empathy: eight related but distinct phenomena*. In: Decety Jickles W (eds) *The social neuroscience of empathy*. Social neuroscience. (MIT Press, Cambridge, MA, 2009): 3.

<sup>228</sup> Michael, John. “Towards a Consensus About the Role of Empathy in Interpersonal Understanding,” *Topoi* 33, no. 1 (April 2014): 157.

<sup>229</sup> Louis Agosta, *Empathy in the Context of Philosophy*, *Renewing Philosophy* (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2010).

existential phenomenological philosopher, Martin Heidegger. An eventual determination will be made on whether empathy is an appropriate prism to construe our actions towards others and, as such, its feasibility as the currently proposed access point to understanding distress at killing in war.

#### 4.1 Empathy to Sympathy: Analytic Tradition

As previously mentioned, the primary locus for discussions of the self and the suffering of the other in moral philosophy is pity as understood through empathetic reaction. Aristotle's analysis of the structure of pity — a pain that arises when we witness serious and undeserved suffering in another who is similar to us, or similar to someone close to us — is not significantly challenged by much of the moral philosophic tradition.<sup>230</sup> Defenders of the empathy, pity, and compassion nexus, such as Rousseau and Moral Sentiment Theorists, generally agree with Aristotle's description. Critics of the moral value derived by this triumvirate, such as the Stoics, Hobbes, Spinoza, Kant, and Nietzsche, do not contest the Aristotelian analysis but rather the normative claim that in some circumstances a virtuous person will feel pity, or that we *ought* to feel pity for a particular suffering other.<sup>231</sup>

Both defenders and critics of empathetic access resulting in pity share the belief that attention to the concrete suffering other is or ought to be subsumed by concerns for self - moral law, ones utility, natural sentiment, or theodicies that provide rational explanations of suffering. In such a way, moral traditions have generally neglected the suffering of the other qua other, a characteristic perhaps most apparent in Schopenhauer's ethics. For

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<sup>230</sup> Belfiore, "Pleasure, Tragedy and Aristotelian Psychology," 272.

<sup>231</sup> Martha Nussbaum, "Compassion: The Basic Social Emotion," *Social Philosophy and Policy* 13, no. 01 (December 1996): 27.



Schopenhauer, the self is concerned with the others suffering because, ultimately, the principle of individuation is illusory; the other is the self.<sup>232</sup> The valiant attempt — and ultimate failure — of the Western philosophical tradition to describe how and why empathy informs moral conscience is the theme for this section. While individual contributions to this dilemma will be discussed at length shortly, perhaps the best introduction to appreciate why theories of empathy have been so ineffectual in describing moral psychological constructs such as moral injury is a structured example on the interplay between empathy and sympathy.<sup>233</sup>

In the parable of the Good Samaritan (Luke 10: 30-27), a priest and the Levite pass by a wounded traveller. The Samaritan stops to help the individual in need while the priest, by all accounts also a highly empathetic man, crosses the road and walks on. How do we account for this? Firstly, we could say that the priest wasn't truly empathetic. This appears initially plausible and is aligned to the distinction Aristotle draws between skills and moral virtues when he claims: in skill "he who errs willingly is preferable, but in practical wisdom, as in the virtues, the reverse is true."<sup>234</sup> In other words, one can deliberately flout the end of a skill and still be skilled (misspelling a word deliberately), but one cannot deliberately flout the end of a virtue and still be virtuous as a virtue is indistinguishable from its etymology.<sup>235</sup> However, let us imagine that the priest was not only an empathetic

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<sup>232</sup> Christopher Janaway, *Self and World in Schopenhauer's Philosophy* (Oxford [England]: New York: Clarendon Press ; Oxford University Press, 1989)

<sup>233</sup> Agosta, *Empathy in the Context of Philosophy*, 61.

<sup>234</sup> Aristotle, W Ross, and Lesley Brown. *The Nicomachean Ethics*. (Oxford: Oxford University Press, 2009): Book VI, Paragraph 5.

<sup>235</sup> Amy Coplan. "Is Empathy a Virtue?" in Amy Coplan and Peter Goldie, eds., *Empathy: Philosophical and Psychological Perspectives* (Oxford; New York: Oxford University Press, 2011): 293.

person in general life but had also experienced a very similar experience himself and could identify strongly with the persons plight. If we are to imagine this to be the case we are in a predicament. While the moral agent is empathetic to the plight of the individual, the observers' empathetic distress does not compel them to an act in a way that we would consider morally praiseworthy. One explanation as to why this may be the case is that the priest handled the empathic experience of suffering by avoiding the situation. Prominent American psychologist, Martin Hoffman, postulates the reason for this is the inadequate transformation of empathetic distress into sympathetic distress whereby negating any pro-social, helping or altruistic intervention.<sup>236</sup> At this juncture the inability of empathy to account for moral behaviours calls into question the tenability of the privileged position the empathy construct occupies as a trait for moral conscience. How philosophers within the analytic tradition of philosophy have grappled with this dilemma will thus be discussed. In so doing, rather than an inadequate transformation of empathetic distress into sympathetic distress, *ethics* will be shown to be fundamental in attributing and understanding the altruistic decision. In this way, the question 'who is my neighbour' can be reduced to a more accessible metric: the individual in need, the suffering other.

It seems appropriate to begin this investigation into our western conceptions of empathy by discussing how the originator, and central protagonist, of the naturalistic fallacy construed it. The Scottish enlightenment philosopher David Hume (1711 — 1776) was the first to articulate the problem of how claims about what *ought* to be, derived from statements about what *is*. Hume recognized the implication that such a dictum would have on empathetic behaviour, and how such meanings could (or could not) inform our understandings of

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<sup>236</sup> Hoffman, "Empathy and Moral Development," 13.

actions. While never explicitly using the term empathy (it did not in fact exist in the English language) Hume writes about engaging the foundations of morality in sympathy. Yet it is a conception of sympathy that is considerably broader than our contemporary understandings of the term, and one that Hume uses to travel from ‘communicability of affect’ to the ‘responsive sentiment of compassion.’ Hume tasked his enquiry with investigating the sentiments dependent on humanity that are the origin of morals:

Morality is determined by sentiment. It defines virtue to be whatever mental action or quality gives to a *spectator* the pleasing sentiment of approbation; and vice the contrary.<sup>237</sup>

Such sentiments start out as sympathy (what we would call empathy) in the Treatise of Human Nature (1739), and end up as benevolence in the Enquiry Concerning the Principles of Morals (1751).<sup>238</sup> It is important to note, however, that even at this early stage Hume draws upon the imagery of a ‘spectator’ to adjudicate moral decision-making. Hume’s transformation of empathetic behaviours through general rules and the social convention toward society as a whole, into those that are imbued with normative moral agency is an invocation of sympathy. Such sympathy requires various kinds of correction that is provided by adopting some “steady and general points of view,” which Hume illustrates through his version of the transition from the state of nature to full-blown society.<sup>239</sup> This approach, which still informs our contemporary research and debates today, is inadequate in providing the grounding for moral conscience needed for a foundation to understand acts of agency that cause moral injury.<sup>240</sup> In the above parable of the Good Samaritan, a ‘general

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<sup>237</sup> Hume, “*An Enquiry Concerning the Principles of Morals*,” 94.

<sup>238</sup> Louis Agosta, *A Rumour of Empathy: Rewriting Empathy in the Context of Philosophy*, First edition, Palgrave Pivot (New York; Basingstoke, England: Palgrave Macmillan, 2014), 12.

<sup>239</sup> David Hume. *A Treatise of Human Nature*, L.A. Selby-Bigge (ed.). (Oxford: Clarendon Press, 1739/1973): III.3.1 581-582.

<sup>240</sup> Agosta, *A Rumour of Empathy*,” 26.

point of view' about the state of the wounded traveller would be the decisive factor in eliciting a sympathetic response *and* providing a normative judgment on that response, yet on the basis of subjective conceptions of virtue which the previous chapter noted.

Emmanuel Kant (1725 – 1804) asserted that he was awoken from his 'dogmatic slumbers' by studying Hume, which inspired him to provide an alternative description of how empathy can attenuate the naturalistic fallacy.<sup>241</sup> Kant was famously dissatisfied with the popular moral philosophy of his day, believing that such approaches could never be regarded as bases for moral judgments, because the imperatives on which they are based rely too heavily on subjective considerations. Kant famously developed a deontological moral system, based on the demands of the Categorical Imperative. For Kant, empathetic communicability is made possible by introducing the concept of the other person's rights to limit the free play of the imagination as a source of practical knowledge to the other. However, the other person is not merely another you or another I faced with a moral dilemma, but a third-person impartial spectator who makes judgments independent of any particular point of view and whose identity is completely irrelevant in the determination of the correctness or appropriateness of that judgment. Kant explicitly notes that the introduction of such an impartial spectator enables us to put ourselves in thought in the place of the other. In this way, a first-person perspective is substituted for a third-person, one that is publicly available to multiple individuals. To grasp the normative obligations of empathetic connectedness with an individual, using Kantian reasoning, it is first mandatory to abstract the first-person encounter to that of a third-person spectator to deduce its symbolic significance. Applied to the working example of the Good Samaritan, a Kantian explanation as to why we attribute moral blame on the actions of the priest is that an impartial spectator would, all things considered, see the need that this person had and act

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<sup>241</sup> *Agusta, A Rumour of Empathy*, 26.

upon that need. Another example of how this would work, more synonymous to moral injury, would be that the shame and guilt that someone feels for killing another person is because an impartial spectator would not condone that action under those circumstances. Kant's philosophy dissolves the Cartesian substance of cogito and replaces it with the transcendental ego in the character of function.<sup>242</sup>

Yet the act of abstracting a first-person event to a third person, while giving it a normative validity of sorts cannot, simultaneously, be sensitive to the intricacies of interpersonal relationships, a factor which the field of moral psychology under Kohlberg knows only too well. This is played out in attempts to codify a Kantian framework into a judicial assignation as shown by the American philosopher John Rawls (1921 — 2002). In his seminal work, A Theory of Justice (1971), several sections on features of the moral sentiments and moral psychology, including a discussion of sympathy and an impartial sympathetic spectator — the result is a Kantian impasse. After the parties in a would-be society have adopted the principles of justice-as-fairness in the original position this impasse becomes apparent. According to distinguished American philosopher Norman Care:

If I work up our conception of person-to-person fairness to use in my dealings with others, a conception involving my having commitments to certain principles, then I may circumscribe justice in a way that involves unfairness in individual cases, and I will be vulnerable to the moral pain of guilt. If I keep myself open to the particulars of individual cases, I will be left at a loss in some and perhaps many cases regarding what I ought to do, and I will be vulnerable to the pain of indecision and perhaps as well to the pain that goes with a sense of having failed to act when one should<sup>243</sup>

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<sup>242</sup> Dachun Yang, "Lévinas and the Three Dimensions of Surpassing Phenomenology," *Journal of Chinese Philosophy* 35 (December 2008): 21

<sup>243</sup> Norman Care, *Living with Ones Past: Personal Fates and Moral Pain* (Lanham Md.: Rowman & Littlefield, 1996): 121-122

The act of abstracting an encounter to arrive at what one ought may come at the cost of a vulnerability to the moral pain of guilt. Along with the strange implication that to work out what person-to-person fairness requires of me I must first work out a solution to the problem of justice for the basic structure of society, a requirement that provides grounds to be somewhat pragmatically sceptical that such an approach is the best way to construe our moral and ethical obligations in understanding moral injury.

A discussion of empathy would not be complete without a description of the contribution of Theodore Lipps (1851 — 1914), credited with putting empathy on the mainstream intellectual agenda as a stand-alone philosophical enquiry. He straddles Western and Continental traditions of their treatment of the empathy construct. Rather than buttress his empathetic ascriptions through the invocation of an impartial spectator, Lipps instead opts for a bolder approach in which empathy gives direct and normatively relevant knowledge regarding another individual by “the condition of enjoying the inner attitude of another that lies in the perceptible expressive movement.”<sup>244</sup> Even philosophers who did not agree with Lipps’ specific explication, found his concept of empathy appealing because his argument for empathy was widely seen at that time as the only alternative for conceiving of knowledge of other minds.<sup>245</sup> For Lipps empathy was the key to solving the *psychological fallacy*:

The ‘other’ is one’s own personality, a modified own ego, which is represented and modified according to the external appearance and the perceptible expressions of life. The man beside me, of which I am conscious, is a duplicate and at the same

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<sup>244</sup> Lipps, Theodor. *Aesthetik*. Volume I. (Hamburg: Leopold Voss. 1903): 111

<sup>245</sup> Stueber, "Empathy", Electronic Resource.

time a modification of myself.<sup>246</sup>

Lipps claimed to have demolished the argument from analogy to the knowledge of other minds, but remarkably recreates it in his own terms. Even if this is not an analogical argument, it qualifies as an analogical inference. Lipps' depiction of the man beside me 'a duplicate and modification of myself', is an example. He discards the argument from analogy and embraces empathy as a way of building a bridge to the other. But it is a bridge too far. Lipps tries to build the Other out of elements of the self. The problem of other minds is not solved by projecting one's own consciousness and experience onto the other individual, rather it is exchanging it for the problem of solipsism. Such an approach provided nothing more than a subjective relativism in the move from empathy to compassionate intentionality.

Empathy as understood by the moral philosophic tradition and informed by western philosophy, necessarily progresses from a formal approach that "maps a source to a target, a domain to a range, by means of a function that connects the two different sets of phenomena."<sup>247</sup> Various thinkers attempted to explain a pathway from the *is* of empathy, to the *ought* of sympathy. From the 'steady and general points' of a Humian social bond, to the third-person perspective of the impartial Kantian spectator, empathy as a means of bridging the gap between understanding an other's position, to a prescriptive normative assertion about what to feel/do about it, has always been an abstracted notion.<sup>248</sup> While

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<sup>246</sup> Lipps, "Aesthetik," 106.

<sup>247</sup> Agosta, *Empathy in the Context of Philosophy*, 2.

<sup>248</sup> Hume, "Treatise of Human Nature," 581-582.

disclosing the affects and experiences of the other as vicarious experience, empathic receptivity is prior to any particular moral or immoral pattern of behaviour. Thus, as a way of disclosing possibilities, empathy can be used for good or for harm in that it can potentially elucidate what another is experiencing, yet it cannot be used to formulate the normative prescription of what one must (or should) do about it. Ultimately empathy understood in this way comes up against the general problem of disconnecting the subject from the object only to have to reconnect them in a cognitive operation that is ultimately unsatisfactory, an outcome predicted by the previous chapter and a central reason for the an uneasy fit when trying to use such a notion to explicate individual notions of psychological distress.<sup>249</sup>

Typified by the Rawlsian and Kantian accounts where justice for an individuals is posterior to justice for institutions, it appears justice and our moral ‘oughts’ must be adduced from social customs.<sup>250</sup> The problem of these conceptions is that it tempts us to approach individual cases with the conceptions of persons associated with just institutions already in mind, a situation which risks committing possibly *unjustified persona moralism in individual cases*.<sup>251</sup> Second, it seems incredible that an account of person-to-person fairness requires first a solution to the problem of justice for the basic structure of society. In other words, an understanding of what morality requires of me in my treatment of others and myself must wait on my understanding of what morality requires of the structure of society.<sup>252</sup> The failings of Western tradition in abstracting conceptions such as empathy in

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<sup>249</sup> Agosta, “*Empathy in the Context of Philosophy*,” xvii.

<sup>250</sup> Care, “*Living with Ones Past*,” 109.

<sup>251</sup> Care, “*Living with Ones Past*,” 109. [Emphasis added]

<sup>252</sup> Care, “*Living with Ones Past*,” 109 – 110.



order to arrive at a normative significant position are apparent. Theodore Lipps showed how empathy imbued with *prima facie* normative significance, was a mistake that erred to a similar degree in the opposite direction. This pathway that aimed to resolve the apparent paradox of how claims about what *ought* to be, derive from statements about what *is*, yet merely rendered the problem of other minds meaningless through abolishing the ‘otherness’ of the Other and reducing one’s actions to solipsistic irrelevance. The question of whether empathy is necessary for moral motivation or normative ascription is decided in the negative. Such an outcome is initially buttressed by the distinguished American philosopher Jesse Prinz who claims that not only is there little evidence for the claim that empathy is necessary, there is also reason to think empathy can interfere with the ends of morality, in short placing empathy at the centre of our moral lives may be ill-advised.<sup>253</sup>

#### **4.2 Intentionality: Transcendental Phenomenology**

In the last two decades, phenomenologists have established a firm foothold in this debate through what is loosely termed the direct perception account.<sup>254</sup> As the term suggests, this account proposes that we are instantly able to access the mind of the other in a direct way through the perception of emotions, desires, and intentions of others without the media

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<sup>253</sup> Jesse Prinz. “Is Empathy Necessary for Morality?” in Amy Coplan and Peter Goldie, eds., *Empathy: Philosophical and Psychological Perspectives* (Oxford; New York: Oxford University Press, 2011): 211.

<sup>254</sup> Søren Overgaard, *Wittgenstein and Other Minds: Rethinking Subjectivity and Intersubjectivity with Wittgenstein, Lévinas, and Husserl*, Routledge Studies in Twentieth-Century Philosophy 29 (New York: Routledge, 2007); Dan Zahavi, “Simulation, Projection and Empathy,” *Consciousness and Cognition* 17, no. 2 (June 2008): 514; Shaun Gallagher, “Direct Perception in the Intersubjective Context,” *Consciousness and Cognition* 17, no. 2 (June 2008): 535.

of theorizing, simulation, or projection.<sup>255</sup> In this way, the problem of other minds is not a problem for existential phenomenology, simply because it is not considered a problematic to solve.<sup>256</sup> In the phenomenological movement, intentionality or the structure of the mind always immediately referring to the world supplants analytic approaches aimed at what we ought, or intend, to do.<sup>257</sup> Phenomenology's turn to the subject connotes a turn to *experience*, to a discovery of what alone admits absolute evidence, clarity and distinction. Consequently, it is generally thought that *what* I know is always the world as meant – or intended – by *me*. What is otherwise than this, consequently exists in the world essentially for the transcendental ego.<sup>258</sup> There is nothing meaningful of which to speak apart from intentionality, not because nothing exists, but because it is meaningless to speak of 'meaning' – in fact, one cannot even speak of nothing – outside a process in which meaning is construed.<sup>259</sup>

The German philosopher Max Scheler (1874 — 1928) presents the first phenomenological account of empathy whereby one immediately experiences or 'perceives' another.<sup>260</sup> This perception relies upon embodied expressiveness that can present us with a direct and non-inferential access to the experiential life of others. For Scheler, when I experience the facial expressions or meaningful actions of another, I am experiencing foreign subjectivity, and

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<sup>255</sup> Joonas Taipale, "Beyond Cartesianism: Body-Perception and the Immediacy of Empathy," *Continental Philosophy Review* 48, no. 2 (June 1, 2015): 161.

<sup>256</sup> Hubert Dreyfus, *Being-in-the-World: A Commentary on Heidegger's Being and Time, Division I* (Cambridge, Mass: MIT Press, 1991).

<sup>257</sup> Yang, "Lévinas and the Three Dimensions" 14.

<sup>258</sup> James Edie, "The Question of the Transcendental Ego: Sartre's Critique of Husserl," *Journal of the British Society for Phenomenology* 24, no. 2 (January 1993): 104.

<sup>259</sup> For a fuller account see Robert Wilson, "Intentionality and Phenomenology," *Pacific Philosophical Quarterly* 84, no. 4 (December 2003): 413.

<sup>260</sup> Max Scheler, *The Nature of Sympathy* (Piscataway, N.J: Transaction Publishers, 2008).

not merely imagining it, simulating it, or theorizing about it.<sup>261</sup> As Scheler remarks, this relationship contains a fundamental basis of connection, which is independent of our specifically human gestures of expression:

We have here, as it were a universal grammar, valid for all languages of expression, and the ultimate basis of understanding for all forms of mime and pantomime among living creatures. Only so are we able to perceive the inadequacy of a person's gesture to his experience, and even the contradiction between what the gesture expresses and what it is meant to express.<sup>262</sup>

Such a sentiment is echoed by the Austrian philosopher, Ludwig Wittgenstein (1889 – 1951), who famously remarked that:

'We see emotion.' We do not see facial contortions and make inferences from them ... to joy, grief, boredom. We describe a face immediately as sad, radiant, bored, even when we are unable to give any other description of the features.<sup>263</sup>

According to contemporary theorists in this field, such a method allows for one to simply imagine (or see) yourself in a situation and to feel genuine sadness and outrage at the injustice done to you or to others.<sup>264</sup> Embodied empathy, as described by this account, would indeed make *prima facie* available moral relevance. It calls for the type of openness and Other-directedness that morality requires, whilst facilitating—albeit paying heed to the causes and narratives behind emotions—a grasp of how to respond appropriately. Despite these benefits, it remains unclear however, just how relevant for empathy causal and narrative understanding is. After all, we can feel empathy toward a suffering individual, the source of whose suffering remains unknown to us, and whose life story we are not at all

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<sup>261</sup> Scheler, "The nature of sympathy," 10.

<sup>262</sup> Scheler, "The nature of sympathy," 10.

<sup>263</sup> Ludwig Wittgenstein, *Zettel*, G.E.M. Anscombe, trans., (Berkeley: University of California Press., 1967): §225.

<sup>264</sup> Shaun Gallagher, "Empathy, Simulation, and Narrative," *Science in Context* 25, no. 03 (September 2012): 355.

familiar with. Thus, while it may provide a fascinating heuristic, it can provide nothing more in been unable to posit possibility of empathising with bare experience.

Edith Stein (1891 — 1942) offers the second transcendental phenomenological account of empathy. Like Scheler, Stein criticised accounts in which others are detached from oneself, and the mind is detached from the body. She asserts that “if we take the self as a standard, we lock ourselves into the prison of our individuality. Others become riddles for us.”<sup>265</sup>

Stein criticises Scheler’s notion of perception for not doing justice to notion of transcendence which Stein believes every individual is always and already orientated towards and what makes the ‘we’ that makes ‘I’ and ‘you’ possible in the first place:

We empathetically enrich our feelings so that

in isolation. But “I,” “you,” and “he” are retained in “we.” A “we,” not a “I,” is the subject of the empathizing. Not through the feeling of oneness, but through empathizing, do we experience others. The feeling of oneness and the enrichment of our own experience become possible through empathy.<sup>266</sup>

This account provides the starting point for our own notion of empathy. One way to depict affective empathy within which we first begin to reverberate or resonate with the other, and from which we then move away toward a meta-level. On this meta-level, we step away from the first order sensation of ‘what it is like,’ and position it in relation to other experiences, emotions, or ideas. A response is directed not only toward the other, but also toward ourselves, as we become exposed not only to the mental states of the other individual, but also to our own response to them. It is precisely this latter aspect of affective empathy that has lead contemporary scholars to conclude affective empathy forms the most fruitful basis for moral agency, due to the way it facilitates both openness and other-

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<sup>265</sup> Edith Stein and Waltraut Stein, *On the Problem of Empathy* (The Hague: M. Nijhoff, 1964): 17.

<sup>266</sup> Stein and Stein, “*On the Problem of Empathy*,” 17.

directedness.<sup>267</sup> This account of empathy, while ameliorating the problem of other minds still does not provide a basis to understand our obligations to others. In interpreting the first order sensation of what it is like, we are in a position where our own biases can mediate the meaning and importance we place on the effective empathy we have ‘experienced.’ In this way, even if we could feel sad from direct access into an other person, we might determine that we would not feel sad under similar circumstances and thus their sadness is either unwarranted or less deserving of a sympathetic response. While not providing a basis to penetrate the morality of one’s actions, transcendental phenomenology identifies a world constituted not only by my consciousness, but also by the consciousness of the other. The other, as the transcendental condition for the existence of world, will ensure the objectivity of the world, and while it is easy to understand the intentional relation between my consciousness or the other’s consciousness and their objects, the intentional relation between my consciousness and the other’s consciousness cannot be understood in the same way. Even if the problem is how the other’s (pure) consciousness can appear to my (pure) consciousness can be solved by direct access accounts, the other’s consciousness is only the indirect object, and not the direct object, of my intentionality.<sup>268</sup> The apparent conceptual failure of empathy as an abstracted notion, as in the analytic tradition, or by analogical inference, as the transcendental tradition, pushes this investigation to consider an alternative approach. What follows will be an investigation that takes as its starting point Heidegger’s ‘special hermeneutic of empathy’. Hermeneutics as a method of investigation points in the direction of what gives meaning to the way humans are being, or, more formally expressed, ontology. It is a way of construing meaning for an individual, a way of bridging that seemingly unbridgeable gap between is and ought, becoming a method of

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<sup>267</sup> Elisa Aaltola, “Varieties of Empathy and Moral Agency,” *Topoi* 33, no. 1 (April 2014): 243.

<sup>268</sup> Yang, “Lévinas and the Three Dimensions,” 17.

interpretation, a word can, in fact, be substituted with only a modest loss of meaning.<sup>269</sup>

### 4.3 A “Special Hermeneutic” of Empathy: Existential Phenomenology

In Being and Time (1927), the chef-d'oeuvre of the influential German philosopher, Martin Heidegger (1889 — 1976), the concept of ‘empathy’ is mentioned several times, always between quotation marks and always in a dismissive way. Heidegger is not interested in an overarching theory of empathy derived in isolation from its precipitating events as attempted by the moral philosophic tradition. He is interested, rather, in the specific instances and conditions that permit empathy to take place. Here he is very explicit. Once a human being has been ‘de-worlded’ and abstracted into a subject, empathy when narrowly defined through cognition *cannot* provide the first ontological bridge from one’s own subject to the other, who is initially quite inaccessible.<sup>270</sup> As in the Western tradition, the theoretical problematic of understanding ‘other minds’ gets a foothold.<sup>271</sup> In contrast to this analytical approach, the existential philosophical mandate is not primarily interested in the question of *how* one can find out whether or not there are other minds, or whether some other person is a minded creature. This approach is equally ambivalent on how one may recognize the emotional state of another based on, for example, their facial expressions; rather Heidegger is more interested in determining the basis for actions that makes up meaningful actions in Being. For Heidegger, of crucial importance was an appeal to an *a*

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<sup>269</sup> Agosta, “*Empathy in the Context of Philosophy*,” 2.

<sup>270</sup> Martin Heidegger, Joan Stambaugh, and Dennis J. Schmidt, *Being and Time*, SUNY Series in Contemporary Continental Philosophy (Albany: State University of New York Press, 2010): H124.

<sup>271</sup> Agosta, “*Empathy in the Context of Philosophy*,” 18.

*priori*, or phenomenological, understanding of the Other:

[our] understanding of Being already implies the understanding of Others. This understanding, like any understanding, is not an acquaintance derived from knowledge about them, but a primordial existential kind of Being, which, more than anything else, makes such knowledge and acquaintance possible.<sup>272</sup>

The concluding pages of Being and Time lament this maligned form of description when he asks, why is being ‘initially conceived’ in terms of what is objectively present, and not in terms of things at hand that do, after all, lie still nearer to us?<sup>273</sup> Heidegger is not inclined to grant empathy the grounding function it has been awarded throughout the other traditions, since he explicitly considers it to be merely a derived phenomenon, that is, a deficient mode of ‘being-with-one-another,’ since it involves an elaborate manoeuvre of comprehension in order to ‘get’ to another subject. In Heidegger’s treatment of empathy, the term is not the first constitute of ‘being-with’ another person, as it is only on the basis, and subsequent to, being-with that ‘empathy’ becomes possible.<sup>274</sup> This is why he calls it a hermeneutic. When divested from conscious human interpretation, phenomenology becomes hermeneutical when its method is taken to be interpretive, rather than purely descriptive<sup>275</sup> in making this determination, Heidegger is demarcating the very conditions that make empathy possible, and here is he very clear: these conditions cannot be disassociated from the pre-normative, or primordial, relationship of the self and the other. He goes on to distinguish this relationship in the following way:

By ‘others’ we do not mean everyone else by me – those against whom the ‘I’ stands

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<sup>272</sup> Heidegger, “*Being and Time*,” 161.

<sup>273</sup> Heidegger, “*Being and Time*,” 414.

<sup>274</sup> Heidegger, “*Being and Time*,” 121.

<sup>275</sup> Susann Laverty, “Hermeneutic Phenomenology and Phenomenology: A Comparison of Historical and Methodological Considerations,” *International Journal of Qualitative Methods* 2, no. 3 (2008): 21.

out. They are rather those from whom for the most part, one does not distinguish oneself – those among whom one is too.<sup>276</sup>

In this way, we can make out what Heidegger means when he exclaims, “everyone is the other, and no one is himself. The *they*, which supplies the answer to the *who*, is the *nobody*.”<sup>277</sup> For Heidegger, empathy is an addendum for when a human being’s participation in the public group is complimented by public participation in the constitution of the individual.<sup>278</sup> If other minds are a constituent of the individual then the problem of solipsism is negated through a hermeneutic cycle of interrelatedness. While he does not outright reject theory and conceptual abstraction in and of itself, such processes are merely derivative of experience and cannot deliver the sense-giving attributes of the experience. Empathy falls under the ambit of these and must be overlaid upon a rich tapestry of human interrelatedness to make sense. A failure to do so results in the abstraction of the concept that leads to the theoretic Cartesian impasses of understanding other minds of which the Western problematics of solipsism and egocentricism are examples.

Heidegger does not employ the concept of the ego, instead establishing the solitary existence of *Dasein* to resolve the difficulties of solipsism by the Being-with of others. In this way subjectivity still has an important place and has priority over intersubjectivity where the relation between my consciousness and the consciousness of the other is regarded as a conflict for freedom and subjectivity.<sup>279</sup> What then are the implications of this relation

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<sup>276</sup> Heidegger, “*Being and Time*,” 115.

<sup>277</sup> Heidegger, “*Being and Time*,” 124.

<sup>278</sup> Agosta, “*Empathy in the Context of Philosophy*,” 18.

<sup>279</sup> Yang, “*Lévinas and the Three Dimensions*,” 11.



for understanding our obligations to others under the guise of moral injury? Heidegger's contribution coincides, and is commensurate, with his understanding of Dasein, a term he uses to refer to the experience of *Being* that is peculiar to human beings. Human beings are led into authenticity when the individual confronts finitude in the necessity of death. Each person will confront his or her death authentically and alone – since no one else can die an individual's death for him.<sup>280</sup> The certainty of my death, an event which 'occurs' to me in the *future*, creates an anticipation of itself in the *present*. This in turn creates the conditions for an existence that Heidegger would say is continually been 'thrown' ahead of oneself in a relation to a futural possibility that is essentially always a 'not-yet,' namely, my death. In a reformulation of the seminal Cartesian adage, a new expression emerges: I will die, therefore I am. According to Heidegger, this being-toward-death is precisely what makes my being possible, for death is the most extreme possibility of my existence and my ownmost potentiality of being. Crucially at stake, is the seemingly paradoxical proposition that death be not understood as pure nothingness, but rather as pure possibility. Framing one's life through a reference point that is not just external to ourselves, but radically otherwise than Being. Heidegger progresses the discussion past the Cartesian impasse by neutralizing the very assumptions it appears to uphold to give a value-neutral hermeneutic to construe meaning independent of subjective inferences:

Understanding always concerns the whole fundamental condition of being-in-the-world. As a potentiality of being [made possible by death], being is always a potentiality of being-in-the-world. Not only is the world, qua world, disclosed in its possible significance, but innerworldly beings themselves are freed, these beings are freed for *their own* possibilities.<sup>281</sup>

In conjoining our authentic personhood with something radically other, namely death,

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<sup>280</sup> Yang, "*Lévinas and the Three Dimensions*," 27.

<sup>281</sup> Heidegger, "*Being and Time*," 135.

Heidegger is creating the opportunity to become ‘inner-worldly,’ in a meaning-giving sense that is more expansive than that can be provided by either the ontic or the ontological frameworks of the Cartesian tradition. Heidegger levels a critique against Western metaphysics that has led to a pre-ontological misinterpretation of Being, which as a result has generated a severely narrow understanding of action, human nature, and with it the true philosophical import of humanism. Further implications of this distinctly Heideggerian conception of being towards death will be discussed in the following chapter, as while introduced by a hermeneutic of empathy, they have very little to do with the construct itself. Heidegger made a significant contribution in demonstrating the importance of primordial relations as the foundation of authentic human interrelations. In doing so, he may have also been successful in demarcating the site of the ethical encounter, but not, however, a mechanism for its application. It should be noted, however, that Heidegger never intended as much, explicitly disowning any ethical implications for his ontological thinking, arguing that no ethical theory (including an ethics of care) can be derived from Being and Time.<sup>282</sup> Thus, just as previous models of empathy struggled to explain the transition from empathy to intentionality, so too did Heidegger’s *Dasein* struggle to understand any of its obligations to those from whom for the most part, one does not distinguish oneself. It is an account that points beyond the vagaries of how empathy generates meaning towards an analysis of the primordial, or pre-normative, origins of everyday experience. Heidegger argues that all description is *always already* interpretation which expose the transition from *is* to *ought* as a set of diverse acts of intentionality of an individual that distinguishes ‘mineness’ from otherness.<sup>283</sup>

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<sup>282</sup> John Paley, “Heidegger and the Ethics of Care,” *Nursing Philosophy* 1, no. 1 (July 2000): 64.

<sup>283</sup> Agosta, “*Empathy in the Context of Philosophy*,” 9.

#### 4.4 Concluding Remarks

Sentimentalism has made a come-back in the arena of moral theory and particularly moral psychology. It is becoming increasingly common to argue that morality is founded on emotive responses toward the external world,<sup>284</sup> and/or the capacity to empathise with others.<sup>285</sup> This chapter explored how empathy might act as a lens to understand morally injurious actions. As predicted, investigations that focus primarily on issuers of access could not explain how is it possible that from one subject's seemingly self-enclosed interiority a subject may come to know our relations with others. This approach remains firmly rooted in the normative tradition of moral psychology. In terms of moral injury, in which killing is the most salient predictor of distress, this hermeneutic of empathy is illuminating. It begins to address concerns as to the fundamental sense giving attribution that the loss of life of the other engenders. Yet even this account still shares the shortcomings of the previous tradition; empathy fails to supply its own ethical application. In a truly grotesque scenario, a sadist caught up watching the pain that they are inflicting upon a victim comes alive, is literally in a perverse way, 'humanized'. Thus, what accounts of empathy lack, whether from the Western or hermeneutic tradition, are their own ethically informed application schema. Morality is separate from empathy and neither necessarily grounds the other, although arguably both point to a common root in human beings as the source of possibility.<sup>286</sup> Thus, we arrive at the most profound consequence of the proposed break with Kohlbergianism, the proposal to investigate moral functioning with morally neutral constructs.<sup>287</sup> Heidegger's approach, in true hermeneutic style, brings with it no

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<sup>284</sup> Jesse Prinz, "The Emotional Basis of Moral Judgments," *Philosophical Explorations* 9, no. 1 (March 2006): 29.

<sup>285</sup> Martin Hoffman. "Empathy and Justice Motivation," *Motivation and Emotion* 14, no. 2 (June 1990): 151

<sup>286</sup> Agosta, "Empathy in the Context of Philosophy," 75.

<sup>287</sup> Kristjánsson, "Virtues and Vices in Positive Psychology", 97.

normative-laden baggage. In starting from value-neutral basal relationships each of us have with our own deaths, Heidegger made a significant contribution in showing the importance of primordial relations to the foundation of authentic human interrelations, it still lacked any direction to ethical application. His approach that drew together the hermeneutic and phenomenological traditions was effective in demarcating the conditions that engender empathy, yet it displayed the familiar ethical paucity in transitioning to intentionality. While it did away with the Cartesian impasse of the Western tradition, in the process moving a step closer to providing a conceptual panacea to the moral injury equation, it falls short of the mark. What is required is a philosophical method of enquiry that simultaneously accounts for *what* we should do and *why* we should do it.

## Chapter 5

### **Lévinas: An Ethics Against Empathy**

#### **5.0 Introduction**

The previous chapter investigated the effectiveness of the empathy construct in both the analytical and phenomenological traditions to understand why killing is such a potent cause of moral injury. by traditions. A number of theoretical issues were uncovered which impinge upon the utility of such a construct in describing the existential dissonance of moral injury. In Western accounts, the inability to account for the link between empathetic access and sympathetic distress led to the problem of other minds while direct access accounts suffered from a dearth of interpretive guidance. The provocation of Heidegger's hermeneutic, while not providing a pathway for ethical intentionality, highlighted the advantages of a process that allows for lived experience to be primary. This approach whereby we are drawn into existentially-meaning through our relation to our own death, will be contrasted with that of French philosopher Emmanuel Lévinas (1906 — 1995). Lévinas is considered the most significant contemporary ethical thinker in Continental philosophy. His life, along with his philosophical thinking, was dominated by the memory of the Nazi horror.<sup>288</sup> Of Jewish Lithuanian decent, Lévinas spent five years imprisoned in a Nazi labour camp during the Second World War which claimed the lives of all his family members based in Lithuania. His philosophical oeuvre can be understood as a grand narrative of person-to-person encounters that prevented a slide into the atrocities of the

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<sup>288</sup> Emmanuel Levinas, *Difficult Freedom: Essays on Judaism*, Johns Hopkins Jewish Studies (Baltimore: Johns Hopkins University Press, 1990): 291.

twentieth-century that he believed were artefacts of the failure of the universality of concepts and transcendental arguments to prevent the triumph of ends-rationality and instrumentalization. It became imperative for Lévinas to reconcile the philosophy of Heidegger, whom he revered as a philosophical intelligence among the greatest and fewest, with his wilful acquiescence to the Nazi regime.<sup>289</sup> Rather than understand our obligations as a series of negative ascriptions of what one cannot, or should not, do to others, Lévinas proposes a fundamental substructure that prescribes a rationale to construct positive obligations towards another person, even in the event of having no prior knowledge of that person.

The inversion has attractive implications for how we may construe our obligations to others; instead of an ethical ‘opt-in’ clause, Lévinas seems to be suggesting that ethics are *always already* in operation, and thus must be opted-out from. Lévinas introduces a new temporality to his analysis of our moral responsibilities and how we are to construe them, one which “signifies for me unexceptionable responsibility, preceding every free consent, every pact, every contract.”<sup>290</sup> In this way, actions and intentionality only constitute a superficial intersubjectivity; the ethical relationship requires a deeper, higher register that belongs to a temporality that precedes the time of memory. This chapter will develop these positions to show how such an account can act to build out a new rubric in which to understand our obligations to others. The successful completion promises the provision, finally, of a philosophical tool box with which to commence sustained investigations into the precepts of moral injury.

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<sup>289</sup> Donna Orange, *Thinking for Clinicians: Philosophical Resources for Contemporary Psychoanalysis and the Humanistic Psychotherapies* (New York: Routledge, 2010): 79.

<sup>290</sup> Emmanuel Lévinas, *Otherwise than Being: Or, Beyond Essence*, Martinus Nijhoff Philosophy Texts, v. 3 (Hague; Boston: Hingham, MA: M. Nijhoff ; Distributors for the U.S. and Canada, Kluwer Boston, 1981): 88.

## 5.1 Heidegger and Lévinas on Death

The provocation of Heidegger's hermeneutic highlighted the advantages of a philosophy that assumed lived experience to be primary. Ultimately this approach was found wanting in its inability to map out an ethical configuration for our primordial social relationships. While empathy was shown to be unable to provide the transition from empathy to sympathy, similarly this account was unable to provide a basis for the intentionality of Continental approaches in providing meaning. To find a philosophical method of enquiry that simultaneously accounts for *what* we should do and *why* we should do it, this section will look at how Heidegger and Lévinas account for the importance and meaning behind our own deaths and the deaths of others. Heidegger's understandings of what constitute the sense-giving attributes of experience are anchored upon an individual's confrontation with their *own* death, a perpetual 'not-yet' that draw them into authentic relations with ourselves and others. This section will briefly expand upon this relationship before showing how an alternative interpretation, found in the works of Lévinas, can develop this in a direction where new understandings of what constitutes moral injury may be gleaned. As such an investigation into the meanings assigned to one's death under the alternate philosophical frameworks of Heidegger and Lévinas is important. Primarily such a focus will provide the catalyst to understand why the hermeneutics of empathy, as described by Heidegger, failed to imbue the framework with any clues to construe our ethical and moral relations to others with.<sup>291</sup> Heidegger and Lévinas' competing phenomenological descriptions of what authentic self-fulfilment entails, follows directly from how each phenomenologically

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<sup>291</sup> Iain Thomson, "Rethinking Lévinas on Heidegger on Death," *The Harvard Review of Philosophy* 16, no. (fall 2009): 28.

understand *death*.<sup>292</sup> According to Heidegger's existential discourse, death is not something which one experiences even though we will each undergo it. One cannot, after all, experience the nullity of experience that delineates one's own death. The impossibility of phenomenologically grasping or experiencing death is one aspect of what Heidegger means when he defines death as "the possibility of the absolute impossibility."<sup>293</sup> In other words, one can be certain of the possibility of my death, in spite of the very impossibility of one directly experiencing it. For Heidegger, being-towards death, facing death not as an *event*, but as always a *not-yet*, is an anxious state which constitutes every moment and second of one's existence and constitutes authentic self-fulfilment.<sup>294</sup> Death becomes that *not-yet* which throws one back upon their 'ownmost potentiality-of-being,' disclosing a futural possibility that is mine and mine only, I am thrown to what I was always already am.<sup>295</sup>

Lévinas heralds Heidegger's ontology as amongst the most important conceptual scaffolds in modern philosophy. While he is forthright in his refutation of some of its central pillars — death being one — he acknowledges that such refutation cannot be accomplished by a philosophy that is pre-Heideggerian.<sup>296</sup> The philosophic method that Heidegger developed was so radically transformative that any polemic to its rationale had to be mounted on the brave new philosophical world it laid bare. Lévinas' probing of Heidegger's treatment of death turns on what Heidegger construes as our relationship with something transcendent of our experience. Heidegger, using death as a quasi-existential catalyst, makes the

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<sup>292</sup> Thomson, "Rethinking Lévinas on Heidegger," 28.

<sup>293</sup> Heidegger, "Being and Time," 232.

<sup>294</sup> Paul Nadal. "Heidegger and the Being-Possible of Death: A Reading of Part I Division II of Being and Time," September 29, 2016. <https://belate.wordpress.com/paul-nadal/>.

<sup>295</sup> Heidegger, "Being and Time," 241.

<sup>296</sup> Emmanuel Lévinas, *Existence and Existents*, trans. A. Lingis (Dordrecht: Martinus Nijhoff, 1988), 19.



argument that we are drawn into meaning by a relationship to something we cannot experience, something transcendent of being, something Other. Lévinas argues that has the transcendent property that Heidegger imbues death with as constituting ‘pure possibility’ circumscribes the power that such an approach promises. Commencing his critique of Heidegger’s *magnum opus*, Lévinas, challenges the fundamental premise that death, the uttermost possibility of existence, is an event of freedom that precisely makes possible all other possibilities.<sup>297</sup> According to Lévinas, death is more accurately described as the ‘impossibility of possibility’. The Heideggerian thematization of death as gallantry, braveness and resoluteness in the face of “a reality against which nothing can be done, against which our power is insufficient, doesn’t imbue death” — or transcended ‘experiences’ in general — with their full significance.<sup>298</sup> In death, Lévinas contends, we are not simply unable to maintain the fight against an unassailable force but we are no longer *able to be able*. The result of the philosophical disputation is a polemic isomer; the *possibility of impossibility* under Heidegger is transformed, under Lévinas, to the *impossibility of possibility*.<sup>299</sup>

What are the implications of what may appear to be trivial interpretations on the nature of death? Simply put, as *impossibility of possibility* death becomes untenable as a construct to constitute authentic relationships with those around us. Death under Heidegger is not something that carries with it any meaning for when Dasein dies, its possibilities are taken away from it to be understood neither as a completion, or a disappearance<sup>300</sup> Lévinas states:

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<sup>297</sup> Emmanuel Lévinas, *Time and the other* (Hand, S., Trans.). In Hand, S. (Ed.), *The Lévinas reader* (Oxford, UK: Blackwell, 1947/1989): 41-42.

<sup>298</sup> Lévinas, *Existence and Existents*, 19.

<sup>299</sup> Dodd, “*Phenomenological Reflections on Violence*,” 67.

<sup>300</sup> Lévinas, “*God, Death, and Time*”, 40.

Death is never a present ... the fact that it deserts every present is not due to our evasion of death and to an unpardonable division at the supreme hour, but to the fact that death is *ungraspable*, that it marks the end of the subject's virility and heroism... Death is never now. When death is here, I am no longer here, not just because I am nothingness, but because I am unable to grasp. My mastery, my virility, my heroism as a subject can be neither virility nor heroism in relation to death.<sup>301</sup>

All conventionally heroic portraits of courage in the face of death assert an impossible independence of the will, which insofar as it resolves the tension between interiority and predominant cultural paradigms would finally cultivate the self's acceptance of its own death, as though the self could apprehend itself as if it were its own possession.<sup>302</sup> If Heidegger was mistaken in placing death as the *ownmost* possibility of Being, what is the alternative that Lévinas offers and how does this alternative inform our ethical relations with others? Lévinas provides an answer by pushing past the concern for our own deaths — which he sees as the Heideggerian egology of Dasein — towards a radical re-situating of radical otherness, away from the previously quarantining prism of one's *own* death. Lévinas proposes a new locus for radical otherness that, like our deaths, we are related to in a futural relationship but will never experience in Being. It is a radical otherness that does not negate us, rather in a sense affirms us, providing the authentic self-fulfilment which being-towards-death ultimately fails to deliver. Lévinas takes the encounter with another person to be this fulfilling paradigm. This is a central pillar of the Levinisian approach and one that clearly differentiates it from Heidegger's ontology and provides the basis of his contribution to understand moral injury. According to Lévinas, the solitude of the I, the ego, in being is shattered or interrupted by the Other. For Heidegger, this Other was death. For Lévinas this Other is another person. Other persons 'overflow comprehension' and embody what he variously calls infinitude, mystery, enigmas,

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<sup>301</sup> Lévinas, "God, Death, and Time", 41.

<sup>302</sup> Spargo "Vigilant Memory," 43.

transcendence, the uncontainable, the ungraspable, the unforeseen and the absolute Other.<sup>303</sup>

Lévinas describes it in this way:

The other is what I myself am not. The other is this, not because of the others character, or physiognomy, or psychology, because of the others very alterity.<sup>304</sup>

With the assignation of radical otherness to another person, Lévinas side lines the empathetic response as plausible hermeneutic rejoinder to the death of another. Recall that death was central for Heidegger, who held that human beings are led into authenticity when the individual confronts finitude in the necessity of death. Heidegger was always more interested in the death of *oneself* and the subsequent drawing into authenticity which this engendered. Lévinas, on the other hand, argues that death presents itself as an event in relation to which the subject is no longer the subject, and thus not able to provide meaning and authenticity to our obligations.<sup>305</sup>

Derived from the Heideggerian ontology of the death of *oneself*, the death of the *another* emerges as the most salient assignation “for the humanization of the individual self against the other in empathic interrelatedness.”<sup>306</sup> The death of another occurs ‘to’ us when we are still the subject, as opposed to our own deaths that we will undergo but never experience as subjects of Being. Paradoxically, the death of another is the closest, phenomenologically, we come to our own. This paradoxical twist on the assignation of death’s meaning echoes the famous saying “do not ask for whom the bell tolls, for it tolls

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<sup>303</sup> Joshua Shaw. *Emmanuel Lévinas on the Priority of Ethics: Putting Ethics First* (Youngstown, N.Y: Cambria Press, 2008): 31.

<sup>304</sup> Lévinas, “*Time and the Other*,” 83.

<sup>305</sup> Heidegger, “*Being and Time*,” 307.

<sup>306</sup> Agosta, “*Empathy in the Context of Philosophy*,” 59.

for thee.”<sup>307</sup> Notice that unlike the western philosophical tradition enumerated in the previous chapter, assignation of meaning is not dependent on privileged information, inaccessible to the observer, it is always already there. Lévinas’ argument that human existence occurs in relation to an immemorial past of ethical responsibility is his attempt to give a more accurate account of what constitutes authentic and meaningful human existence in which the social and ethical are primary. The death and loss of the other is a “trauma in the way my own death as a structure of human being will never be traumatic.”<sup>308</sup> The death of the other is paradoxically humanizing in a very real sense through ontologically creating the possibility of being human — and what that means. This is why, for Lévinas, in my social existence, “your death is more orientating for me than my own death is – or I should fear murder more than death, and the future that matters the most to me is yours not mine.”<sup>309</sup>

Both Heidegger and Lévinas trade blows upon a philosophical court upon which acknowledges a primordial existential kind of Being, which, more than anything else, makes such knowledge and acquaintance possible.<sup>310</sup> The transference of radical otherness from death (according to Heidegger) to the other person (according to Lévinas) is crucial in shifting importance from our own deaths to the deaths of another person. Instead of *our* own deaths been the futural orientating event that generates significance to our everyday life, this significance is located in the death of another that gives meaning to our humanity precisely in this “worry over the death of the other before care for self.”<sup>311</sup> For Lévinas, the

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<sup>307</sup> Donna Orange, “For Whom the Bell Tolls: Context, Complexity, and Compassion in Psychoanalysis,” *International Journal of Psychoanalytic Self Psychology* 1, no. 1 (January 1, 2006): 5.

<sup>308</sup> Agosta, “Empathy in the Context of Philosophy,” 59.

<sup>309</sup> Michael Morgan, *Discovering Lévinas* (New York: Cambridge University Press, 2007), 227.

<sup>310</sup> Heidegger, “*Being and Time*,” 161.

<sup>311</sup> Spargo, “*Vigilant Memory*,” 47.

death of the other is that paramount example of vulnerability – expressed as a passivity – by which every ordinary relationship is marked. Any subsequent mourning is vulnerability before that which is outside the self, an otherness, a vigilance that we keep even after she has suffered her final fate. In such susceptibility to the other, Lévinas discerns a mode of ethical valuation. By situating death of someone else as that which is most important in my existence, the kernel of how one is to understand our ethical responsibilities is framed against the simple, and somewhat familiar dictum: do not commit murder. As Lévinas critic Joshua Shaw astutely points out:

Lévinas focuses on murder because it strikes him as the most flagrant example of a case where we seem to be able to disregard the dignity of human life. Someone who commits murder tries, after all, to destroy another person’s life. So, our ability to perform this act seems to suggest that we do not necessarily recognize one another as possessing any sort of inalienable dignity.<sup>312</sup>

It is impossible, he argues, to murder another person; “there is something about acknowledging another person *as another person* that requires us to regard her as inviolable.”<sup>313</sup> Murder is impossible in the sense that the drive to violate is invariably haunted by an awareness of them as inviolable and singularly precious.<sup>314</sup> The murder argument is arranged to explain the ethical significance of the Other, acting as a justification for the claim that the human Other is, in effect, a ‘personification’ of radically Otherness, transcendent. This argument is crucial for not only establishing the promise of a Levinasian oeuvre which must “demonstrate the actual *existence* of something transcendent” – but also in aligning it with the transcendence that Drescher identifies as being fundamental for assimilating morality into the moral injury construct.<sup>315</sup> Such an argument also buttresses

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<sup>312</sup> Shaw, “Lévinas on the Priority of Ethics,” 36.

<sup>313</sup> Shaw, “Lévinas on the Priority of Ethics,” 32.

<sup>314</sup> Shaw, “Lévinas on the Priority of Ethics,” 32.

<sup>315</sup> Shaw, “Lévinas on the Priority of Ethics,” 32.

claims for treating moral injury as a central and unavoidable consequence of acts of agency in wartime.

It is important to point out that Lévinas does not think it is impossible to *kill* another person. He grants the mere extermination of living beings is possible, “I can of course in killing *attain* my goal.”<sup>316</sup> Yet he “reserves murder for acts of aggression that aim at ending the existence of a being recognized to possess *humanity* – acts that deliberately aim at destroying a being recognized to possess whatever it is about us that makes us morally exceptional.”<sup>317</sup> As Lévinas scholar Joshua Shaw point out:

The murderer wants to negate not just any entity but one that embodies what I am calling ‘humanity.’ She wants to negate something she recognizes as embodying moral value. Recognizing her victim as a front of such value requires her to see her as instantiating normativity. Yet if she perceives the victim as normative, she must be perceiving her as something she recognizes she *ought not to harm*.<sup>318</sup>

For Lévinas, murder as an attempt to “exercise power over what escapes power.”<sup>319</sup> The murderer, like the atheist, is beset by a contradiction. She wants, as it were, to profane something sacred even while she sees it *as sacred*, but she can profane the sacred only if she abandoned this perspective, if she sees it as something less than inviolable, less sacred.<sup>320</sup> An act is murderous, then, if and only if the agent who performs it deliberately and exclusively intends by it to end the life of a being she recognizes to be a source of

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<sup>316</sup> Emmanuel Lévinas and DePaul University, “Is Ontology Fundamental?” *Philosophy Today* 33, no. 2 (1989): 127.

<sup>317</sup> Shaw, “Lévinas on the Priority of Ethics,” 37-38.

<sup>318</sup> Shaw, “Lévinas on the Priority of Ethics,” 40.

<sup>319</sup> Emmanuel Lévinas and Philippe Nemo, *Ethics and Infinity*, 1st ed (Pittsburgh: Duquesne University Press, 1985): 198.

<sup>320</sup> Shaw, “Lévinas on the Priority of Ethics,” 40.

humanity.<sup>321</sup> Murder becomes impossible for Lévinas simply because if I self-consciously try to hurt someone, then I must be seeing her as something less precious, less awe-inspiring than an embodiment of supreme moral value. A delineation emerges between killing and the intended consequence of such an act. The importance of recognizing this delineation is central for Lévinas who believes that such a framework, which comes prior to normative theories of justice and restitution, gives to a person a base level of value on which positive obligations can be later deduced. We encounter death in the face of the Other and Otherness.<sup>322</sup> Death therefore shows the nearness of the neighbour (or even the stranger) and the responsibility for his death, opening me up to his face, which expresses the command “thou shalt not kill.”<sup>323</sup> According to Levinas scholar Wang Liping, this dictum belies:

A kind of absolute command, that is, *an absolute refusal or distance* that could never be closed or eliminated. It gives *me* an order that I must unconditionally obey. This absolute refusal creates a tension that promises a kind of “existential distance.” It is because of this distance that every person obtains his own original meaning, value, and legitimacy. In society, everybody, every face, is transcendent to the others, just as God is to us. This guarantees that all existents justify themselves and live better in the world.<sup>324</sup>

Lévinas is fond of saying that the face, in its primordial expression, is a proclamation of the supreme ethical demand that though shall not murder; while simultaneously that very temptation as the only true object of that intent.<sup>325</sup> Lévinas’ conception of Otherness comes with a ready-made pathway to understand ethical intentionality towards that other, and also

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<sup>321</sup> Shaw, “Lévinas on the Priority of Ethics,” 40.

<sup>322</sup> Lévinas, “God, Death, and Time,” 105.

<sup>323</sup> Lévinas, “God, Death, and Time,” 106.

<sup>324</sup> Wang Liping, “Transcendence or Immanence? Levinas, Bergson, and Chinese Thought.” *Journal of Chinese Philosophy* 35 (December 2008): 89–104, 102

<sup>325</sup> Emmanuel Lévinas, *Totality and Infinity: An Essay on Exteriority*, 23rd printing (Pittsburgh, Pa: Duquesne Univ. Press, 2011): 199.

a rubric to understand the significance of death. With these findings, it is clear that a richer explanation of the philosophy of Lévinas is warranted.

## 5.2 Philosophy of Emanuel Lévinas

Lévinas situates our relations with each other in an important and peculiar way which, as already touched upon, imbue the other with a transcendent property. The representation of transcendence is, however, notoriously difficult to define. Even thinking about radical alterity from a viewpoint of what it must be radically divergent from troubles Lévinas. It is this concern that prompts the Levinasian claim that our knowledge of this world, as expressed by ontology, is a form of ‘totalizing’ or reification.<sup>326</sup> Lévinas is disturbed that in order to attenuate the exigencies of our everyday lives we must first think in generalities, drawing everything within the boundaries of conceptual capacities. In this way, we make everything that is initially other, thinkable and knowable; an achievement of homogeneity that allows cognitively salient decisions to be made. Lévinas is quick to remind us, however, that “the Other is what I myself am not. The other is this, not because of the Other’s character, or physiognomy, or psychology but because of the Other’s very alterity.”<sup>327</sup> In this way Otherness resists reification and possession, not because it is stronger than that which seeks to attenuate its alterity, but because the other is altogether transcendent. As Lévinas states:

The resistance to the grasp is *not* produced by an insurmountable resistance, like the hardness of the rock against which the effort of the hand comes to naught, like the remoteness of a star in the immensity of space. [Rather] the expression the face

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<sup>326</sup> George Salemohamed, “Of an Ethics That Cannot Be Used,” *Economy and Society* 20, no. 1 (February 1991): 120.

<sup>327</sup> Lévinas, “*Time and the Other*,” 83.



introduced into the world does not defy the feebleness of my powers, but my very ability for power.<sup>328</sup>

I do not actually know the absolute otherness of the Other, in this instance a person. The absolute otherness of the other is what makes the other (person) Other (radically different to ourselves). It always remains out of my reach, uncomprehend by me and ever incomprehensible. Lévinas uses a transcendental method that acknowledges that there is an aspect of the other beyond the phenomena. Of course, the other (person) is ‘same’, inasmuch as he is merely different. In the realm of interiority, or phenomena, or ‘same’, there are apparent and comprehensible differences. Differences can be understood, comprehended, figured out, resolved and operate on a level of the unknown (yet). They can be tallied and totalled and are in principle knowable. In contrast, absolute otherness is unknowable (ever) and this is why the absolute otherness is so disruptive — it cannot be resolved, comprehended or made the same. A person is different from me fundamentally — prior to considering features or character, hair colour, mood, or suchlike.<sup>329</sup> As ethicist David Fryer states, “Lévinas discovered the other person is also a radical other beyond my capability and capacity to know,” a radical departure from the ontology of Heidegger for whom the Other is “one whom one does not distinguish oneself – those among whom one is too.”<sup>330</sup> In trying to make informed and rational determinations of how we are to act to someone else, we must ‘totalize’ them, to bring them under a system of knowledge that has frameworks available to it to describe something that is, according to Lévinas, indescribable. The ontological violence that accompanies such determinations is nowhere more evident than conditions of war whereby relevant facts may be unknown and, indeed,

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<sup>328</sup> Lévinas, “*Totality and Infinity*,” 197-198.

<sup>329</sup> Morgan, “*Discovering Lévinas*,” 42.

<sup>330</sup> David Fryer, ““What Lévinas and Psychoanalysis Can Teach Each Other, or How to Be a Mensch Without Going *Meshugah*,”” *The Psychoanalytic Review* 94, no. 4 (August 2007): 582.

unknowable. According to Lévinas scholar, Richard Morgan, “war is the ultimate form of totalizing thinking and the ways of life, the idealism, and Heidegger’s ontology [are only] its most recent avatar.”<sup>331</sup> In responding to this, Lévinas takes aim at the trajectory of the Western philosophic tradition in general, a tradition Lévinas believes “has not been the refutation of scepticism as much as the refutation of transcendence.”<sup>332</sup>

Another theme that will assume importance for subsequent implications for conceptualizing moral injury can be summarized by the Levinasian claim that there is a pre-originary assignment of ethical responsibility, summed up by the somewhat didactic phrase, ‘ethics as first philosophy’.<sup>333</sup> This phrase encapsulates a desire to make our ethical obligations to others the primary and most basic basis through which our relationship is construed. In Lévinas’ own words, “the ethical relation is not grafted on to an antecedent relation of cognition; it is a foundation and not a superstructure.”<sup>334</sup> Through phenomenological description, Lévinas situates and labels the intersubjective origin of the encounter with another person as *the* site of ethical rupture as opposed to relying upon principles that have long since been abstracted from the immediacy of the face-to-face encounter. For Lévinas, this face-to-face encounter assumes an all-important place through the provision of a fundamental locus to understand why it is that human beings are interested in the questions of ethics at all. To first situate philosophy in the face-to-face encounter is to choose to begin philosophy not with the world, not with God, but in an inter-

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<sup>331</sup> Morgan, "Discovering Lévinas," 215.

<sup>332</sup> Lévinas, "Otherwise than Being," 169.

<sup>333</sup> David Levin. "Tracework: Myself and Others in the Moral Phenomenology of Merleau-Ponty and Lévinas," *International Journal of Philosophical Studies* 6, no. 3 (January 1998): 346.

<sup>334</sup> Emmanuel Levinas, *Collected Philosophical Papers*, *Phaenomenologica* 100 (Dordrecht, The Netherlands; Boston : Hingham, MA, USA: Nijhoff; Distributors for the United States and Canada, Kluwer Academic, 1987): 56.

human transcendence that comes with implicit ethical schemata. This schema provides clues to understand the intentionality that was so elusive in previous models which sort to understand moral actions and thoughts.

This encounter with the ‘face’ is vitally important because it is an encounter with something that cannot be codified. Radical otherness is something that resists all forms of reduction and creates what Lévinas, somewhat cryptically, calls a ‘curvature of intersubjective space.’ In this way, in a sense, I am a moral agent before I am a cognitive one and I am responsible before I am an observer or explainer or interpreter. Something similar is articulated by Simone Weil (1909 — 1943) who suggested that:

Rights are always found to be related to certain conditions. Obligations alone remain independent of conditions. They belong to a realm situated above all conditions, because it is situated above this world.<sup>335</sup>

Lévinas attempts to give access to these obligations, in particular what they are and why they matter, through our relationship to the transcendent, in particular the face of the other. The signifying force of ethics must be without practical force in the real world, otherwise the language of ought or the vocation of responsibility would not be required. We can only be obligated to do that which the regulatory, practical social forces in our lives do not already guarantee, or at least make likely, that we will do.<sup>336</sup> I know that I am responding to a moral obligation when I do that which I do not wish to do, or that which I cannot not do and still consider myself to be a moral person. The force of the generalizable obligation depends upon its exterior relation to a subject’s immediate, interiorly motivated concerns. And thus, the force of any moral obligation resides in an aspect of transcendence, in the

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<sup>335</sup> Simone Weil, *The Need for Roots: Prelude to a Declaration of Duties towards Mankind*, Routledge Classics (London; New York: Routledge, 2002): 4.

<sup>336</sup> Spargo, “*Vigilant Memory*,” 10.

obligation's superiority to all practical necessities or habitual behaviours. In this way we can see how, for Lévinas, morality is not - or not first of all - an obligation mediated, as for Kant, by the formal and procedural universalization of maxims; nor is it grounded in appeals to the 'good conscience' constructed through processes of socialization. Instead, as ethicist David Kleinberg-Levin suggests:

Morality is first of all a bodily felt sense of obligation, an imperative sense of responsibility immediately (but not consciously) felt in the response of an elemental flesh that is anonymous, pre-personal, pre-egological, and pre-conventional: a bodily responsiveness that, unless severely damaged by the brutality of early life experiences, the I cannot avoid undergoing - at least to some extent - when face to face with the other.<sup>337</sup>

In framing morality in this way, the pitfalls of value-laden normative theories and the paucity of previous hermeneutic approaches are largely obviated. It is an incredibly powerful ethical cry for respect and responsibility for the other. For Lévinas this is the question of the meaning of being: not the ontology of the understanding of that extraordinary verb, but the ethics of its justice. The question *par excellence* or the question of philosophy is, in Lévinas mind, not 'why being rather than nothing', but rather 'how being justifies itself?'<sup>338</sup>

The force of the generalizable obligation depends upon its exterior relation to a subject's immediate, interiorly motivated concerns. And thus, the force of any moral obligation resides in an aspect of transcendence, which is to say, in the obligation's superiority to all practical necessities or habitual behaviours.<sup>339</sup> Through situating the locus of ethics with the encounter with a transcendent Other, Lévinas is setting in place the ethical building blocks

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<sup>337</sup> Levin, "Tracework," 350.

<sup>338</sup> Adrian Peperzak, *Ethics as First Philosophy: The Significance of Emmanuel Lévinas for Philosophy, Literature and Religion*. (Hoboken: Taylor and Francis, 2013): 86.

<sup>339</sup> Spargo, "Vigilant Memory" 11.

for normative action. The implications of this are radical. In the case of our perceived obligations to persons; rather than been construed in a negative way, in the sense that we can generally do as we like so long as it does not *negatively* impinge upon the rights of another, Levinasian ethics flips this on its head and says that we have a positive ethical obligation to the other that was *always already* there. A Levinasian ethic argues that what we think of as supererogatory is actually obligatory, and what we think of as obligatory is actually supererogatory.<sup>340</sup> Finding a basis to construe positive obligation to others has been the Holy Grail for ethicists trying to assign frameworks of action, and the elephant in the room for psychologists trying to understand *why* moral injury occurs from actions that may be normatively justified towards people whom one does not know. Lévinas seeks a definition of ethics that proceeds as though the functional exteriority of obligation instituted reason itself, a structure of obligation preceding all moral philosophical motivation, exceeding all cultural codification along the lines of pragmatic self-interest, and even superseding translation of obligation into action. This inversion has interesting implications for how we may construe our obligations to others; instead of an ethical ‘opt-in’ clause, Lévinas seems to be suggesting that ethics are *always already* in operation, and thus must be opted-out from. In this way Lévinas introduces a new temporality to his analysis of our moral responsibilities and how we are to construe them, one which “signifies for me unexceptionable responsibility, preceding every free consent, every pact, every contract.”<sup>341</sup> In this way actions and intentionality can only constitute a superficial intersubjectivity; the moral relation requires a deeper, higher register that belongs to a temporality that precedes the time of memory, a position that has direct relevance for moral injury.

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<sup>340</sup> Stephen Mister. Sizing up Infinite Alterity: The Possibility of a Levinasian Practical Ethics. ProQuest thesis: 2006, 6.

<sup>341</sup> Lévinas, “*Otherwise than Being*,” 88.

For Lévinas, the contemporary ontological project (i.e. Heidegger's) fails because it does not go far enough. It does not escape the sort of intellectualism it was bound to replace. The Other is not understood by 'letting it be,' but rather by 'addressing' (oneself to) him (or her). While Lévinas accepts much of the phenomenological/hermeneutic ontology that has been so useful in freeing psychology from the mechanism, determinism, and intellectualism that have been so unproductive in the past, he seeks to finish the project that lies at the heart of that ontology. That is, Lévinas asserts that the value or purpose of ontology is to account, not for understanding the other, but for relatedness to the other.<sup>342</sup> Ethics, in the context of this interpretation of everyday praxis would not indicate a philosophical action that could be chosen or not chosen by an autonomously existing agent the way an autonomous Kantian actor might decide to follow a consequentialist rather than a deontological course of moral action. Rather, the kind of praxis Lévinas' ethical phenomenology attests would entail a radical awakening from the slumber of the originary ethical foundation of human being, a re-calling of the intersubjective, ethical 'origin' of the human. Undoing the harmony and 'safety' of knowledge and moral act, Lévinas supposes that the meaning of ethics always precedes the rational, deliberative choice to act rightly or wrongly. Ethics in the Levinasian connotation entirely disrupts the intentional sequence of idea and act; it is the gap between representation and the other to whom we respond. Lévinas theorizes an a-chronology in which ethics arises anterior to the intentionally performed action, always also surpassing the event of knowledge.<sup>343</sup>

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<sup>342</sup> Williams, "*Self-Betraying Emotions*," 7.

<sup>343</sup> Spargo, "*Vigilant Memory*," 140.

### 5.3 An Ethics against Empathy

Levinasian philosophy represents a marked departure from the tradition of Western moral philosophy, yet it is a departure that appears to sacrifice no ethical gravitas. According to the prominent Levinasian scholar Michael Morgan:

No one, addresses the ethical dimension of this lived experience as dramatically and urgently as Lévinas. No one locates the original venue of moral normativity, as it were, in the same way and with the same dedication. No one characterized the substance of that moral demandedness so specifically and relates it so fundamentally to the very fact of human social existence.<sup>344</sup>

It thus seems peculiar, given his unerring commitment to the ethics of human social existence, that Lévinas is not interested in phenomenological distinctions between the various psychological states that could be characterized as sympathy, empathy, pity or compassion. For Lévinas the only way in which the otherness of another person can be respected is if we respect the fact that they can never be reduced by classification. This reduction is, for Lévinas, an ontological violence, a violation that opens the door for violations of a physical kind. If we are in a position (of power) where we believe we ‘know’ what another is feeling — as the construct of empathy purports — we are then able to be the torturer or the saint, friend or foe. Lévinas wants to remove these dichotomies and replace them with a basic structure of ethical responsibility. Levinasian philosophy demands a non-theoretical response, or perhaps better put a ‘pre-theoretical’ response, of compassion for the other. In a remarkable passage worth quoting at length he describes the relationship to our (unknown) neighbour in this way:

The neighbour concerns me before all assumption; all commitment consented to or refused. I am bound to him, him who is, however, the first one on the scene, not signalled, unparalleled; I am bound to him before any liaison contracted. Here there is a relation of kinship outside all biology, ‘against all logic’... A fraternity that cannot be

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<sup>344</sup> Morgan, “*Discovering Lévinas*,” xiv.

abrogated, an unimpeachable assignation, proximity is an impossibility to move away without the torsion of a complex, without ‘alienation’ or fault.<sup>345</sup>

The other is radically different, in his terminology, something ‘otherwise’ than being. I can never truly know him or her, and attempts to empathize with him or her are futile at the most basic and important sense. With this repositioning of the other person as an unknowable, non-reducible unit of intrinsic value, an entirely different rubric will emerge for understanding our responsibilities to the others. To be preoccupied with the death of the other, is to discern the constitutive sense in which responsibility must be inconvenient, arriving from beyond expectation, as well as that sense in which responsibility becomes universal precisely insofar as it is still unrealized. One’s relationship with another is not defined by empathetic ‘knowing,’ but rather an asymmetric ethical orientation. To the extent that our responsibility must always be negotiated within the realm of pragmatic necessity, such that we are likely to project our own most interests into the ideal realm of duty and to intervene on behalf of others so as to defend principles that align with our interests. In *Difficult Freedom*, Lévinas gives us an important clue, arguing that the more just we are, the more harshly we are judged – first, and most of all, by ourselves.<sup>346</sup> No longer is there a requirement to reconcile the transformation (or lack thereof) of empathetic distress into sympathetic distress, rather ethics is fundamental in attributing the altruistic decision. The question of “who is my neighbour” is abridged to the individual in need, the suffering other. Indeed, as a preliminary observation, the kernel of moral injury may be related to that ‘torsion of a complex’, which Lévinas speaks, in “that kingship, an

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<sup>345</sup> Lévinas, “*Otherwise than Being*,” 87

<sup>346</sup> Kleinberg-Levin, “*Tracework*,” 330.



unimpeachable assignation, that goes against all logic and cannot be abrogated without alienation or fault.”<sup>347</sup>

## 5.4 Concluding Remarks

A Levinasian account of the self and the Other, is not merely just another unverifiable metaphysical reductionist account. The Levinasian account of knowing is, to be sure, non-rational and non-ideological, but it is still an account of knowing. It does not so much disqualify knowing as subjugate it to the ethical. This account, then, does not prevent us from making claims about self, other, and the methods that may relate them. It simply prevents us from considering those claims fully to contain self and other, instead privileging the priority of the ethical relationship. This relation is precisely ethical in its very nature, not merely situated at the locus of ethical consideration as with the account of Heidegger. For Lévinas, we express ourselves in an ethical relation to the other in an ethical relation that is “not the thematization of any relation but that very relation which resists thematization inasmuch as it is anarchic. To thematise it is already to lose it and to depart from the absolute passivity of self.”<sup>348</sup> This relation comes before all thematization and is, indeed, foundational to thematic consciousness. All themes, including those of psychology, are grounded in the ethical relation, are ethical in their very character, and so require an abandonment of the dangerously comfortable illusion of actions been unmediated by

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<sup>347</sup> Lévinas, “*Otherwise than Being*,” 87

<sup>348</sup> Emmanuel Lévinas *et al.*, *Emmanuel Lévinas: Basic Philosophical Writings*, Studies in Continental Thought (Bloomington: Indiana University Press, 1996): 93.

ethical concern. The ethical relation resists the instrumentality of the scientific enterprise – the notion that science is primarily intended to be the instrument of the masterful, bounded self, the discoverer of techniques for controlling the other. The ethical relation rests, instead, on uncertainty and the perilous adventure of forever insufficient knowers sacrificing their certainty and even their control for understanding. In providing an ethical schema, albeit it one that defies schematization, Lévinas also provides a rubric upon which to understand our multiple obligations and comparisons of the incomparable:

In the comparison of the incomparable there would be the latent birth of representation, logos, consciousness, work, the neutral notion being ... Out of representation is produced the order of justice moderating or measuring the substitution of me for the other, and giving the self over to calculus. Justice requires contemporaneousness of representation.<sup>349</sup>

The face of a third interlocutor creates not only obligation, but the need for justice and justice requires system. It is in the multiplicity of obligating others that we find the reason for the intelligibility of systems. The entry of a third party is the very fact of consciousness. In this sense, epistemological implications are not only possible within Levinasian philosophy but also demanded by it – an often overlooked, or at least minimized, aspect of his work. Thus “truth arises where a being separated from the other is not engulfed in him,” but speaks to him and knowing only “appears within a relation with the Other.”<sup>350</sup> All consequent relations and questions of epistemology, follow in the wake of the ethical relation, forever a step behind the lived encounter. This encounter – lived out in our shared praxis, the ethos of our communities – is populated by practices, by ways of relating, by ethical encounters, and it is at the level of the ethical and relational that they are adjudicated. These practices cannot be justified in terms of their abstract adequacy or instrumental utility (as some specific knowledge claims are) but, rather, in terms of their relational adequacy –

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<sup>349</sup> Lévinas, “*Otherwise than Being*,” 158 – 159.

<sup>350</sup> Lévinas, “*Otherwise than Being*,” 62.

in terms of the degree to which they contribute to the ethos of shared inquiry and not simply to the prediction or control of the natural world. Because knowledge practices are essentially ethical in character, their value — their truth value — is judged not from within an abstract and rational *logos*, but from within a community, concrete, relational ethos. Knowledge practices are ethical relationships – from their inception in the primordial face-to-face encounter through to their resolution in conversation; they flow from relationship and it is toward relationship that they aim and it is thus in the ethical relationship that they must be understood and adjudicated.<sup>351</sup>

Heidegger's philosophy was truly disruptive in elucidating how considerations of Being were approached. However, by privileging the relation with Being over the relation with other people, such an approach became an *egology* with little guidance on how to construe our obligations to others. The relation between one's own death and the death of the other was shown to be fundamental to crystalizing how and why we may feel bad about actions of agency and more generally how our obligations to others are construed. Where Heidegger finds significance in existence as a project through death, Lévinas locates it precisely in responsibility for the Other. According to ethicist David Kleinberg-Levin, David the process of this framework relies upon:

A hermeneutic process of rememoration and retrieval, attempting to approach, without any illusions of intuitive possession, the affective-conative sense of a certain originary appropriation by the moral law, an appropriation that is felt to have claimed our flesh in a time which memory cannot recover.<sup>352</sup>

What Lévinas says is accordingly meant to be phenomenologically true: not, however, of conventional and superficial moral experience, but rather in regard to the deeper, more

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<sup>351</sup> Joshua Clegg and Brent Slife, "Epistemology and the Hither Side: A Levinasian Account of Relational Knowing," *European Journal of Psychotherapy & Counselling* 7, no. 1–2 (March 2005): 65.

<sup>352</sup> Levin, "Tracework," 346.

primordial dispositions of our moral nature, the realization of which would constitute a reflexively critical, ‘post-conventional’ moral experience, a sense of responsibility and obligation not only beyond the conventional, but even beyond the Kantian, since, in its extreme urgency and exigency, it takes hold of us at a primordial level of our embodiment, prior to reflective judgement and even prior to volition and is infinitely more demanding.<sup>353</sup>

Thus, our obligations to others are construed through a relationship to the transcendent, an affinity which necessarily expels the possibility of empathetic action in construing meaning. Such a method ties into the aforementioned demand for model of moral injury which attenuates to an individual’s understanding of, experience with, and connection to that which transcends the self.<sup>354</sup> Responsibility construed in this manner not only turns to philosophy as a spiritual tradition or even an ethical possibility, but also to religion as a fundamental dimension of historical existence.<sup>355</sup> The following chapters will outline a complete picture of how this ethical framework which takes transcendence as its basis to construe our obligations, and consequently the suffering of moral injury. While Levinasian theory provides a framework in which we can find meaning in relational models of violence it appears it also brings with it an impossibly heavy moral mandate. As we come face to face with the Other, we discover infinite obligation, anarchic responsibility, a debt without possibility of payment. I am handed the endless responsibility to the Other I face, and then I turn to another, and yet another, and each encounter with an Other brings me more moral debt, more responsibility, more obligation — to a radical extreme. As our meaning of being comes to us not in ourselves, but in the Other, Lévinas grounding of our being ultimately

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<sup>353</sup> Levin, “*Tracework*,” 385.

<sup>354</sup> Kent Drescher. Spirituality in the face of terrorist disasters. In L. A. Schein, H. I. Spitz, G. M. Burlingame, & P. R. Muskin (Eds.), *Psychological effects of catastrophic disasters: Group approaches to treatment* (pp. 335–381). (New York: Haworth Press, 2006): 336.

<sup>355</sup> Dodd, “*Phenomenological Reflections on Violence*,” 120.

ends up being an infinite un-grounding of our being. We are left with what Lévinas calls a *mauvaise* conscience.<sup>356</sup> We are left aware of the extreme exposure, defencelessness, vulnerability itself of the Other as we look in his face.<sup>357</sup> Lévinas realizes that there is no way to fulfil our responsibilities when a third party enters the picture, because then one must begin making decisions between two Others who both call her, infinitely and absolutely. This place of multiple Others is our experience of Being, it is a place of politics and justice, but it is also a place of suffering, a topic which will now be explored in relation to moral injury.

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<sup>356</sup> Adriaan Peperzak and Emmanuel Lévinas, *To the Other: An Introduction to the Philosophy of Emmanuel Lévinas*, Purdue Series in the History of Philosophy (West Lafayette, Ind: Purdue University Press, 1993): 94

<sup>357</sup> Peperzak, “*Ethics as First Philosophy*,” 82.

## Chapter 6

### **Locating Ethics: Suffering as the Site of Moral Salience**

#### **6.0 Introduction**

To this point the argument has concerned itself with identifying a basis to construe our obligations to others that could be an effective basis to explicate the existential dissonance experienced in moral injury. A Levinisian relational approach demonstrated how human existence occurs in relation to an immemorial past of ethical responsibility and how this gives a more accurate account of what constitutes authentic and meaningful human existence in which the social and ethical are primary. This chapter will show how the same principles can inform our understanding of the suffering experienced from morally injurious events. Suffering occupies a complex situate within the Levinisian oeuvre whereby ethical responsibility to the Other opens us to a certain sorrow, a sorrow that is not only endured but affirmed.<sup>358</sup> This compassionate suffering, suffering that Lévinas terms the very 'nexus of human subjectivity,' is raised to become *the* supreme ethical principle, and forms the bedrock of how we are to understand the importance of our actions.<sup>359</sup> This chapter will identify several conditions of suffering that will help explain the salience of morally injurious events and our response to them. First, and following from the previous chapter that outlined our asymmetric moral mandate to others, suffering will be shown to

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<sup>358</sup> Jowett, "Ethical Experience," 80.

<sup>359</sup> Emmanuel Lévinas, "Useless Suffering" in Michael B Smith, and Barbara Harshav, *Entre nous: thinking-of-the-other* (London: Continuum, 2006): 81.

be an inescapable reality of an ethical existence. On establishing this broad principle on how suffering relates to our ethical existence in relation to the *other*, the chapter will identify the very particular way we must understand our *own* suffering, a suffering that Lévinas believes is ‘useless’. The reconciliation of these two seemingly antagonistic positions, inescapable suffering and useless suffering, will see a clear articulation of the suffering associated with moral injury and the ethical framework upon which it relies. This section will continue to expand upon the concept of useless suffering by identifying the conditions of transcendence which justify away, rather than seek to attenuate, the suffering of Others. In doing so, the limitations which a theodicy brings to a religious perspective of moral injury will become evident. Finally, this chapter will propose the conditions whereby suffering can be understood as useful that are divergent from those proposed by theological theodicies or judicial admonishment. Through articulating an inter-human transcendence, this chapter will present an argument to finally understand moral injury as *useful* suffering. The following chapter will show how such a conception of suffering can inform psychology and subsequently our contemporary understandings of the moral injury construct.

## **6.1 Inescapable Suffering**

The previous chapter concluded with the identification of the Levinasian the quandary in regard to our obligations to others and the implications that such a hermeneutic entail. For Lévinas, ethics is the compassionate response to the vulnerable/suffering Other, however it is a response that cannot ever be adequately fulfilled, let alone perhaps even commenced in situations of violent conflict.<sup>360</sup> While Levinasian theory provided a framework to unravel meaning in relational models of violence, it simultaneously brought to bear what appeared

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<sup>360</sup> William Edelglass, “Lévinas on Suffering and Compassion,” *Sophia* 45, no. 2 (October 2006): 43.

to be an impossibly heavy moral mandate, specifically in our obligations to *all others*, which appear to be impossible to attain.<sup>361</sup> Lévinas is fond of paraphrasing Dostoyevsky in his novel The Brothers Karamazov to illustrate just how this moral asymmetry plays out: “We are all responsible for everyone else – but I am more responsible than all the others.”<sup>362</sup> In this way, I can (and arguably must) demand of myself what I do not have the right to demand of others, both in relation to their conduct towards me and to third parties. It is a framework whereby ethics is always going towards the other, the tug or tear of my complacency experienced through the ambivalent magnetism and obsessiveness of the other’s claim on me. As Lévinas scholar Donna Jowett quite eloquently puts it:

If ethics is relentless and exigently a matter of my responsibility, then I will never reach a point of equilibrium, of restful conscience in relation to the other. The virtue that would be its own reward – if such a thing is to amount to anything other than snugness – brings about a heightening of my openness to and responsibility for the other. My ‘reward’ is the opposite of that promised by optimistic Enlightenment philosophy: as I become more responsible, I increasingly suffer from bad conscience.<sup>363</sup>

The ‘scandal of good conscience’ does, nonetheless aptly fit within normative social convention whereby our obligations and responsibilities are rationalized away under a variety of moral and ethical schemata. Lévinas, while not begrudging the need for such systems, would contend that responsibility goes beyond whatever acts may or may not have been committed: it is a guiltless responsibility, whereby I am nonetheless open to an accusation of which no alibi, special or temporal, could clear me.<sup>364</sup> According to Lévinas:

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<sup>361</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 44.

<sup>362</sup> Richard Cohen, ed., *Face to Face with Lévinas*, SUNY Series in Philosophy (Albany, N.Y: State University of New York Press, 2012): 31.

<sup>363</sup> Jowett, Donna, “Ethical Experience: Mauvaise Conscience and Nessasary Sadness” in *Rethinking Philosophy of Religion* ed, Philip Goodchild, (Fordham University Press, 2002): 84.

<sup>364</sup> Lévinas, “*The Lévinas reader*,” 83.



No matter what I do, no matter how ‘good’ I am, the other – the neighbour or the stranger, the widow or the orphan – are already (always) there in need.<sup>365</sup>

For Lévinas, the reassurance or guarantee of being guiltless will serve to foreclose precisely on those experiences in which we are called into ethical responsibility.<sup>366</sup> A ‘good conscience’ whether deserved *or* not troubles Lévinas equally, who would contest that one’s conscience can never rest satisfied with its achievements. At best these achievements of the conscience are reified from a crouch of normative justice and do not, indeed cannot, take into account the primordial and asymmetric level of ethical responsibility which Lévinas expounds. The Levinasian commitment to an asymmetric ethics of responsibility are inspired precisely by attention to the neediness and suffering of the Other. Such a framework brings relief and an antidote to nearly four hundred years of subject-centred philosophy and simultaneously opens up the possibility to a certain sorrow that is not only endured, but also affirmed as the status quo of Being.<sup>367</sup> Suffering within a Levinasian ethic appears, at this stage, unambiguous, not outside our understandings of how the phenomenon can be interpreted and a conceptual progression of his previous commentaries of responsibility. Yet at this level of analysis the only relevance to moral injury that could be made are sweeping statements to the effect that suffering is in this way is ubiquitous and thus moral injury is, or should be, part of the human condition. However, such an account would fail in offering any clear and meaningful insights into the problematic of moral injury by been too vague and misrepresenting the curious relation suffering has to being which is only superficially touched upon in the aforementioned interpretation. In order to understand the implications of affirming this particular sorrow or suffering, it is required to differentiate it alternate analogues. By drilling down into how suffering is experienced and

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<sup>365</sup> Jowett, “*Ethical Experience*,” 84.

<sup>366</sup> Jowett, “*Ethical Experience*,” 84.

<sup>367</sup> Jowett, “*Ethical Experience*,” 81.

understood by the sufferer it will become evident just how a Levinasian conception of suffering can inform our understandings of moral injury.

## 6.2 The Necessity of Useless Suffering

In his 1982 article Useless Suffering, Lévinas puts forward a radical reinterpretation of suffering which challenges how we are to derive meaning from such a modality. Disinterested in a conceptual analysis that determines the relationship between inflicted pain and suffering caused, Lévinas is instead concerned with how suffering becomes a rupture of meaning by overwhelming the subject and destroying the capacity for systematically assimilating the world.<sup>368</sup> His subsequent assertion that suffering is ‘useless’ is remarkable for a number of reasons. Such a supposition is utterly contrary to socially enshrined understandings of the term which position suffering as a useful tool not only for understanding right from wrong, but also in justifying it. As Lévinas so abruptly puts it, the social utility of suffering is necessary to the pedagogic function of power in education, discipline and repression.<sup>369</sup> Of further concern is the contrary position that such a stance appears to place someone whom identifies suffering to be an inescapable reality of a complete ethical existence with others. On the one hand, his phenomenological approach does not lead him to raise epistemological questions of how we *know* the others pain, or even how we know our own. While on the other this suffering is in somehow meant to be life orientating. Lévinas is primarily oriented towards suffering that leaves the subject incapacitated, without the possibility of heroism and virility. He describes this suffering in his phenomenology of the ‘limit states of consciousness’ and physical suffering.<sup>370</sup> This is

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<sup>368</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 43.

<sup>369</sup> Lévinas, “*Useless Suffering*,” 82.

<sup>370</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 46.

not, however, making a comment on the utility or otherwise of the sensation of pain, which he conceded has a place, but rather how the modality of the experience this pain, suffering. It is in this very modality Lévinas finds the necessary tool to conceptualize, and thus teach others, about ethics.

It is uncontested that the morally injurious suffering from personal agency is a real occurrence, and reflects a central problem posed that this thesis attempts to answer. As Lévinas observes, “suffering is surely a *given* in consciousness, a certain ‘psychological content,’ like the lived experience of colour, of sound, of contact, or like any sensation.”<sup>371</sup> And yet this ‘experience’ is unassumable, not in the way in which suffering result from the “excessive intensity of a sensation, from some sort of quantitative too much, surpassing the measure of our sensibility and our means of grasping and holding” but rather, “suffering is at once what disturbs order and this disturbance itself.”<sup>372</sup> It is a modality of being that is more profoundly passive than the receptivity of our senses.

Taken as an ‘experienced’ content, [suffering] is the way in which the unbearable is precisely not borne by consciousness, the way this not-being-borne is, paradoxically, itself a sensation or a given. *Suffering, in its hurt and in spite of consciousness*, is passivity. Here, ‘taking cognizance’ is no longer, properly speaking, a taking; *it is no longer the performance of an act of consciousness*, but, in its adversity, a submission; and even a submission to the submitting, since the ‘content’ of which the aching consciousness is conscious is precisely this very adversity of suffering, its hurt.<sup>373</sup>

In suffering, the overwhelming weight of existence entangles and suffocates the existing person. The self is burdened, attempting an impossible escape to being: the “ground of suffering consists of the impossibility of interrupting it, and of an acute feeling of being

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<sup>371</sup> Josep Corbí, *Morality, Self-Knowledge, and Human Suffering: An Essay on the Loss of Confidence in the World*, Routledge Studies in Contemporary Philosophy 38 (New York: Routledge, 2012).

<sup>372</sup> Lévinas, “*Useless Suffering*,” 78.

<sup>373</sup> Lévinas, “*Useless Suffering*,” 78.

held fast.”<sup>374</sup> Thus suffering, in its hurt, is in-spite-of-consciousness. It is a submission *without* a synthesizing act of consciousness. It is thus ‘experienced’ as the breach of Being that we usually constitute through intentional acts, we can never ‘be’ suffering, rather only undergo it, an undergoing in which we are utterly passive. In this way “even suffering that is chosen cannot be meaningfully systematized within a coherent whole, existing as a rupture or disturbance of meaning because it suffocates the subject and destroys the capacity for systematically assimilating the world.”<sup>375</sup> In this way, according to its own phenomenology, suffering in general, is an absurdity, it is useless and for nothing. Yet Lévinas goes further still. Building upon his assertion that suffering is useless, he actively seeks to repudiate the meaning-generation from such phenomenon as a whole, in doing so finding himself in a headlong confrontation with theodicy. Theodicy is the “answer to the question of why God permits evil” and signifies an apologetic response to the problem by showing how even the most extreme forms of suffering and destruction can be redeemed, harmoniously synthesized into a coherent whole.<sup>376</sup> Lévinas rejects theodicy as a possible justifying rejoinder for suffering on the theoretical basis that suffering is outside any possible coherent or rational system. The literal absurdity of suffering, its incommensurability with coherent experience of the world, undermines any attempt to understand suffering in the context of a totality of meaning. Moreover, Lévinas insists, explanations of suffering that justify the pain of others, authorizing actions that cause suffering, and legitimizing the negligence of unresponsive bystanders. Justifying the Other's suffering, Lévinas argues, “is certainly the source of all immorality.”<sup>377</sup> He reveals the unjustifiable character of suffering in the other as the outrage it would be for me to

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<sup>374</sup> Lévinas, “*Otherwise Than Being*,” 52.

<sup>375</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 47.

<sup>376</sup> Alvin Plantinga, *God, Freedom, and Evil* (Grand Rapids: Eerdmans, 1977): 10.

<sup>377</sup> Lévinas, “*Useless Suffering*,” 85.

justify my neighbour's suffering.<sup>378</sup> Lévinas believes that there is a danger of committing ontological and physical violence when we try to make sense or justify the suffering of other persons, just as trying to make sense of our own suffering is utterly absurd as it is precisely 'in-spite-of-consciousness,' and thus inaccessible via such channels.

A world where suffering is explained away or justified by normative channels, precludes suffering that is due to one's unelected responsibility for another person prior to autonomous choice. Such suffering, which cannot be explained by normative fault or agency, is clearly evident in the accounts of moral injury and various other models of Post-Traumatic psychological distress. This suffering appears to emanate from the primordial and unchosen responsibility that is the keystone of Levinasian philosophy. To date this suffering, albeit evident in the literature, has not been addressed as a main driver of psychological injuries – instead subsumed into a western rubric of suffering and its genesis. One main concentration of this genesis is theodicy which has, as already described, attempted to make the world, and suffering, coherent for the subject. Such a paradigm is antithetical to Levinasian asymmetrical ethics generally and in particular his hermeneutics of suffering. While this treatment of suffering may appear to be somewhat esoteric, Lévinas argues that the risk of treating suffering in such a way as to *justify its utility* are profound. Even while suffering often appears justified, from the biological need for sensibility to pain, to the various ways in which suffering is employed in teaching and justifying right from wrong, Lévinas makes the case that giving such creed to the phenomenon simultaneously creates the conditions whereby suffering can be explained away and with it our understandings of our ethical responsibilities to others.

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<sup>378</sup> Lévinas, "Useless Suffering," 85.

This has direct and disturbing consequences for the ability for catharsis that a transcendent approach rooted in the catholic tradition would achieve for moral injury. There are various social and faith-based traditions that provide frameworks for this catharsis to occur, and yet each have, at their core, a mandate which seeks to in a way come to terms and legitimize the suffering of the Other. While such approaches usually come with a transcendent element that can act to orientate our responsibilities, the inherent justification and ultimate vindication of suffering within a belief structure leads to a quagmire of moral and ethical contradictions that are not easy, nay impossible, to reconcile. Thus the “philosophical problem, then, which is posed by the useless pain which appears in its fundamental malignancy across the events of the twentieth century, concern the meaning that religiosity and the human morality of goodness can still retain after the end of theodicy.”<sup>379</sup> This is a new modality in our moral certainties, a modality quite essential to the modernity which is dawning that requires a radical new approach to suffering which does not rely on the crouches of religious doctrine.<sup>380</sup> In what way, then, are we to approach “useless and unjustifiable pain which is exposed and displayed therein without any shadow of a consoling theodicy?”<sup>381</sup> Lévinas provided the following explanation, for pure suffering, which is intrinsically meaningless and condemned to itself without exit, a beyond takes shape in the inter-human. This is a novel view and one that argues that suffering is necessarily meaningless, not for the accepted western reasons of a lack of utility, but because it is a phenomenological absurdity in our being. Through establishing this tautology, Lévinas suggests that the contemporary Western meanings we have of suffering and give to it or its utility to reify it into conscience are ineffective in creating anything but a superficial of pragmatic meaning for the modality, and rather are effective in creating

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<sup>379</sup> Lévinas, “*Useless Suffering*,” 85.

<sup>380</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 50.

<sup>381</sup> Lévinas, “*Useless Suffering*,” 86.

excuses to not engage with its more fundamental phenomenology it or its causes. In sum, Lévinas proposes that meaning in one's own suffering is oxymoronic and attempts to understand it in this way are futile.

### **6.3 Useful Suffering: Articulating Inter-Human Transcendence**

Having found the transcendence of a religious approach lacking as a prism through which to articulate an appropriate conception of suffering and in turn provide a basis for understanding our moral and ethical obligations, Lévinas turns his gaze towards another, transcendent relationship, the transcendent alterity of the other person. This manoeuvre is familiar in a Levinasian ethic that used such a technique to account for the meaning of one's own death, a topic that has already been examined.<sup>382</sup> Here Lévinas identifies, in the asymmetry of the relation of *one* to the *other*, a pathway where by suffering becomes meaningful and significant to our investigations into moral injury. As Lévinas so aptly remarks:

In this perspective, a radical difference develops between suffering in the other, which for me is unpardonable and solicits me and calls me, and suffering in me, my own adventure of suffering, whose constitutional or congenial uselessness can take on a meaning, the only meaning to which suffering is susceptible, in becoming a suffering for the suffering – be it inexorable – of someone else.<sup>383</sup>

Though the transcendent relationship that Lévinas proposes exists between us he is able to provide an asymmetric pathway in which suffering can assume meaning, whilst at the same time remain irreducible to the explanations and justifications that either subjective individual accounts or those found in theodicy provide. Having a transcendent relationship with another means that their suffering cannot ever be understood, and thus explained

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<sup>382</sup> See Chapter 5.

<sup>383</sup> Lévinas, "Useless Suffering," 85.

away. However, by elevating compassion to the ‘nexus of human subjectivity’ and the ‘supreme ethical principle,’ we are now left with a way in which suffering becomes meaningful for us just as it is precisely *meaningless* to them.<sup>384</sup> In the ethical perspective of the inter-human, suffering can be meaningful when it is the compassionate suffering for the suffering of another person.

Lévinas would be quick to remind us that while compassion is elevated to this prodigious role, it is only there to elucidate our responsibility to *others*. He is explicitly concerned to distinguish what he would term the ‘ethical subjectivity of responsibility’ which leads to a compassionate suffering for the suffering Other which remains squarely outside the ambit of psychological consideration from the moral sentiments of sympathy and compassion.<sup>385</sup>

For Lévinas, these considerations are what psychological considerations are built upon, and while they are not commensurable the former informs the latter with no scope for directional change in intentionality. As Lévinas scholar William Edelglass has argued:

Unlike the theories of moral sentiment, Lévinas is not interested in a compassionate suffering that is the result of resemblance with the other explicable by ‘human nature’: an emotion, a motivation, an illness, or any other psychophysiological causal mechanism such as a ‘guilt complex’ or ‘some ‘tendency to sacrifice.’ *Levinasian compassion is a wounding, a sensibility that is not the affectivity of sympathetic feelings but the affectivity to the moral command of the Other.*<sup>386</sup>

Through the ethical optics of Lévinas, moral injury becomes exactly that, an injury not from one’s own conceptions of acts of commission or agency, but rather “affectivity to the moral command of the Other.”<sup>387</sup> A very particular vision of useful suffering becomes

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<sup>384</sup> Lévinas, “*Useless Suffering*,” 81.

<sup>385</sup> These arguments can be found within Chapters 3 and 4.

<sup>386</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 52. [emphasis added]

<sup>387</sup> Edelglass, “*Lévinas on Suffering and Compassion*,” 52.



evident, one whereby the rupture of the suffering is not due to the strength, or otherwise, of the ethical command, but due to its alterity and irredemption to the cognitive and rational structures we have to explain such obligations. Whilst the suffering of oneself remains firmly rooted in phenomenological uselessness, the suffering of another emerges an enormously important fixture upon which questions of morality and suffering can be construed and subsequently developed. Such a framework provides the conceptual tools to understand the nature of suffering that simultaneously delineates not only meaning, but also the ethical fabric on which meaning is to be understood. Suffering, when understood as the suffering for the suffering of the other, becomes not only useful, but *the* necessary access point for understanding, not what another person is suffering from, but how to respond to that person.

#### **6.4 Moral Injury as Useful Suffering**

Until this point the suffering of moral injury has been predominantly explained by “perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress (*one’s own*) deeply held moral beliefs and expectations.”<sup>388</sup> Through this definitional prism, analysis has been aimed at understanding the egocentric implications with much effort expended in attempting to understand the trauma generated through such injuries, however little useful material has emerged to date.<sup>389</sup> Contemporary research directions and theoretical models have focused on understanding the suffering experiences by the sufferer *qua* the sufferer without any reference point exterior to themselves. Suffering of this nature, whereby a person is in anguish because *he or she* transgressed *his or her* moral beliefs or

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<sup>388</sup> Litz, “*Moral Injury and Moral Repair*,” 699.

<sup>389</sup> Drescher, “*Viability and Usefulness of the Construct*,” 8.

expectations, is necessarily limiting as it cannot account, in any meaningful way, for the significance of this suffering. It is, according to Lévinas, meaningless and necessarily so, as there is no transcendent Other whereby rights and obligations may be construed and suffering contextualized. The consequence of neglecting the transcended, particularly that encoded in the inter-human transcendence described earlier, is that attempts to understand this suffering must necessarily go around in circles as there is no external party in which such questions can be orientated upon. In fact, even the religious pathway that purports to deliver a potential pathway for useful suffering still requires faith, the very thing that is eroded in moral injury. Up until now understandings of suffering have been so elusive to understand because of their intrinsic meaninglessness in terms of providing an ethical schema. Such paucity is in large part to blame for why it has been impossible to understand the basis of one's obligations and thus apprehend why one feels bad obviating them. It is through this malady that Lévinas provides a pathway and yet contemporary moral theorists maintain the traditional Western philosophical wariness of unlimited demands to respond to the singular, suffering Other. Kantians fear that a duty to respond to the suffering Other may contradict universal moral principles. Consequentialists are afraid that without limiting the duty to alleviate the suffering of a singular Other, the cumulative suffering in the world may be increased. And some moral theorists, especially virtue ethicists, argue that an unconditional demand to respond to the suffering other may require an excessive and unwarranted sacrifice.<sup>390</sup> Many moral philosophers insist we have special responsibilities to care for family, friends, and fellow citizens, obligations we do not owe to strangers and foreign others. All of these concerns are reasonable. Indeed, Lévinas seems to share them. As he notes in *Otherwise than Being*, with the necessary move from ethics to justice:

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<sup>390</sup> Hagi Kenaan, "Husserl and Lévinas: The Ethical Structure of a Philosophical Debt," *The European Legacy* 21 (May 4, 2016): 481.

My responsibility for all can and has to manifest itself also in limiting itself. The ego can, in the name of this unlimited responsibility, be called upon to concern itself also with itself.<sup>391</sup>

And yet, the patient traumatized with a moral injury, when confronted by the suffering Other, with its irreducible ethical demand, a demand made even more poignant through the agency of their involvement, ruptures these eminently reasonable arguments. Once one looks to why ones' actions are wrong in an instrumental sense, the only basis to understand these are outside oneself. The eyes of the vulnerable and suffering Other speak to us, they command us, even when we turn away from their often-unbearable weight. For Lévinas, this suffering of the Other is the primary ethical and epistemological fact, rupturing my refuge from the persecuting demand of the Other who suffers, from my obligation to suffer for her suffering.<sup>392</sup> The proximity of the Other which certain acts of agency can bring into sharp relief, is a persistent disturbance of the ego. It is this disturbance, at the nexus of subjectivity, that the self cannot recuperate from.<sup>393</sup> The trauma of the ethical opening is not reasonable, it does not shape itself to the contours and limits of any rational ethics within which we could comfortably live and thus it cannot be abrogated by such a rubric. The trauma and suffering of moral injury, more accurately described, is *intrinsically* useful, it is an injury orientated primarily *towards* the Other, of which the transgressions of one's *own* moral 'code' are mere protuberances. The unrealized suffering experienced in cases of moral injury are sufferings for another and are meaningful precisely in their resistance to symbolic, socially constructed meanings and may even be driven fundamentally by objections that seem tantamount to the ethical perception of injustice.<sup>394</sup> Moral injury is not

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<sup>391</sup> Lévinas, "Otherwise than Being," 128.

<sup>392</sup> Edelglass, "Lévinas on Suffering and Compassion," 54 – 55.

<sup>393</sup> Edelglass, "Lévinas on Suffering and Compassion," 54.

<sup>394</sup> Spargo, "Vigilant Memory," 33.

so much a normative moral assignation then, but a disambiguation of primordial responsibility. It is a phenomenon that does not occur due to perpetrative agency – yet such agency was the key this investigation used to reach this understanding – or normative judgements, but rather is directly underpinned by a deeper conception of agency that is concerned with our relation to that which is radically Other than ourselves. A conception of inter-human transcendence which not only is crucial in informing morality, but perhaps more importantly, allows the conditions for its existence. According to Karen Remmler:

By realizing the impossibility of undoing the death of the Other, the mourner takes responsibility in acknowledging his or her own lack of agency in controlling the mourning process. There exists a strong distinction between principles of morality and a pre-symbolic ethics outside the realm of language. *Mourning is ethical when it is most decidedly unyielding to social demands of closure.* Inconsolable grief or unending mourning is not so much pathological as it is a chance to take responsibility in the face of the Other's death.<sup>395</sup>

In this way, moral injury could perhaps, be more accurately named ethical injury. Moral injury is an injury stemming from the morality of morality whose constituted suffering cancels not so much virtue, as the entire interpretive rubric by which virtue is traditionally accounted for.<sup>396</sup> Framed in this way, it becomes a psychological attempt to make sense of our often poorly articulated and understood obligations to others and ourselves.

## **6.5 Concluding Remarks**

In articulating the widespread analogy between philosophy and medicine, the ancient Greek philosopher Epicurus says:

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<sup>395</sup> Karen Remmler, "The Ethics of Mourning: Grief and Responsibility in Elegiac Literature (review)." *Holocaust and Genocide Studies*, vol. 21 no. 1, 2007, pp. 151-153.

<sup>396</sup> Spargo, "Vigilant Memory, 42.

Empty are the words of that philosopher who offers therapy for no human suffering. For just as there is no use in medical expertise if it does not give therapy for bodily diseases, so too there is no use in philosophy if it does not expel the suffering of the soul.<sup>397</sup>

The proffered account of suffering that Lévinas offers, in particular the suffering for another's suffering, shows us the profound ethical roots on which the psychological discipline is based and directs us toward a practice that acknowledges those roots and grounds itself in them. Lévinas implies that the suffering of the other, which is the unnegatable facticity of ethics, must have political meaning. In situating such a locus for the genesis of ethics an argument, suffering becomes a significant interlocutor of moral injury in a way that is more profound than that previously entertained. According to Lévinas:

Ethics is the breakup of the originary unity of transcendental apperception... Witnessed, and not thematized, in the sign given to the other, the infinite signifies out of responsibility for the other, out of the one-for-the-other, a subject supporting everything, subject to everything, that is, suffering for everyone.<sup>398</sup>

It is precisely in our suffering, when this suffering is for the suffering of everyone else (*not* ourselves), that Lévinas situates our exposure to the other and ultimately, yet paradoxically, ourselves. Suffering is unique in its phenomenology as it is no longer the performance of an act of consciousness, but, its adversity, a submission. This stands us in contrast with other possible rejoinders to an ethical model. For example, in enjoyment, there is a temporary but chosen self-forgetting, a forgetting of the solitude that is the indissoluble

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<sup>397</sup> A Long and D Sedley, *The Hellenistic Philosophers: Volume I: Translations of the Principal Sources*, with Philosophical Commentary (Cambridge: Cambridge University Press, 1987): 155.

<sup>398</sup> Lévinas, "Otherwise than Being," 148.

relationship between the one who exists and its manner of existing.<sup>399</sup> Lévinas insists, however, that it is only in suffering that I have access to the Other and the limits of the self:

Only a being whose solitude has reached a crispation through suffering, and in relation with death, takes its place on a ground where the relationship with the other becomes possible.<sup>400</sup>

Prior to crispation through suffering, we are content; nourished through the prism of our egoism, satiated through the assimilation of goods.<sup>401</sup> Yet, once we are led into the very peculiar case of the suffering of the suffering of another, made all the stranger if we are the very agent from which this suffering stems, a baseline emerges for meaningful suffering in relation to our ethical responsibilities, not our normative moral assignation. The discussion sought to explore how a Levinasian conception of suffering forms a basis to understand its correlate in moral injury. In successfully doing so what appears to be a bidirectional relationship emerges. Just as a Levinasian conception of suffering explicates the foundations of moral injury, so too does moral injury shed light on the foundations of ethics according to Lévinas. It is an interesting observation that moral injury could indeed be, when understood as an injury stemming from one's ethical relation to another person, an axiomatic injury of our ethical responsibilities according to Lévinas. Lévinas implies that the suffering of the other, which is the un-negatable facticity of ethics, must have political meaning. In her alterity, the other is not merely a relativized difference or a function of culture but rather, someone for whom approaches from outside knowledge, from outside the political system. By aligning ethics with the emotive resonances of a mourning irreconcilable to the oppressive results of history, Lévinas disrupts the hegemony

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<sup>399</sup> Edelglass, "Lévinas on Suffering and Compassion," 45.

<sup>400</sup> Lévinas, "Time and the Other," 76.

<sup>401</sup> Lévinas, "Time and the Other," 92.

of Heideggerian subjective care; and he does so, specifically, by refusing the privileged perspective of the survivor as the ground for mournful consciousness.<sup>402</sup> Resisting the continuities of survival, Levinasian memory is, according to the mournful, revisionary connotation, an attentive openness to other historical and political meanings, a vigilance that would mirror the basic posture of vulnerability Lévinas locates at the centre of ethics. In other words, responsibility depends in no way upon the contingent circumstances stances by which it occurs or by which we recognize it. In its universalistic aspect, Lévinas presumes, responsibility precedes even the moment of its purported occurrence.<sup>403</sup>

When conceived through the prism of Lévinas, there appears to be a ready-made pathway available for those suffering moral injury to instigate a cathartic relationship with the suffering other. Yet this framework has not been explored. Contemporary approaches/models try to reason away suffering through ethical prisms such as consequentialist or deontological logic, or religious justifications such as theodicy. In doing so the true locus of why we feel bad for our actions suggested at by Lévinas, and thus transformative power of the modality, is lost. In this way, while this chapter had little, if anything, to say directly on suffering caused by considerations emanating from normative or judicial considerations, it instead mapped out a basic relationship in a phenomenological sense whereby other persons are fundamental in attributing psychological suffering any meaning. This, of course, speaks directly to the phenomenon of contemporary conceptions of moral injury and the problems of defining and treating it. How the outcomes of this chapter inform these considerations through shedding light on specific situations such as the agency of killing in wartime will be enumerated explicitly in the following chapter.

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<sup>402</sup> Spargo, "*Vigilant Memory*," 36.

<sup>403</sup> Spargo, "*Vigilant Memory*," 24.

## Chapter 7

### **The Ethics of Perpetrative Agency: A New Model**

#### **7.0 Introduction**

Current models of moral injury, despite their variety and origin, all suffer a dearth of descriptive power when accounting for the existential dissonance that causes suffering associated with injuries sustained of a moral nature. This investigation sought to enumerate the several ways in which this has been presented, and in turn, entrenched within contemporary models. A foundational ethical metric has been argued for to understand our obligations to others and describe when, and how, such obligations are violated. Up until this stage, these themes have been argued in relative isolation to the existing models of moral injury and, to a point, psychological practice. The following chapter will describe how Levinasian concepts could potentially sit within psychology in general, before specifically outlining implications for existing models. In doing so, Levinasian thinking is able to offer insightful commentaries, many of which have not been developed by the originators of the theories or auxiliary studies. The chapter will also propose an original model to describe one's perpetrative agency, the *ethical model*, and in doing so, describes a novel understanding of psychologically induced trauma. By providing a rubric to understand existential sufferings, the ethical model will provide a clear explanation to a basis as to why we feel bad about acts of commission that may (or may not) be normatively acceptable. In doing so, this investigation will have provided a solution as to why it is so inherently traumatic to kill another human – independent of normative circumstances. Clear



clinical implications of this new model will be discussed and its fit with the existing three espoused.

## 7.1 Levinasian Psychology

During the almost twenty-year zenith for theory-laden approaches within psychology, the general perception was that ethics and theory were in some basic way at odds with each other. The ‘theoretical era’ (c. 1968 — 1987) lambasted method that did not align to its own, accusing it partaking of a ‘pre-theoretical arrogance.’<sup>404</sup> Whether or not the rigorous primordial accounts of Lévinas would be considered as pre-theoretical arrogance has now given way to a call from contemporary psychosocial commentators for psychology to open itself up to Lévinas and in doing so acknowledge, and accept, the essentially moral character of his work.<sup>405</sup> It is however not a assimilation that is done easily, the ways in which psychology has dealt with issues of ethics and morality have not been particularly impressive. As Levinasian scholar Richard Williams remarks:

Attempts to incorporate moral concern, even into our disciplinary ethical principles, have been unsatisfying and superficial. Attempts to explain moral behaviour and the ubiquity of ethical concern in the lives of human beings have been unsatisfactory. The most common outcome has been simple reduction – that which appears initially to be ethical or moral, upon closer examination, and the overlaying of real human phenomena with sterile constructs, can be shown not to be really ethical or moral after all.<sup>406</sup>

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<sup>404</sup> Spargo, “*Vigilant Memory*,” 1.

<sup>405</sup> Williams, “Self-Betraying Emotions,” 7; Edwin Gantt and Richard Williams, eds., *Psychology for the Other: Lévinas, Ethics, and the Practice of Psychology* (Pittsburgh, Pa: Duquesne University Press, 2002).

<sup>406</sup> Williams “*Self-betraying Emotions*,” 8.

One practical consequence of an incomplete epistemological formulation for an understanding of the ethical has been that it is difficult to defend any ethical claim over any other. The field is left with theories imbued with various degrees of relativism and a conception of the ethical that is understood to be a rational social product. It is a misnomer dressed up as an ambiguity that is a central tenant for the inability of current psychological models to provide an explanation as to why actions affect us.

A Levinasian account of the ethical is one which is ultimately averse to placing either the self, the ego, or the individual at the centre of moral discourse. In fact, all such assignments are rendered meaningless unless subsumed under the purview of another. In this relation to someone else, the self is *not* the source or foundation of ethical obligations or of moral behaviours. While such a tacit understanding is what draws many to Lévinas, it also certainly leads many to question whether Lévinas and his philosophy can ever be successfully assimilated with contemporary academic or cultural discourse.<sup>407</sup> According to psychologist Richard Williams, disentangling a Levinasian ethic for the consumption of psychology has to take into account that:

It is not the articulation of theory or its practical application but a certain manner of therapeutic praxis understood as a way of living that is the fundamental motivation of the ethical dimension of philosophy.<sup>408</sup>

While enigmatic, Lévinas is wary of providing anything more. He shies away from delineating anything resembling a traditional metaphysic of normative morality, instead preferring to determine a meta-assignment of the human and the condition of *being* itself.

<sup>409</sup> He takes this course of action in an attempt to circumvent the problems inherent in an

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<sup>407</sup> Williams "Self-betraying Emotions," 8.

<sup>408</sup> Walsh, Robert. "Beyond Therapy: Lévinas and Ethical Therapeutics," *European Journal of Psychotherapy & Counselling* 7, no. 1–2 (March 2005): 29.

<sup>409</sup> Williams "Self-betraying Emotions," 10.

ethical epistemology, finding a way to isolate his conception of ethics and morality from becoming just another trivial moralism. He is wary of relying upon normative morality as we “will always be only secondarily and contingently moral, caught in the throes of ultimately ground-less, although often handy, ethical theories and forever alienated from others.”<sup>410</sup> Unless we are fundamentally capable of discerning others as well as the Other, and responding ethically and not simply cognitive or emotively, we will never be able to ascertain a basis to construe for our obligations to others and consequently understand the psychological implications of breaching them. Within this emerge the grounds for a relationship with other persons emerges, yet it is a relationship that was unchosen, that was always already there. Such an ascription is not a radical departure from the existing phenomenological and hermeneutic perspectives of his contemporaries, yet it goes beyond them specifically in the application of the ethical and forms which is Lévinas’ distinctive contribution. Levinasian phenomenology would show that the human being is ethical *necessarily*; we cannot help but ‘be’ ethical.<sup>411</sup> We are ethical in our very Being and cannot be conceived outside ethical intersubjectivity with a transcendent Other, in this case our fellow human being. Our ethical obligations to others then are not something that is late upon the scene, something that needs to be argued or looked for.

Lévinas has recently undergone a resurgence of popularity due to a perception, largely originating from *within* the psychoanalytic field, that his ethical framework is practically advantageous to treatment on a general level.<sup>412</sup> Here consensus is largely unchallenged that the utility of Levinasian ethical phenomenology is primarily for the therapist, specifically

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<sup>410</sup> Williams “*Self-betraying Emotions*,” 10.

<sup>411</sup> Robert Walsh, “Husserl and Lévinas: Transformations of the Epoche,” in *Husserl’s Legacy in Phenomenological Philosophies*, ed. Anna-Teresa Tymieniecka (Dordrecht: Springer Netherlands, 1991): 283.

<sup>412</sup> Gregory Rizzolo, “Alterity, Masochism, and Ethical Desire,” 101; Simone Drichel, “On Narcissism and ‘Ethical Impairment’: A Discussion of Gregory Rizzolo’s ‘Alterity, Masochism, and Ethical Desire: A Kohutian Perspective on Lévinas’ Ethics of Responsibility for the Other,’” *Psychoanalysis, Self and Context* 12, no. 2 (April 3, 2017): 122.

their self-understanding as a therapist.<sup>43</sup> As Lévinas based psychoanalyst Robert Walsh remarks:

Before I know it, before I have any choice in the matter, my being as a therapist is always already called into question by the alterity or exteriority of the other who faces me as ‘patient’ or ‘client’ or ‘student’, in that simple facing before it becomes conceptualized and reduced to a ‘ace-to-face encounter’, by the metaphysical structure of that alterity.<sup>44</sup>

Utilizing Levinasian theory, psychoanalytic practise is seen to become less involved in understanding the other and proposing solution, as it is with a conversational hermeneutic. Taken to its extreme, such a position would herald the disappearance of psychotherapy, and in fact a psychology and psychotherapy based on a Levinasian ethics is a psychotherapy that does not exist to perpetuate itself, instead becoming a cultural therapeutics.<sup>45</sup> In the clinical praxis of psychologist and client, Levinasian ethical phenomenology looks forward to an overcoming of this modernist, commercial, and institutionalized model of contemporary psychotherapy.<sup>46</sup> However, as a tool for therapists to use in their practise only captures, what this thesis proposes, is a superficial strength of Levinasian influence. It is clear that Levinasian ethical concepts have the ability to encourage psychology with its emphasis on the Other, allowing the Other to speak on her own terms without appropriating her into the same. Rather simply looking at how Lévinas can inform the practise of psychoanalysis itself, a more rewarding pathway tracks the influence of Lévinas and his works on psychological theory.

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<sup>43</sup> Gantt, “*Psychology for the Other*,” 76.

<sup>44</sup> Walsh, “*Beyond Therapy*,” 32.

<sup>45</sup> As mentioned in: Walsh, “*Beyond Therapy*,” 31

<sup>46</sup> Richard House, “Commentary: Taking Therapy beyond Modernity? The Promise and Limitations of a Levinasian Understanding,” *European Journal of Psychotherapy & Counselling* 7, no. 1–2 (March 2005): 97

Little has been written in this area for several reasons. Firstly, the material is notoriously hard. The sheer difficulty of the concepts and the style of writing thwarts attempts of assimilation and systemization.<sup>417</sup> His focus on the impossibility of understanding the Other and the call to never appropriate the Other, does not allow for an application of his ethics in the traditional sense that a top-down normative approach would entail. A hermeneutical model is needed to enter conversation and interaction with the Other, a main reason why the application of his thought has been mainly confined to clinical practice.<sup>418</sup> This contemporary bias toward naturalistic, top-down philosophies of science can also be seen to hamper the assimilation of Levinasian ideas through the review process for many of the major journals in psychology. These institutions, often inadvertently, enforce the method-driven rules which are disguised in the current ideology, precluding many of Lévinas insights before they can be considered.<sup>419</sup>

Lévinas has himself been a central cause of the poor assimilation of his philosophy into the field of psychology. He is explicit in his assertion that his ethics do not relate to a contemporary psychological agenda that is informed by the metaphysical, rationalist, and ethical presuppositions that close off important and fundamental modes of understanding. The Levinasian account of knowing is, to be sure, non-rational and non-ideological, but it is still an account of knowing. It does not so much disqualify knowing, as subjugate it to the ethical. This account does not prevent claims been made about the self, other, and the methods that may relate them, it simply prevents us from considering those claims fully to contain self and other. These claims bear an inevitable, fundamental uncertainty but this uncertainty should not be confused either with falsehood or with a lack of knowledge. It is

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<sup>417</sup> Clegg and Slife, "*Epistemology and the Hither Side*," 65.

<sup>418</sup> Clegg and Slife, "*Epistemology and the Hither Side*," 65.

<sup>419</sup> A more in depth discussion is available in: Williams, "*Self-betraying emotions*."

a methodology that is “in contrast to our grasp of other domains of investigations, understanding other minds has been proceeding from an egocentric perspective.”<sup>420</sup> An ethical epistemology does not deny knowledge; it simply affirms the priority of the ethical relation. Such an ethical epistemology is not only consistent with the philosophy of Lévinas, but also capable of providing psychology with a means for adjudicating between disparate knowledge claims and practices within the discipline. Within the field, those who engage with this promise are predominately from a subset of psychology looking to study either the cognitive, conative or affective representation of one’s identity or the subject of experience.

Self-psychologists and self-psychologically informed philosophers have shown recent interest in Emmanuel Lévinas’ work on ethics as a starting place for thinking about our responsibility for the other—the person who exists beyond his role in our psyche as an object of lust or aggression, beyond his place as mirror, twin, or idealized object, beyond his provision of holding, containing, or empathic attunement.<sup>421</sup>

The self-psychological engagement with Lévinas involves a fascinating and important, but also complicated and potentially problematic, act of translation between one world of thought and another.<sup>422</sup> This account will outline a foundational ethical framework to understand the extent and origination of our obligations to others, upon which situational variables can be subsequently laid. In this way, the philosophy of Lévinas will be shown to make several contributions to realizing such understandings for psychology. Such an account will be able to uncover the profound ethical roots of the psychological discipline and direct us toward a practice that acknowledges these roots and grounds itself in them.

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<sup>420</sup> Karsten Stueber, *Rediscovering Empathy: Agency, Folk Psychology, and the Human Sciences* (Cambridge, Mass: MIT Press, 2006): 3.

<sup>421</sup> Rizzolo, “*Alterity, Masochism, and Ethical Desire*,” 101.

<sup>422</sup> Rizzolo, “*Alterity, Masochism, and Ethical Desire*,” 101-2.

## 7.2 Existing Models of Moral Injury: Levinasian Impact

Levinasian thinking is able to offer an insightful commentary on existing models of morally injurious events, many of which has not been developed by the originators of the theories or raised by auxiliary studies. Jonathan Shay's cultural-based model, is again a good starting point to show this. The cultural perspective of moral injury posits the origination of trauma is from the "betrayal of 'what is right' in a high-stakes situation by someone who holds power."<sup>423</sup> This theory initially held little intuitive promise to understand the phenomenon as it did not propose a pathway along which the agency of the actor was linked to the ensuring pathology. This perceptibly changes under a Levinasian interpretation. Shay offers the following explanation of this assertion:

A betrayal of what is right – *that is squarely in the culture*; by someone who holds legitimate authority – *that is squarely in the social system*; in a high stakes situation – *that is inevitably in the mind of the service member being injured*, such as the love he has for his buddy. The whole human critter is in play here: body, mind, social system, culture.<sup>424</sup>

The first comment to be made through a Levinasian lens is that, the 'whole human critter' is, in fact, *not* in play. In addition to those listed, a Levinasian reading would include those archaic, pre-cognitive and primordial modalities of our existence that his phenomenological analysis exposed. These constitute the numerous always-already's which permeate our cultural and social existences. Once such a pre-ontological structure,

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<sup>423</sup> Shay, "Moral Injury," 57. [Emphasis added]

<sup>424</sup> Shay, "Moral Injury," 59.

such as primordial-responsibility, is included into this list several interesting avenues arise in the interpretation of this text.

Previously steadfastly and squarely comprehended in cultural praxis, a ‘betrayal of what is right,’ didn’t account for those things which come underneath such considerations. As an action performed by another, Lévinas would consider wilful reification as a ‘betrayal of what is right,’ in terms of shrinking the space for an ethical relation to exist. In an extreme example, someone running towards you waving a sword disappears the space of ethics as consequentialist metrics take over. Continuing this theme, the assertion that ‘someone who holds legitimate authority’ is contextualized through our social relations can be also re-examined. Through a Levinasian optic, legitimate authority is exclusively in the domain of the Other being the only one whose call I cannot deny. Recalling the murder argument presented in Chapter Six, even when we try to exert our power over the other, we attempt to “exercise power over what escapes power.”<sup>425</sup> For Lévinas, power resides with the other, it is a power that we are unable to obviate or escape from, it is always-already in play, a relation we cannot ethically mitigate. The last of Shay’s descriptions, a ‘high stakes situation,’ which Shay believes is inevitably in the mind of the service member being injured. A Levinasian prism may suggest that a ‘high stakes’ situation is less to do with the individual and more to do with ambient conditions that effect our ability to respond ethically to another person. The essence of modern tragedy is not good versus evil but good versus good. This allows for a circumstance of almost unbearable weight, a place where we find ourselves, in the middle, like a jury – except there is no jury.

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<sup>425</sup> Lévinas, “*Ethics and Infinity*,” 198.



The 'fog of war' *thus* becomes one of these 'high-stake' situations due to the *intractable* uncertainty of one's situational awareness experienced by participants in military operations. A radically different interpretation of the cultural model emerges, one that provides inroads to understand the etiologic importance for one's agency. Without changing any of the intentionality of Shay's formula, a Levinasian interpretation may look similar to: A betrayal of what's right – *the shrinking of the ethical relation by the actions of the Other*, by someone who holds legitimate authority – *a person understood as Other*; in a high stakes situation – *ambient conditions that effect our ability to respond ethically to another person*. Such an interpretation is somewhat more congenial to explicating a basis to moral injury. What is particularly good about this model is that it places the emphasis external to the ego. What is right and legitimate power are both located external to the ego – just as high stakes become the ambient conditions which facilitate, or in this case hamper, the effective realization of ethical praxis. It is here that we can also observe the origin of the decisional angst that current conceptions of moral injury identify as so important to the construct.

The current theoretical impasse in the clinical model differs in its scope from the cultural perspective. The clinical model finds it difficult to provide an explanation as to why we might feel bad about acts of agency. This is due to an inability to penetrate, in any meaningful way, the subjective normativity of the acts such a model believes to have caused the distress.<sup>426</sup> One way of overcoming these hurdles is to introduce an ethical rubric to the field, yet while there is much virtue in bringing reason and the ethical together, traditionally this has been an uneasy alliance, particularly in the field of psychology. We expect our moral judgements to have the persuasive power of reason, while the judgments of others

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<sup>426</sup> Litz, "Moral Lijury and Moral Repair," 699.

are constrained by that very same reasoning. In attempting to conflate, or assimilate, the ethical with the rational as our Western tradition has been wont to do, it appears we lose a mechanism to preserve a crucial element of the ethical. The torsion is evident in the clinical model of Brett Litz and colleagues where distress is caused by

perpetrating, failing to prevent, bearing witness to, or learning about acts that transgress deeply held moral beliefs and expectations.<sup>427</sup>

At first look this account appears intuitively amenable to the provision of an access point to link one's agency to the psychological injury suffered. However, while this model takes seriously the etiological importance of perpetration, it is unable to proffer any meaningful dialogue over and above a transgression of one's own subjection beliefs or expectations. It is argued that this focus on agency is crucial in providing a framework for military personnel serving in war whom are confronted with ethical and moral challenges which slip through the safety net that effective rules of engagement, training and leadership usually provide.<sup>428</sup> Yet is this the case? At best a focus on agency and perpetration will let someone recognize the consequences of their role but not why these are, necessarily, wrong. It is a framework that stops well short of describing *why* such an act is of such importance.

Attempts to attenuate this 'meaning-vacuum' have explored how acts of transgression can destroy our beliefs in a just-world and even how such agency relates to the rules of combat as understood by the Just War Tradition.<sup>429</sup> When the ethical optic of Lévinas is applied to this framework it becomes clear that even with its apparent amenability to account for a

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<sup>427</sup> Litz, "Moral Lijury and Moral Repair," 700.

<sup>428</sup> Maguen and Litz, "Moral Injury in Veterans of War," 1.

<sup>429</sup> Timothy Shaw "The Legality and Morality of Killing in War: Just War Theory and its Implications for Understanding the Psychological Toll of Combat" MA Diss., University of Sydney, Sydney, 2013.

perpetrative pathway, the framework in fact lacks the necessary ethical scaffold. It is bounded by the individual's cognitive assimilation of events, with no apparent pathway to explore the deeper ethical connections that come before such considerations of normative morality and justice. An effective way to understand the profound differences is to look at the descriptions afforded by both commentators. Where Litz talks about acts that transgress *expectations*, Lévinas would talk about act that transgress our *obligations*. Similarly, where Litz contends that moral beliefs are *held*, Lévinas would say that such an assignation severely misrepresents such obligations which are unchosen and unable to be 'put down,' burdens from which we cannot ever ethically diminish. Lévinas would place more emphasis on the breaking of one's obligations, rather than their expectations, in determining a root cause for distress. The lack of any external, transcendental properties in such a model make it unsuitable to provide an explanatory basis for many of the eventualities of wartime combat. There is, for example, no pathway to understand why you might feel a moral injury from ones perpetrative agency that did not transgress ones' normative moral compass/justice imperatives. Much effort is currently underway in the development of a phenomenology of violence suffered.<sup>430</sup> In capturing the perpetrative element, Lévinas draws attention to an inter-subjective approach where it was possible to examine the various faces of violence in their intrinsic *relationality*. This approach might look somewhat similar that proposed by Michael Staudigl who suggests a substantially broadened conception of sense when it comes to violence:

By sense, I propose not only to examine the immanent accomplishments of the subject's engagement in and with the world, but, first and foremost, *a relation that unfolds in-between the one and the other*. Sense, in other words, unfolds in the subject's relation with those it encounters in this world, who can make this world appear to it, disappear, or, finally, disappear, and *accordingly shape its self-*

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<sup>430</sup> Staudigl, "Towards a Relational Phenomenology of Violence," 43.

*understanding, self-conception, and agency.*<sup>431</sup>

The tools of Lévinas that make the mystery of how the one gets her or his being human from the other significantly less mysterious, though perhaps no less inspiring of wonder and awe, explicitly capture the peculiarities of such a model that emphasises the profoundly relational nature of our associations.

The final understanding of moral injury to be examined is that of the theological perspective. This approach arguably has the greatest potential synergies with a Levinasian ethic which itself has been termed a secular religion.<sup>432</sup> This model takes a differing view on trauma than the previous two investigations, namely that trauma emanates from a ‘soul in anguish,’ *not* a psychological disorder. In this way, the moral struggles of the veteran are not psychological illnesses needing treatment, but rather feelings of a profound spiritual crisis that has changed them, perhaps beyond repair.<sup>433</sup> For the religious perspective, as with the Levinasian one, the therapeutic gaze as articulated by the psychological approach makes no sense. According to psychiatrist and moral theologian Warren Kinghorn this occurs because:

Empirical suppositions do not allow them to pass moral judgment on these rules and assumptions or to speak directly about teleology, they are unable to *distinguish between meaningful and non-meaningful moral suffering.*<sup>434</sup>

It is clear from the quote, that a concern for differentiating modes of ‘meaning’ of suffering is a priority for this model, just as it is for Lévinas. However, while this approach imbues suffering with a meaning informed by that of theodicy, Lévinas would remind us that such

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<sup>431</sup> Staudigl, “*Towards a Relational Phenomenology of Violence*,” 44. [Emphasis added]

<sup>432</sup> Jeffrey Kosky, *Lévinas and the Philosophy of Religion* (Bloomington: Indiana University Press, 2001).

<sup>433</sup> Brock and Lettini, *Soul Repair*, Kindle Locations 1113-1118.

<sup>434</sup> Kinghorn, “*Combat Trauma and Moral Fragmentation*,” 62. [Emphasis added]

a basis contains the danger of ‘explaining away,’ or justifying, suffering. Instead, Lévinas would suggest that meaningful suffering can only occur when one suffers for *another’s* suffering, in turn providing a basis to understand our ethical obligations. Salvation is no longer an ultimate answer to suffering. It is a demand for responsiveness, for responsibility. Even to speak of a horizon of receptivity, however, is to put the suffering subject in the position, paradoxically, of responding to his own suffering, since suffering’s meaningfulness would already presage a reply.<sup>435</sup> In its use of the alterity of God, this model does, however, satisfy the observation made by Drescher, for the incorporation “individual’s understanding of, experience with, and connection to that which transcends the self” into an understanding of moral injury.<sup>436</sup> The problem, of course, is that such a model can only describe suffering as the result of transgressions to god or his will which are all too esoteric. The “other” in this model is that which is “above” us – God, while the other for Lévinas is that which escapes our categorization and capture: the other person.

Incorporation of the Levinasian ethical schemata into contemporary models of moral injury which seek, ultimately, at a self-understanding is elucidatory. When overlaid upon, or, perhaps more accurately, underpinned beneath existing theories; Levinasian theory delivers a richer and thicker understanding for all three of the existing models of moral injury, the major themes in each and the shortcomings of each approach. It uncovers significant factors which each model displays only a proportion of. The application of a Levinasian ethics to each existing framework polishes, in a particularly elegant way, the focus of each respective model: the phenomenological analysis of the Levinasian theory buttress the cultural models central claim that pre-existing social relations of power are primary when

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<sup>435</sup> Spargo, “*Vigilant Memory*,” 171.

<sup>436</sup> Drescher, “*Spirituality in the Face of Terrorist Disasters*,” 336.

proffering an account for moral injury. The clinical model of Litz emphasised the violence of agency and how this was a crucial factor in nosology. The prioritization of agency (violence) in this model was shown to a crucial, however through its manner of describing the mode of relations between people, where obligation rather than expectation was prioritized, a Levinasian lens could show how, and why, violence towards another can be traumatizing. A Levinasian ethics confirms the importance the Theological perspective places on suffering and transcendental relationships, while simultaneously providing a catalyst to imbue each with meaning over and above that proffered by theodicy roots.

### **7.3 Reimagining Moral Injury: The Ethical Model**

Levinasian ethical concepts have the ability to encourage and inform existing contemporary psychological models in their understanding and treatment of our relationships to other persons.<sup>437</sup> Current clinical investigations into moral injury, and psychology generally, anchored by a particular building block of moral conscience which defines the human community and provides the “cement of the moral universe.”<sup>438</sup> This catalyst to our moral being is empathy. It is the phenomenon that “makes moral conscious possible, and it can undermine the will to kill.”<sup>439</sup> According to this account, and ones like it, empathy provides a suitable locus to understand why killing in war is so inherently traumatic.<sup>440</sup> According to such models, empathy either plays an explicit role in making killing difficult because we can empathize that such an action is wrong from our own aversion to having it done to us, or an implicit role in building up a general sense of moral normativity throughout one’s lifetime. As it is, in fact, impossible to empathise about death due to its very nature, most

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<sup>437</sup> Clegg and Slife, “*Epistemology and the Hither Side*,” 65.

<sup>438</sup> Slote, “*Moral Sentimentalism*,” 13.

<sup>439</sup> Brock and Lettini, “*Soul Repair*,” Kindle Locations 1113-1118.

<sup>440</sup> Brock and Lettini, “*Soul Repair*,” Kindle Locations 1113-1118.

discussion has been aimed at the latter which our unwillingness to kill another is built up through the moral matrix which empathy has been crucial in developing within our own moral conscience. However, this investigation has shown the paucity of such an approach in providing a basis for understanding why we would feel bad for certain actions which we have normative permission to do.

The failure of empathy to provide an axiomatic normative explanation for why killing is so inherently traumatic is a symptom of the inability of empathy to ground a moral conscience in determining what is good and know when something is profoundly wrong. In keeping with the ethical principles suggested by Lévinas, a panacea can be proposed, instead of empathy as the access point to conceptualize our moral conscience, this investigation proposes the use of the Levinasian concept of primordial and asymmetric responsibility for the other. It's not empathic access to the mind of the other that we judge *why* certain actions are good or bad, rather it's our obligations that we have *always already* had to the other that create the conditions to understand our ethical, and subsequently moral, commitments. The application of this framework to the phenomenon of morally derived suffering reveals some important insights for understanding the later. Instead of suffering being understood in terms of a reaction to a perceived transgression of one's *own* deeply held beliefs, it becomes a result of an ethical transgression, not of any internally privileged value system we might or might not hold, but to an external point of intrinsic value, one whom we are powerless not to recognise, cannot ignore and without which no suitable locus of value can exist. This relation cannot be modified, ameliorated or negated by choice and tethers our very existence as ethical beings. Once we place the location of the ethical moment in the Other, we recognize that the only true form of transgression that is possible must be a transgression directed externally, not internally towards our personal beliefs.

Suffering, understood in these terms, describes the suffering from which no normative moral basis is initially relevant. It is the suffering from killing a person who deserved to die or the suffering of killing in self-defence in the fog of war. Suffering from the agency of ones' actions thus become less of a meditation on one's past, present or future determinations of normative justice or morality, and more so a reflection on ones very ethical being that is called into question by one's acts. Such an account provides transgressive acts a privileged position within the model, however to date has been more concerned with transgressions of our belief systems, not transgressions which call into question our existence as ethical beings. Perhaps this, or something like it, is behind Augustine's assertion that, "in regard to killing men so as not to be killed by them, this view does not please me."<sup>441</sup> Psychological distress understood in this way isn't then simply a betrayal of what you thought of as right or wrong, but rather,

a disambiguation of obligation inadvertently lain bare by agency (independent of normative assignation).

Such an argument exposes an unacknowledged chain of causality that leads to each of us, implicating all of us in our present injustices.<sup>442</sup> Moral injury is no longer explicable as a cognitive incommensurability of actions and deeply held personal beliefs, rather we are upset that our actions annihilate the possibility of an ethical orientation towards the other – in the process calling our ethical existence into question. In this way, the much-debated question of why it is so traumatic to kill another human can be reconceptualised in the following way. In killing a person, you are not negating some entrenched personal normative assignation – whether it is right or wrong to kill someone is beside the point –

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<sup>441</sup> Augustine. Letter to Publicola. In: *The Fathers of the Church: Saint Augustine Letters, Volume 1*. Trans. by Parsons, W. (New York: The Catholic University of America Press 1951).

<sup>442</sup> Claire Katz, "Vigilant Memory: Emmanuel Levinas, the Holocaust and the Unjust Death (Review)," *Shofar: An Interdisciplinary Journal of Jewish Studies* 26, no. 3 (2009): 161–63,



rather you are negating the very thing that which makes normative assignation possible. Basal reasons for why killing is difficult are obscured by discussions of a normative origin. If I am to kill someone and understand that person is a legitimate form of value, an ethical injury is described. It is the distress we feel over action that do not live up to those obligations we have to others, an ethical injury sitting in the sub-structure of our determinations.

At the outset of this investigation, perpetration was identified as a key etiological driver of psychological suffering yet this model makes no explicit comment on the importance, or otherwise, of the perpetration beyond its role in obviating the conditions necessary for ethical regard. In this way, the ethical account is a truly phenomenological account. Perpetration is not important because of the meaning we, as protagonists, assign to it or its sequela; rather it is important due to the very act itself that renders obsolete our ethical relation with the other. Before normative assignation, perpetration serves the purpose of 'disappearing' the very space of the other, and hence the ethical obligations of this encounter. The question of why is it so distressing to kill another person becomes an artefact of this function of perpetrative agency, hidden deep in its phenomenology, and whose existence is often drowned out in the cacophony of normative ascription. A thick understanding of what makes perpetration such a strong etiological descriptor of distress emerges. Existing models attempt to capture this through reference to the normative ascriptions that accompany acts of perpetrative agency because they were the easiest things to imbue such actions with. This account suggests that the very act of agency itself is the catalyst for this distress. Violence, or perpetration, in its etymological connotation of wilfulness belongs especially to the perpetrator, and so the ethical signification of the other arises before, though also amid, violence as a critique of the perpetrator's intentionality. Violence avoids the real signification of the ethical relation, the straightforwardness of the

face-to-face encounter, it is the relation of not facing. In other words, ethics would appear to arise as though it were signified by a perpetrator's act of losing sight of ethical meaning, as a variation on the motif of bad conscience given such prominence in later works of Lévinas.<sup>443</sup> Lévinas refers to the survivor (or the perpetrator) as if he were structurally or historically guilty of the death of the other and further characterizes each responsible subject even if he has committed no crime or cannot recognize the harm she has caused. Implicated in the fate that befalls another seemingly beyond the purview of her intentions, the responsible subject interprets a culpability pronounced by the others death as though this were the very fact of ethical relation. In "deference to someone who no longer responds," there is, Lévinas asserts, "already a culpability — the culpability of the survivor."<sup>444</sup>

We are constantly orientated towards the other person in their Otherness, yet as soon as we go to perpetrate an act of violence, that orientation swings back onto us. We are indeed the centre because there is no more Other, it has escaped us just when we imagined we had seized and reified it, leaving us back in the middle of ourselves, an existentially lonely place. Thus, the centre is not us by choice, we are pulled to a transcendent otherness which provides, *always already*, a centrality, a reference to which our obligations are aligned and construed. When we become our own centre, our own Other, and in doing so quickly collapse into inauthenticity. Without the genuinely 'Other' person, a person we have killed yet paradoxically also died for, we have only ourselves that without the transcendent orientation, is something that is *necessarily* barren in us all. It does not orientate us as the way the Other does, simply because it is not Other. When we become the centre we simultaneously occlude the transcendent catharsis that can only be understood in relation

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<sup>443</sup> Spargo, "Vigilant Memory," 142.

<sup>444</sup> Spargo, "Vigilant Memory," 108.

to a pivot point outside *and* Other than ourselves. Lévinas privileges the death of the other as an event definitive of what it means to be human, even perhaps as an individually humanizing event:

But for the survivor, there is in the death of the other his or her disappearance, and the extreme loneliness of that disappearance. I think that the Human consists precisely in opening oneself to the death of the other, in being preoccupied with his or her death. What I am saying here may seem like a pious thought, but I am persuaded that around the death of my neighbour what I have been calling the humanity of man is manifested<sup>445</sup>

Such a framework brings relief, and an antidote, to nearly four hundred years of subject-centred philosophy.<sup>446</sup> Violence, or the systemic fact of injustice, occurs at the centre of the social structure through which good conscientiousness, as coinciding with cultural norms, would be legitimated. One can only be just in proportion to the social reality of justice, and thus the very facticity of violence already compromises conscience.<sup>447</sup> In starting from the place in which the other's murder is pragmatically possible, Ethics, must refer us to the one who suffers within which must locate our own responsibility. The Levinasian inspired construct of the ethical model allows us to take seriously what may be the most ubiquitous of human phenomena: the sense of the ethical – the right, the good, the obligation to the other. Lévinas inspired psychologist Richard Williams offers the following insight:

The intriguing genius of Lévinas' work is that he provides the key to a sophisticated and persuasive rationale for moving the ethical out of the realm of epistemology and grounding it firmly in ontology. This is also the only stance from which the ethical can be meaningfully taken up by psychology.<sup>448</sup>

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<sup>445</sup> Spargo, "*Vigilant Memory*," 59.

<sup>446</sup> Jowett, "*Ethical Experience*," 84.

<sup>447</sup> Spargo, "*Vigilant Memory*," 107.

<sup>448</sup> Williams, "*Self-Betraying Emotions*," 7.

This model reminds us that through our actions we can turn away from the ethical, we have no power to prevent its power over us and its call to accountability. It is the contention of this thesis that moral injury is the manifestation of this demand on our psyche. Rather than an inadequate transformation of empathetic awareness into sympathetic distress, our primordial ethical relation to the other that simultaneously holds us to account and calls us to attention is fundamental in attributing the altruistic decision. Moral Injury, understood in this way, is a reminder of exactly *how* all such themes, particularly those within the field of psychology, are grounded in the ethical relation, are ethical in their very character, and so require an abandonment of the dangerously comfortable illusion of objectivity through the denial of ethical neutrality and eschewing of certainty.<sup>449</sup> In evaluating the morality of perpetrating agency, it appears it is best described *not* via Historical, Clinical, religious or Just War perspectives. Psychological distress caused by one's agency are best described by models that *do not* try to overlay a normative basis for our actions, or the actions of others, but one which addresses our primordial relations with others. Models of the former type inadvertently fail to provide a basis through which to understand the intentionality of our obligations to others that, in many cases unknown by us, is disrupted through our actions. In opening the possibility to such conceptual tools, Lévinas may prove to be not only pervasive in how practitioners in the field conduct themselves, but also hold the key to the integration of ethics into psychology. What Lévinas would call ethical injury reflects, perhaps, an important pinnacle of psychological endeavour, one that pushes the boundaries of the field to discover understandings of our ethical and moral responsibilities as persons that come from beyond the clinical.

#### **7.4 Concluding Remarks**

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<sup>449</sup> Clegg and Slife, "Epistemology and the Hither Side," 65.

The ethical account offered to explain the suffering observed as a consequence of one's agency occupies a different stratum than existing models. From such a position the ethical model proffers a framework which can accurately describe a previously unexplained distress pathway arising from our agency (or lack there-of). It makes little comment on our obligations of a conscience, normative, origin. In articulating a model which anchors our ethical and moral sensibilities external to the self, this model does not wait around for the resolution to the question by unfinished and insecure contemporary epistemologies of whose precepts are notoriously difficult to defend. As Spargo points out:

Lévinas would eventually suppose, through his revaluation of the bad conscience, that *the content of shame is primordially the other, before whose suffering or death the subject is commanded*, completely given over to the external insofar as it is ethical, even if the ethical should prove to be that which is outside being, knowledge, or political justice as it has thus far been conceived.<sup>450</sup>

Such content is prior to normatively entrenched dictums of actions. It provides a panacea to the nihilism which would otherwise be a consequence of one's inability to find meaning in the ethical.<sup>451</sup> The meaning for living resides not with oneself, but with and for another. In providing a model that can throw out a tangible moral anchor against the tide of nihilism, this model can provide an alternative to the belief that life is meaningless — a common outcome when ones religious and moral principles have been shaken, as is the case in moral injury. Here we find a critical function for this model. In providing a mooring to attach ones' ethical compass too it acts as a necessary first step in building meaning to one's moral and ethical worth that may have been stripped away by the normative repugnancy of one's own of agency. It is a model that finally explicates *why* it's hard to kill, albeit without

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<sup>450</sup> Spargo, "*Vigilant Memory*," 112.

<sup>451</sup> Gantt and Williams, "*Psychology for the Other*," 33.

necessarily providing a solution. Yet in the telling of the *why*, in merely having a *why* there, it becomes the basis from which insights from other models can be overlaid and understood. It is a model which tells us *why* some actions cause us psychological distress, and whose proffered solution can become the basis of very real clinical responses to address the suffering resulting from one's own agency.

In the conception of a new model an amalgam of major themes of existing models emerges. A new model must be able to accommodate the primordial relationships present in the community which the cultural model has while been able to explain why perpetrating agency is so salient and how suffering is to be understood. For clinicians, this model provides a conceptual schematic to adjudicate between the disparate knowledge claims and knowledge practices within the discipline. It can be an effective hermeneutic to talk on and about ethics, and their origin, as they relate to the patient. Of related and perhaps even greater importance, this model provides a framework to talk on subjects that have until now been conceptually undeveloped. The philosophy of Levinas, however, points towards a more open and fruitful conception of this psychology. It is a focus that opens up dialogue in the conceptualization of wartime psychological trauma that is in contrast to existing contemporary theories, such as PTSD, which focus on symptoms without regard to causes. In this way, it harks back to earlier conceptions of trauma which could be traced to particular instances. It's a view that has long since fallen out of fashion due to the complexity of identifying the circumstantial nuances of such events fine enough to categorize them but not so fine as to make them unrelatable to a feeling that we have that the experience of trauma is somewhat ubiquitous. The existential nature of the stressors this thesis describes, provides a way to present an approach where no gravitas is sacrificed by a focus on cause as opposed to symptoms, the latter, of course, able to manifest themselves in too many ways to be meaningfully talked on anyway.

The focus on perpetration and the inherently ethical questions of violence this engenders, thus distinguishes moral injury from other long-established post-deployment mental health problems. Questions of why we feel bad about certain actions have never had a readily available framework that effectively describes our bond/relationship to another without the aid of abstract ideals or subjective normativity. Morality had served historically as a veil concealing the social function of force behind every enacted obligation. Contemporary self-affirming therapies aimed questions of self-worth, provide relatively superficial answers-looking inward-bent on convincing an individual of his or her intrinsic worth and finding mainly self-serving, instrumental relationships.<sup>452</sup> In contrast, it is foreseeable how the framework proposed by the ethical model would be able to elucidate the significance on ones' actions and the resulting determinations of self-worth such actions engender. Questions of ethical disengagement, moral worth or purpose, the vision of a fundamental moral purpose to every life can be a healing balm — an answer to a critical life concern. There is acknowledgment of the strength and dignity of moral purpose as an anchor to meaning and health has not been fully explored nor exploited.<sup>453</sup> To underestimate the systemic implications of Levinasian ethics on the ground that Lévinas laments the philosophical and moral system without proposing a substitute fails to recognize how such a model that recognizes, articulates, and affirms this primordial call can be healing and life affirming. The therapeutic deployment of responsibility and purpose is a key element of the radical turning outward and upward of therapy as informed by the work of Lévinas.<sup>454</sup>

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<sup>452</sup> Williams, "*Lévinas and Psychoanalysis*," 699.

<sup>453</sup> Williams, "*Lévinas and Psychoanalysis*," 699.

<sup>454</sup> Williams, "*Lévinas and Psychoanalysis*," 699.





## Conclusion

### **“Solidarity of the Shaken” and The Promise of the Ethical Model**

Emmanuel Lévinas, his writings and life, were fundamentally and profoundly informed by experiences of war. In the opening arguments of Totality and Infinity, he remarks on the centrality of war to the ‘objective order’ that philosophy both described, and which it formed part. The violence of war does not consist so much in injuring and annihilating persons, as in making them play roles in which they no longer recognize themselves.<sup>455</sup> War takes the form of a deeply disruptive event that casts into movement persons hitherto anchored in their identity by an objective order from which there is no escape.<sup>456</sup> From the visceral realities of fighting to the intellectual challenges of strategic command, war presents itself, as a field of contingency where unpredictability and the general absence of certainty dominate. In this way, as an intentional object, war presents a surfeit of being over knowing which, as French philosopher Etienne Balibar argues, almost always closes any ‘neutral positions’ that one can maintain.<sup>457</sup> Such conditions which foreclose the conditions necessary for normative considerations, show the Achilles heel in accounts such as the Just War Tradition, in adequately providing a metric to understand one’s moral position.

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<sup>455</sup> Lévinas, “*Totality and Infinity*,” 21.

<sup>456</sup> Lévinas, “*Totality and Infinity*,” 21.

<sup>457</sup> Etienne Balibar, “What’s in a War? (Politics as War, War as Politics),” *Ratio Juris* 21, no. 3 (September 2008): 366.

The visceral realities of fighting and in particular those of the proximity of the frontline, have captured the attention of philosophers and theologians throughout the ages. A recent and pertinent account can be found in the iconoclastic writings of the Czech philosopher Jan Patočka. His final work, Heretical Essays in the Philosophy of History (1996), outlines the disconnect that our mundane social imperatives have when compared to a life orientated towards truth and justice. In this argument, perhaps the most ‘heretical’ theme that is explored is that war contains an intrinsic property that can be determinative of meaning.<sup>458</sup> Patočka identifies a ‘peak’ of violence, found in its frontline, that provides *the* site for the emergence of a philosophical life that is uniquely suited for our times. It is a life that shapes itself out of the strength implicit in what he terms the ‘solidarity of the shaken,’ a particular bond built up in persecution and uncertainty that originates between people who have experienced a strong disturbance of certainties.<sup>459</sup> Those who stand in solidarity and are capable of understanding what life and death are all about are uniquely situated to also glean insights to what history is about.<sup>460</sup> For Patočka, the frontline is a place where the motives of the day, which had evoked the will to wage war are consumed in the furnace of the frontline, which if intense enough will not yield again to the forces of the day.<sup>461</sup> Subsequent to the front line the motives of the day no longer hold sway, at least not unquestioningly, and death, however orchestrated and chosen it may otherwise be, stands apart into its own.<sup>462</sup> In the reign of death and absurdity of the front line, Patočka sees not a loss of the self, but a peak of the self that is only able to be attained through the fusion of

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<sup>458</sup> Patočka, Jan, Erazim Kohák, and James Dodd. *Heretical Essays in the Philosophy of History*. (Chicago; La Salle: Open Court, 1996): 120.

<sup>459</sup> Dodd, “*Phenomenological Reflections on Violence*,” 131.

<sup>460</sup> Patočka, “*Heretical Essays*,” 134.

<sup>461</sup> Patočka, “*Heretical Essays*,” 130.

<sup>462</sup> Dodd, “*Phenomenological Reflections on Violence*,” 131.

extreme insight and extreme risk.<sup>463</sup> It is a bond that is potentially very powerful in terms of prosecuting change and determining meaning. The peak of violence that informs Patočka's philosophy is an absolute, yet he does *not* claim that only those who have seen 'real combat' know what war means or have insight into its truth. As philosopher James Dodd astutely notes:

Solidarity requires more resources than suffering alone; but more importantly, the point about the significance of "life at the peak" is that it reaches far beyond the confines of an individual's experience. What is shaken is ultimately a world, and Patočka's claim is that those who are capable of understanding are those who find themselves grappling with the meaning of the legacy of the cataclysm of the front line, whether they were there or not.<sup>464</sup>

Patočka was not there, but as a philosopher, seeking to formulate the question of his times, he found himself irresistibly drawn to the problem of the line. From this environ, Patočka, sees the emergence of a question, one that probes the 'shakiness' of the human spirit, and whose insights are free of both metaphysics and the hegemony of nihilism.<sup>465</sup> The experiences of war, made uniquely possible by the violence of the frontline, constitute a moment around which the possibility of an authentic responsibility for our times crystallizes.<sup>466</sup> As such, for Patočka:

Only violence provides the possibility for the sacrifice of the soul, that to be something more than an appropriate expenditure towards the procurement of the ends of life... the questionability of existence that opens the possibility for a life in responsibility, even in truth, that is not a mere function or role defined by an instrumental totality.<sup>467</sup>

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<sup>463</sup> Patočka, Jan, and Petr Lom. *Plato and Europe*. [Platón a Evropa.] (Stanford: Stanford University Press, 2002): 118.

<sup>464</sup> Dodd, "Phenomenological Reflections on Violence," 131.

<sup>465</sup> Dodd, "Phenomenological Reflections on Violence," 131.

<sup>466</sup> Dodd, "Phenomenological Reflections on Violence," 133.

<sup>467</sup> Dodd, "Phenomenological Reflections on Violence," 133.

Patočka places tantamount importance on understanding experiences from the frontline (such as killing), that call into question one's existence and opens the possibility for a life that is not a mere function of instrumental totality.<sup>468</sup> War has always had the potential to challenge our beliefs about who and what we are, to serve as a touchstone of insight into what we can and cannot expect of one another, and potentially reveals the fundamental character of such a relation.<sup>469</sup> Patočka, while making the case for the significance of killing in war to how we are to construe our notions of responsibility generally, has no philosophical mechanism to explicate this relation. The works of Levinas provide such a remedy, with perhaps any psychological protuberances been described by moral injury. Lévinas gives a sense of the wider consequences of the experience of warfighting in which the ontological, as well as physical, consequences of violence are attended to, providing a panacea to the challenge of Patočka, showing how combatants are not simply bare life units of strategic calculation, but repositories of meaning, where the unmaking and remaking of certainties extends beyond the battlefield to rework social and political relations.<sup>470</sup>

Existing models of moral injury that attempt to disambiguate the problematic dissonance of wars herald each emphasize unique pathways to explain the resultant psychological distress. Perpetrative acts have been hypothesised to impinge on our psychology as they go against our prevailing and cognizant normative beliefs. This understanding has led the clear majority of studies into this phenomenon to try and apprehend how we 'understand' our actions. Jonathan Shay drew upon a rich historical tapestry to illustrate the imminence of the social when making determinations upon the moral materials of military practice. Litz

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<sup>468</sup> Dodd, "*Phenomenological Reflections on Violence*," 132.

<sup>469</sup> Dodd, "*Phenomenological Reflections on Violence*," 111.

<sup>470</sup> Dodd, "*Phenomenological Reflections on Violence*," 102.

and colleagues focused, instead, upon the effect of one's agency in circumstances that calls into question one's moral compass and the effect that this plays in eliciting psychological dysfunction. Warren Kinghorn, a leading exponent of the theological perspective, instead draws attention to the significance of meaningful and non-meaningful moral suffering to delineate a soul in anguish. In practice, however, moral injury is nothing that our conscience is particularly aware of. In terms of disambiguating the morality of perperative agency each approach fell short. Those that relied upon analytical traditions that align morality with normative ascriptions apparently made accessible by the construct of empathy were shown to be inadequate in delineating meaningful and non-meaningful suffering. Whereas for those faith-based approaches meaningful suffering can only be assumed by a reliant faith on a transcendent Other, God, that excuses rather than condemns suffering. How is one to make sense of these moral imperatives? In the famous sentence that begins the 'preface' to Totality and Infinity, Lévinas writes,

everyone will readily agree that it is of the highest importance to know whether we are duped by morality.<sup>471</sup>

Morality had served historically as a veil concealing the social function of force behind every enacted obligation. The ethical optics of Lévinas serve to cut through this veil to reveal the ethical substructure that lays beneath. Lévinas describes how attempts within the historical project to reconcile obligation through the rational and value laden normative theories of analytic philosophy have failed. The irreconcilability between moral theories and our obligations, as witnessed in the ultimate failing of the empathy construct, highlighted the current conceptual gap to explain intentionality. Lévinas also discerns a gap between the force of ethics and the normative expressions of morality, and emphasizes it, in so doing, allowing the gap itself to serve a signifying function. At the point where ethics

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<sup>471</sup> Lévinas, "*Ethics and Infinity*," 21.

would meet history, ethics is already a responsibility for the other in history. Because there is always a certain unreliability to the moral subject, the responsibility of the moral subject means that it finds itself already assigned to relationship and meaning, obligated well beyond its powers of reification. In looking to explicate meaning structures surrounding acts of violence, James Dodd provides an astute precis as to why the works of Levinas are so apt:

The meaning of violence is the question of the possibility of experiencing this peculiar dissolution of experiencing, of bearing witness, as it were - not to a breakdown of sense, but to a breakdown of our functioning as conscience beings to articulate sense - and thus to live in, and among beings that are accordingly made manifest in the light of this breakdown. Here we can discern an argument as to why phenomenology, perhaps even *transcendental phenomenology* is of particular relevance for a reflection on violence.<sup>472</sup>

The breakdown of our functioning as conscience beings to articulate sense is attenuated by what Lévinas frequently calls the immemorial aspect of the ethical relation. This immemorial memory of the other traces a debt to the other, one that can never be paid and can also never be equated to a history of the relationship. Ethical sincerity does not designate the choice to abide by an obligation or to represent oneself straightforwardly or even to do what is best by the other, all of which are familiar moral philosophical connotations. Denoted only as an inability to get out of the 'way' of the other, Lévinas brings to the bad conscience a fuller historical connotation. The bad conscience is the sign of an ambiguous threshold between the vulnerable openness of responsibility that accuses any self and the defensive attempt to delimit a self and protect it from connotations of responsibility that might disrupt its well-being. As such, the bad conscience brings to the connotation of identity as that which has turned from the history of its ethical

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<sup>472</sup> Dodd, "Phenomenological Reflections on Violence," 149. [Emphasis added]

responsibilities.<sup>473</sup> Lévinas contends, the force of the generalizable obligation depends upon its exterior relation to a subject's motivated concerns. And thus, the force of any moral obligation resides in an aspect of transcendence. Lévinas' emphasis on the absolute anteriority of ethics should not be understood in a way such that ethics precedes or pre-empts sociohistorical interpretation. Ethics arises within, if not quite from, a determinative context; it comes to us through the filter of historically realized conditions by which we would take account of it, even if none of these finally exhausts ethical meaning. According to Lévinas scholar Clifton Spargo:

While we may try to abrogate our actions towards one person by reference to many, it is necessarily *a cognitively dissonant structure that keeps such an illusion firmly rooted in place* through disregarding the assignation that each person is a singularity of value.<sup>474</sup>

Such a structure, when it fails, ends up as moral injury. This deeper ethical layer is usually not taken into consideration when looking at why it is traumatic to kill, this framework is usually masked by a blanket of normativity. Yet moral injury can, and does, occur in circumstances when we can justify our actions. Once identified, it is possible to use this model to 'understand' not necessarily *what* the moral limits of war and killing are, but *where* these principles reside.<sup>475</sup> Lévinas does not doubt that normatively based choices must be made in the realm of politics and justice, but ethics already precedes such regulatory social systems. At stake, here is whether the impingement of one's deeply held beliefs should be understood as a negation of justice, as some condition of disadvantage, or whether the historical facticity of injustice requires us to frame a relation to suffering, apart, even, from our intuition of what life ought to have been for the other. Such normative

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<sup>473</sup> Spargo, "Vigilant Memory," 96.

<sup>474</sup> Spargo, "Vigilant Memory," [emphasis added]

<sup>475</sup> Julian Hartt, "Religion and the Bomb," *Worldview*, no. April (1957): 7.

considerations are irrelevant to a Levinasian ethics but not to its application where one must respond to competing responsibilities for multiply triangulated others. Yet the site of Levinasian ethics remains beyond the social construction of rights, even as it is informed by them. Previously the theological model was the only model able to provide a pathway to explain existential dissonance and its subsequent mental anguish that did not rely upon social constructs such as empathy or justice.

The ethical model represents a viable alternative to construe our moral and ethical obligations to others and understand the suffering that subsequently ensues. Such an approach is able to attenuate the aforementioned shortcomings of previous approaches. Rather than an inadequate transformation of empathetic awareness into sympathetic distress, our primordial ethical relation to the other that simultaneously holds us to account and calls us to attention is fundamental in attributing the altruistic decision. Suffering from the agency of ones' actions thus become less of a meditation on one's past, present or future determinations of normative justice or morality, and more so a reflection on ones very ethical being that is called into question by one's acts. Such an account provides transgressive acts a privileged position within the model, however to date has been more concerned with transgressions of our belief systems, not transgressions which call into question our existence as ethical beings. The ethical model comes prior and beneath any other models of distress and is necessarily the foundation upon which the clinical and historical models can be postulated. From this position, it can provide meaning structures which these models cannot ever hope to elucidate.<sup>476</sup> Perhaps the most important of these is its direct casuistry mechanism to the phenomenon of existential dissonance. In our encounter with the Other that this model predicts, existential dissonance can be a direct and

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<sup>476</sup> It is perhaps best to refer to the visual adumbrate at the opening of this thesis to see this represented visually.



un-cognized effect, finally providing a rubric to understand the precognitive dissonance structures that can occur in moral injury. Furthermore, because the ethical model provides a basis for subsequent models that utilises a transcendent relationship that is ‘accessible’ *within* society, unlike the Theological model, it can provide an effective rejoinder for the suffering it describes as it does not require faith in an existential and almighty Being who dictates moral law. Because this model utilises our social relations to understand our obligations to others, it is an incredibly powerful tool for treatment. The emergence of a new approach which comes untethered from the requirements of faith based justifications imbues the field of study with a formidable new tool to address concerns to one’s moral and ethical actions.

An example of how this is played out in practice can be found in the treatment of how we can come to understand why and to whom we are to feel responsibility for. The previous models have all attempted to frame these responsibilities through reference to such metaphors as a ‘neighbour,’ of which the parable of the good Samaritan is the most common example. Note the implications of such a move, the neighbour already has a claim against us, we would be somewhat noxious if we were to turn away a neighbour in need. In this way, our obligations to others are construed already upon a normative set of rules that have already decided on the worthiness, or otherwise, of another due to his proximity to our lives. The ethical model of moral injury, through utilising the rubric of Lévinas, does not limit itself to concerns about an agent that one has had prior relations with. Rather, the ethical model makes determinations on what is owed to one whom one has never met and to whom one does not know. Such a framework is heretical to a culturally disciplined consciousness which interprets the stranger as portending an alienation within identity that would unsettle all of our most basic cultural myths, especially our most vehement

nationalist commitments.<sup>477</sup> Lévinas borrows the stranger's signifying alterity for an assignation of the neighbour. He attributes the unknowability of the stranger, even to the one with whom a subject is already in relation, and as he speaks of an “approach beyond thought.”<sup>478</sup> Lévinas tries to break down this conception in his subtle yet powerful essay called Enigma and Phenomenon (1965) which evokes the dichotomy of stranger/neighbour dichotomy:

Someone unknown to me rang my doorbell and interrupted my work. I dissipated a few of his illusions. But he brought me into his affairs and his difficulties, troubling my good conscience.<sup>479</sup>

Lévinas is making the point that when we are asked to respond, in many cases we are not sure whom we are responding to with first responding to the *prima facie* need. Lévinas also draws our attention to the characteristics of the stranger that make them an ethical proof text for his ethical rubric. In the reduction of the ethical relation to the located perception; Lévinas positions the stranger as that figure for the other who is significant even though, or precisely because, she is also at a distance.<sup>480</sup> Indeed, this figure of the stranger effectively bridges the categorical divide between the otherness aimed at in desire and the other as the locus of language's communicative mission. The appeal of the stranger is that he is one who, since the past of the Other must never have been present, absolutely cannot be accounted for as the object of common memory.<sup>481</sup> The relation to the stranger is largely

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<sup>477</sup> Julia Kristeva, *Strangers to Ourselves*, trans. Leon S. Roudiez (New York: Columbia University Press, 1989/1991).

<sup>478</sup> Emmanuel Lévinas, "Enigma and Phenomenon" (1965); trans. Alphonso Lingis, rev. Robert Bernasconi and Simon Critchley, *Basic Philosophical Writings*, ed. Adriaan T. Peperzak, Simon Critchley, lev, and Robert Bernasconi (Bloomington: Indiana University Press, 1996): 67.

<sup>479</sup> Lévinas, "Enigma and Phenomenon," 67.

<sup>480</sup> Spargo, "Vigilant Memory," 189.

<sup>481</sup> Lévinas, "Enigma and Phenomenon," 72.

imaginary and always in some sense impersonal as opposed to the neighbour whom Lévinas believe is the true locus of malice for how can you harbour malice towards someone whom you do not know? As Lévinas scholar Clifton Spargo observes:

The murder of someone who is completely unknown tests the very definition of freedom... so that the purely unmotivated action seems the supremely contingent event.<sup>482</sup>

To murder a neighbour would be to act out a grudge, the product of a prejudice with a prehistory by which it might also be rationalized. But the animosity directed at the stranger can remain, in proportion to his purported anonymity, pure — which is to say, resistant to the agent's capacity for self-reflection.<sup>483</sup> In practice, however, a stranger does permit unmotivated violence that does not immediately contradict a communities own self-regarding premises, so to remember the stranger, then, is necessarily to rely upon — as in mourning, in bad conscience, and in our response to victims — a vigilant memory *never* to be reconciled to fixed cultural premises. The ethical model of moral injury can accurately describe and predict such an occurrence. It is in this respect that the stranger, not unlike the victim, enters into relation as someone already estranged from the benefits of cultural heritage and those rights pertaining to any individual. Amongst other things, this may suggest a slightly more tenuous link exists between moral injury our culture practice than we might have otherwise have thought.

The situate of the victim within a Levinasian oeuvre provides another astute rubric to the ethical model. Lévinas is loath to make any comparison whatsoever between victim and perpetrator, fearing that, even in retrospect, such a comparison would be to reify the radical difference of victims to perpetrators. Lévinas implicitly positions the victim/perpetrator

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<sup>482</sup> Spargo, "*Vigilant Memory*," 198.

<sup>483</sup> Spargo, "*Vigilant Memory*," 195.

nexus as an uncompromised antinomy, likened to radical Otherness, that similarly inspires ethics and through which such conditions become figurative signifiers of the ethical relation. For Lévinas the other *qua* victim signifies from within the moment of his inhumanity, his inhumanity both all extension of his vulnerability and the occasion of the responsibility of another subject.<sup>484</sup> Such a situation necessitates a radical inversion that is born out in the ethical model of moral injury. Rather than the perpetrator remaining the locus of the responsibility for the victim, a victim is the locus of responsibility for a perpetrator. Lévinas describes a cultural attitude of violence which necessarily turns on the question of perpetration. A perpetrator's attitude matters ethically in the sense that the intention of an agent's is never transparent and must be inferred from the cultural and historical positions they are made. Imagining an ethics not naively set against patterns of cultural violence, Lévinas interprets ethics as primordial to the violence that give expression to its necessity. In this way, according to Clifton Spargo, perpetration becomes an unwitting etiological key:

Violence in its etymological connotation of wilfulness belongs especially to the perpetrator, and so the ethical signification of the other arises before, though also in the midst of, violence as a critique of the perpetrator's intentionality. Ethics would appear to arise as though it were signified by *a perpetrator's act of losing sight of ethical meaning, as a variation on the motif of bad.*<sup>485</sup>

The violence of killing and the finitude of death provide not only the most salient factors to understand pathways of psychological distress, but also provide rubrics through which our existential obligations manifest. Contemporary research agendas have thus far missed the point in their dedication to the wishful hypothesis in which the perpetrator can be retrospectively returned to moral intentionality to be turned toward moral responsibility.

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<sup>484</sup> Spargo, "Vigilant Memory," 143.

<sup>485</sup> Spargo, "Vigilant Memory," 142.

The works of Lévinas that identify the true importance of killing and death release us from this ultimately fruitless trajectory by bringing to bear a powerful articulation of the ethical. The mournful valances of a Levinasian ethical optic, represents not only a philosophy to understand the suffering of the soul, but is a philosophy directly informed by it. The gravitas contained within such an approach consequently demands is a fuller appreciation of these themes into constructs such as moral injury that make determinations on what constitutes the sense generating aspects of our moral and ethical lives.

Fin.

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