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Boston College
The Graduate School of Arts and Sciences

Department of Philosophy

THE VIRTUOUS DRONE PILOT

a thesis

by

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Submitted in partial fulfillment of the requirements for the degree of

Master of Arts

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ABSTRACT: THE VIRTUOUS DRONE PILOT

By Captain Joseph O. Chapa, US Air Force

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This thesis responds to two distinct claims about drone (or remotely piloted aircraft) pilots. The first is the general claim that the martial virtues function as a kind of role morality for soldiers; the second, that drone pilots, based on the absence of personal risk and their distance from the battlefield, are unable to meet the demands of such a role morality. Chapter One explains what is meant by role morality, and determines whether the martial virtues do in fact function in a role morality capacity. The second chapter applies this general conception of a role morality for soldiers to military drone pilots in particular. This investigation finds that, insofar as "soldier" is in fact a role that generates a role morality, military drone pilots are as capable of meeting the demands of such a role morality as other military members. The second half of the thesis challenges the premise that drone pilots do not face personal risk. Chapter Three identifies psychological risk among drone pilots and seeks to determine how this kind of non-physical risk may affect the cultivation of the martial virtues. The fourth chapter argues that by placing military drone pilots within domestic territory, drone-capable militaries (such as the US military) have redrawn the battlespace such that it includes the drone operators, wherever they may be, and that as a result, drone pilots do in fact face some physical risk. Finally, in closing, this thesis presents a positive account of the martial virtues that enables military ethicists and strategists to bring centuries of philosophical investigation to bear on contemporary military issues.

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For My Wife

INTRODUCTION

This thesis is, if not a response to, then at least prompted by Rob Sparrow's Chapter, "War Without Virtue?" in *Killing by Remote Control: The Ethics of an Unmanned Military*, edited by Bradley Jay Strawser (Oxford, 2013).[1] The rapidly growing collection of books and articles on the ethics of drones[2] has done well to frame the important questions and provide some answers, but if there is a thematic problem, it is that to a great extent the pilots are left out of it. That is, in many conceptions of drones and in many analyses of their ethics authors consider the targets, the technology, the policy and the policy-makers, and friendly forces on the ground; but the agency of the pilot is largely ignored. Sparrow has done something different. Sparrow sets aside the question of whether drones are ethical for the sake of the much narrower question: Can drone pilots cultivate martial virtues? Those of us concerned with the ethics of remote weapons are indebted to Sparrow for his chapter, as it is the first serious work that seeks to address this modern method of war making from a virtue theory perspective.[3] Put another way, Sparrow has set a course for a virtue ethics approach to remote warriors. In the discussion that follows, I will attempt a slight course correction.

Sparrow's chapter suggests that the martial virtues are a role morality for soldiers. He then argues that because drone pilots face no risk, they cannot cultivate the martial virtues (or, at the very least, drone operators will face great difficulty in cultivating them.)[4] It is around this set of themes then, role morality, martial virtue, and risk to drone pilots, that this thesis revolves.

Martial Virtues as Role Morality

First, the very title of Sparrow's chapter, "War Without Virtue?," in a book on the Ethics of an Unmanned Military points the reader to the recent resurgence in virtue theory among contemporary philosophers. There is some disagreement as to how the virtues are to be employed, what means we have to cultivate them, and what ethical questions they are fit to answer. A thorough discussion of contemporary virtue theory, and the various answers philosophers have developed to these questions is outside the scope of this thesis. What is required here is to determine what Sparrow's position is on the relationship between those virtues that are peculiarly martial and normative ethics,[5] and then to determine the validity of the application of that position to drone pilots.

Within the discussion of the virtues, there are specific questions about those virtues considered to be martial, or of particular military value or interest. While much has been written on virtue theory in the last fifty years, scholars have had much less to say about specifically martial virtues.[6] What can be agreed upon, though, is that if the virtues are of any ethical importance at all, then the cultivation of those virtues in men and women who kill and die professionally is also dearly important. That said, what precisely is meant by "martial virtue" can vary widely from one author to another.

Sparrow sees the martial virtues as a kind of role morality for soldiers.[7] Once again, we are faced with differing views on role morality in the literature. A broad characterization upon which many theorists may agree is that role morality suggests that an agent faces two sets of moral responsibilities. The first consists of general responsibilities, grounded in one's status as a human being (or rational agent). The other consists of special responsibilities, grounded in one's morally significant roles or relationships.[8] Thus, Sparrow grounds his conclusions about drone operators' capacity (or

lack thereof) for cultivating the martial virtues in this premise: That the martial virtues are a kind of role morality for soldiers.

A Special Kind of Virtue

Much of what Sparrow has to say about drone operators and the martial virtues incorporates risk. Sparrow is concerned that modern methods of war making may have undermined (or may be undermining) the historical value the martial virtues have held;[9] and while many weapons systems reduce risk to warfighters, drones represent the apogee in this trend,[10] asserting that drone pilots are "[successfully removed] from the theater of operations entirely, allowing them to 'fight' wars in complete safety from the air-conditioned comfort of their command modules."[11]

One can easily see, then, that if the absence of risk poses a threat to a traditional understanding of the martial virtues, and if the risk reduction produced by drones represents an apogee, then drones will pose a significant problem for traditional interpretations of the martial virtues; and this is exactly what Sparrow intends to show.

Sparrow sees risk as so important to the martial virtues, in fact, that he defines a number of martial virtues in terms of personal risk. For Sparrow, loyalty "involves a willingness to bear risks and make sacrifices for the sake of that to which one is loyal." And again, "in military contexts [loyalty] usually means a willingness to suffer physical hardships and even to risk death for the sake of the other members of a combat unit, and its commander."[12] Similarly, "honor is vital insofar as it plays a crucial role in helping motivate warriors to risk life and limb for the sake of the cause in which they fight and in motivating them to live up to ethical ideals."[13] Though Sparrow distinguishes between physical and moral risk, he defines physical risk as "the willingness to face fear of bodily

discomfort, injury, and death."[14] In Sparrow's list of four martial virtues (honor, loyalty, courage, and mercy), the only one not defined in terms of personal risk is mercy.[15] And yet, he still invokes risk in assessing the mercy of drone pilots. He suggests that mercy in the military context is to choose "the option not to exercise this power [to kill] even when they would be justified in doing so. … Since the [drone] operators, though, are not in any danger, it is more plausible to expect them to follow orders [to kill] from other people who may be geographically distant."[16]

Sparrow's definitions of the martial virtues of courage, honor, loyalty, and his application of mercy to drone pilots provide two means by which we can respond. First, we can determine whether Sparrow is right to define these martial virtues in terms of personal risk.[17] That is, we must determine the degree to which the martial virtues, and one's ability to maintain them, depend upon one's exposure to personal risk. Second, even if one decides that Sparrow's approach is the right one, and that there is a special kind of martial honor, for example, that has personal risk as a necessary condition, in order to follow Sparrow to his conclusion, one must also accept the empirical claim that drone operators do not face personal risk.

In short, Sparrow's conclusions about drone operators are grounded in the following claims: (1) The martial virtues are a kind of role morality for soldiers; and (2) in order to cultivate the martial virtues, soldiers must face risk to themselves. In order to respond to these claims, then, we will have to say something about the martial virtues, and something about risk. These two topics provide the two-part structure to this thesis.

Overview

Part I of this thesis (including chapters one and two) is devoted to a theoretical discussion of the virtues, both moral and martial, and Part II (including chapters three and four) addresses specific questions about the risks faced by drone pilots.

Chapter one investigates Sparrow's claim that the martial virtues, properly understood, are a kind of role morality for military people. I will argue that, while this interpretation is a possible one, it is far from conclusive. The two tandem claims, first that the role of "soldier" generates a role morality, and second that such a role morality consists in the cultivation of martial virtues, both require significant additional work.

My intent in chapter one is humble. First, I will compare the role of "soldier" (or "military person")[18] against the role morality accounts of J. L. A. Garcia and Samuel Scheffler. While each theory allows for the possibility that "soldier" may meet the criteria required for it to generate special moral obligations, neither theory allows for a decisive conclusion. I have devoted a significant portion of this paper to the discussion of role morality, despite the relatively soft conclusions, because it is an important question, not only as it applies to drone operators in particular, but also for twenty-first century soldiers in general, and one that I hope will receive the attention of more scholarship in the future.

Where chapter one addressed a role morality for soldiers, more generally, chapter two will determine the degree to which that role morality can be, or ought to be, applied to drone pilots in particular. Chapter two will yield two important conclusions. The first of which relates to the theoretical limitations of assessing the ability of a species ("drone pilot") to meet the special moral demands of its genus ("soldier"). The second, relying on

some important empirical evidence, addresses the capacity for actual U.S. military drone pilots to cultivate martial virtues.

Part II turns its attention to the risks faced by drone operators. Chapter three draws heavily from previously published works on the psychological effects of killing, and it argues that, though the risks faced by drone pilots may be less severe than those faced by other warfighters, they are non-zero. That is, even if one accepts Sparrow's view that martial virtue requires personal risk, drone pilots may, based upon the psychological risks, be candidates for the cultivation of such virtues.

While this chapter on psychological risk has value in the discussion of Sparrow's claims, it may also, on its own, impact the discussion of drone ethics. If it can be shown that (1) drone pilots face risk, and (2) drone pilots act on the behalf of someone else, then the lethal activities of drone operators may be seen as sacrificial. If there is a cost to drone operators, and a benefit that falls always to someone else, then far from seeing drone pilots as morally dubious in their abstraction from the hard realities of war, one may begin to see drone pilots as sacrificial agents; risking something of value to themselves always to the benefit of their fellow soldiers.

Chapter four takes the discussion of risk a step further and suggests that, though in recent conflicts it has not precipitated, drone pilots may, in fact, also face physical risk. This chapter demonstrates that, contrary to the ordinary language with which we describe drone warfare, drone pilots are in fact physically present in the relevant battlespace, and are (at least conceptually and in the morally relevant sense) exposed to some physical risk. Though this task may at first seem merely theoretical, it is of great importance to the discussion. Many theorists (including Sparrow) have made categorical claims about the

ethics of drone operations based, not on categorical facts about drone operations, but on contingent ones. If the arguments in chapter four are accepted, ethical arguments against drones that are grounded in observations about physical risk, if they are accepted at all, will be limited only to conflicts bearing extreme technological and risk asymmetry. For example, though they may apply to a U.S. war with al Qaeda, they may not apply to a hypothetical U.S. war against a peer (or near peer) threat.

Finally, the concluding section will briefly present a positive account of the martial virtues as they relate to drone operators. This positive account is appealing in that it does not require one set of virtues for drone pilots and a distinct set for soldiers. Indeed, it does not even require that the set of virtues required of soldiers be distinct from the set required of civilians. Instead, it points to the traditional virtues of honor, courage, and friendship, and suggests that they ought to stand on their own, as Aristotle (and many philosophers since) would have them stand, and that they can be contextually applied differently for soldiers than for civilians. In short, this account will suggest that just as there can be virtuous soldiers, virtuous grocers, and virtuous electricians, so can there be virtuous drone pilots.

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1. Rob Sparrow, "War Without Virtue?," in *Killing by Remote Control,* ed. Bradley Jay Strawser (Oxford: Oxford University Press, 2013).

2. Or "remotely piloted aircraft," or "unmanned aircraft," or "unmanned aircraft systems," or "uninhabited military systems." The name game is on-going. The common term "drone" is unfortunate because it is too inclusive. While the term "drone" includes U.S. Air Force MQ-9 Reapers (with similar weapons loads to the U.S. Air Force F-16), it can also include the twelve-inch remotely piloted cameras used during live music events to capture audience participation. A lethal MQ-9 in Yemen, controlled by an operator in Nevada poses ethical questions that an airborne apparatus for crowd-surfing photos does not. In spite of this difficulty, in keeping with common practice, I will use the term "drone" throughout this thesis. Unless otherwise stated, by "drone" I mean armed military platforms that can be controlled from great distances, such as the MQ-1 Predator and MQ-9 Reaper.

3. B. J. Strawser, "Introduction," in *Killing by Remote Control*, ed. Bradley Jay Strawser (Oxford: Oxford University Press, 2013), 22.

4. Sparrow, "War Without Virtue?," 100. Sparrow leaves open the possibility that drone operators may be able to cultivate the martial virtue of honor, but finds it unlikely. "My initial investigations suggest … that the operations of [drones] also pose a substantial challenge to this important martial virtue."

5. Robert Merrihew Adams, *A Theory of Virtue: Excellence in Being for the Good*, (Oxford: Clarendon Press, 2006), 4. With Adams, I recognize that the term “normative ethics” suggests questions about what one ought to do at the exclusion of questions about how one ought to live. Nevertheless, given the pervasiveness of “normative,” I use it instead of Adams’ own “substantive ethics” terminology throughout this paper.

6. René Moelker and Peter Olsthoorn, “Introduction,” *Journal of Military Ethics* 6, no. 4 (2007): 257.

7. Sparrow, “War Without Virtue?,” 84, 92.

8. See Sarah J. Harper, “Role-Centered Morality” (PhD Dissertation, Boston College, 2007), 37; and Shelly Kagan, *Normative Ethics* (Boulder: Westview Press, 1998), 126. This two grounds characterization excludes the role-centered morality held by Harper and J. L. A. Garcia, but this will be discussed later.

9. “The operations of UMS pose a significant risk to the place of the martial virtues within the organizational culture of the armed services and to current understandings of the ethics of war.” Sparrow, “War Without Virtue?,” 104.

10. Sparrow, “War Without Virtue?,” 97, 100,

11. Ibid 88.

12. Ibid 90.

13. Ibid 91.

14. Ibid 89.

15. Ibid 92. “To be merciful is to refrain, out of compassion, from killing or causing suffering when one is both able and would be justified in doing so.”

16. Sparrow, “War Without Virtue?,” 100.

17. I am careful to distinguish between physical and psychological risk, as well as between personal and corporate risk. I will elaborate on these distinctions in Chapter Three of this thesis.

18. I have no intention to distinguish between “soldier” and other military positions (such as “airman,” or “sailor.”) Where the distinction is intended, I will make it explicit. In all other cases, the term “soldier” is inclusive of all uniformed members of a sovereign state’s military.

PART I: MARTIAL VIRTUE

Chapter One – Soldiers, Martial Virtues, and Role Morality

Introduction

This chapter aims to answer the question of whether the martial virtues can serve as a kind of role morality for soldiers. Rob Sparrow, in his chapter, "War Without Virtue?" specifically cites the martial virtues in the capacity of role morality.[1] Methodologically, Sparrow looks first at those values and virtues to which individual military organizations profess devotion. "As a number of authors have observed, these statements [about virtue and values]—and others like them, which may be found in the self-descriptions of many armed services around the world—set out a distinctive 'role morality' for members of the armed services—a 'warrior code.'"[2] And again, a "warrior code defines a 'role morality' and that the form and place of particular virtues in an ethical life may be different in different roles."[3]

As Sparrow himself suggests, this view is not unique to him. Further review reveals a number of scholars who, even if they do not directly posit that the martial virtues are a role morality, they at least imply it. There is an additional group of scholars who have, without taking the full stride to role morality, identified the martial virtues as those virtues that help warriors to be proficient.[4] In the discussion that follows, we will see that role morality theory may be of help in bringing these claims about the efficacy of soldiers into the conversation about the ethics of soldiers.[5]

There are compelling reasons to think that soldiers ought to be good, but what is meant by "good?" Implying more than just effectiveness, this use of "good" seems to suggest that soldiers ought to be *morally* good. One thinks of recent media attention on the U.S. military's treatment of prisoners at Abu Ghraib,[6] the "enhanced interrogation

techniques" at CIA black sites,[7] and the U.S.'s robust drone program including its strikes outside regions of publically acknowledged hostilities (such as Iraq from 2003 to 2011 and Afghanistan from 2001 to present).[8] Though certainly questions have been raised about the efficacy of these programs,[9] it seems that these questions are distinct from the ones about ethics. The citizens of the U.S. are not only interested in training soldiers to do well, but also in training soldiers to be good.

The matter of how the martial virtues fit into the soldier's role (or the degree to which they fit) is not simple. Suppose, for example, that U.S. citizens expect soldiers to be good people in addition to performing their soldiering duties well. If this is the case, then the study of martial virtues is of very limited ethical value. The first requirement, that soldiers be moral *qua* people, points us to the question of what makes for a good person (or for good actions), and this question is the same one asked throughout the history of normative ethics. If in fact, the correct (or a correct) answer to this question involves the virtues, there is no reason that it should be limited to the particularly martial ones. One need only adopt the best (or right) virtue ethics theory and apply it to soldiers *qua* people. On this view, the moral goodness of soldiers is no different from the moral goodness of anyone else. The requirement to be "martially" virtuous is, on this line of thinking, conspicuously absent.

This view still might find value in the martial virtues, but only insofar as they help to make soldiers more effective. For example, a soldier will (all else being equal) only subject herself to enemy fire to complete her mission if she has cultivated the virtue of courage. While this may be a true claim, it is not an ethical one. That is, if the only value of the martial virtues is that they enable soldiers to effectively carry out their duties, then

the martial virtues are of no significance to normative ethics. They are a means to a non-ethical end; namely, an effective military.

Role morality may be in a position to move this discussion forward. In her famous 1958 essay, "Modern Moral Philosophy," G. E. M. Anscombe distinguishes between the "moral ought" and the "ordinary ought." The moral ought produces categorical claims, while the ordinary ought produces conditional claims. In her own example of the ordinary ought, Anscombe says that a machine ought to be oiled *in order to* run well.[10] Borrowing this distinction, the remainder of this chapter intends to take the non-ethical claim that in order to be more effective, soldiers ought (ordinary ought) to cultivate the martial virtues, and combine it with the ethical claim that soldiers ought (moral ought) to try to be more effective. These two claims, when taken together, can be seen as a kind of role morality for soldiers. Far from a decisive conclusion about how we *must* interpret the martial virtues, my humble aim in what follows is only to provide one possible way in which we *might* interpret the martial virtues—to determine the plausibility of Sparrow's assertion that the martial virtues are a role morality for soldiers. If the argument that follows is effective, it will yield some interesting results. Not the least of these is that it may be able to transform strategic claims about what makes soldiers good at soldiering into ethical claims about what makes soldiers good.

Two Approaches

There are two different, but closely related, ways of approaching the martial virtues (there are probably more, but there are two that concern us here). The first is to say that the martial virtues are those virtues that enable soldiers to be effective as soldiers. This approach, while not often directly asserted, is often implied. Military

ethicist Paul Robinson writes, "we live in the era of the 'strategic corporal.' Immoral behavior by even the lowest ranking soldier can have a strategic effect."[11] While he mentions immoral behavior, his concern with it is teleological. Rather than saying that soldiers ought (moral ought) to behave morally, Robinson claims that *in order to remain strategically effective,* soldiers ought (ordinary ought) to avoid immoral behavior.

As one would expect, General David Petraeus, retired U.S. Army General, and former Commander of Multi-National Force-Iraq, discussed the morality of U.S. soldiers fighting in Iraq with a similar end in mind: "Our values and the laws governing warfare teach us to respect human dignity, maintain our integrity, and do what is right. Adherence to our values distinguishes us from our enemy." Thus far a commentary on ethical behavior, Petraeus immediately adds, "this fight depends on securing the population, which must understand that we – not our enemies – occupy the moral high ground. This strategy has shown results in recent months."[12] While Petraeus values the morality of soldiers he does so instrumentally. For Petraeus, the morality of soldiers is valuable insofar as it positively influences strategic effects.

Peter Olsthoorn, in his commentary on Petraeus's remarks, is right to point out that the instrumental value of moral behavior for its strategic benefits and the non-instrumental value of ethical behavior for its own sake are not mutually exclusive.[13] That is, it may be possible to value the morality of soldiers both instrumentally (for its effects), and non-instrumentally (for its own sake). This understanding of virtue valued in two different ways is not unique to Olsthoorn. Thomas Hurka's monograph, *Virtue, Vice, and Value,* is built upon what he calls the recursive characterization of virtue, which aims to explain how virtues can be both instrumentally and non-instrumentally valued.[14] Sparrow

recognizes this duality, and makes it explicit, admitting both instrumental and non-instrumental value of the martial virtues. "Shaping the character of service personnel is therefore the best way to promote the values encoded in military rules and regulations, including *both* military efficiency and ethical ideals."[15]

While it is the case that a few of the references above did allow for non-instrumental value of virtue, this fact does little to help us progress in our understanding of the martial virtues. Sparrow, for example, sees the martial virtues as serving two functions. They (1) produce military efficiency, and (2) promote ethical ideals. Divorcing these two claims, we are left with (1) as the method of approaching the martial virtues introduced above: They are of merely strategic value. And (2) is a reference to a prior normative ethical system, but not an explanation of it. If, as Sparrow suggests, the martial virtues help soldiers to adhere to a prior moral good, we are left right back at the doorstep of our first question: What does it mean for soldiers to be morally good? The same understanding of the relationship between claims (1) and (2) can be equally applied to Robinson, Petraeus, and Olsthoorn above. The first—that the martial virtues enable effective soldiers—is a non-ethical claim. The second—that the martial virtues enable ethical soldiers—is an ethical claim, but an incomplete one. It presupposes moral obligations of soldiers, without identifying any.

There is another possible approach to the martial virtues. In each case above (in Robinson, Petraeus, Olsthoorn, and Sparrow), the martial virtues are seen as those traits of character that enable soldiers to be effective. That is, soldiers ought (ordinary ought) to cultivate martial virtues in order to be proficient. Let us admit (for now) this claim as true, and non-ethical. Now consider a second premise. Soldiers ought (moral ought) to

strive for proficiency. If these two premises are admitted, we can conclude from them that soldiers ought (moral ought) to cultivate the martial virtues. This understanding of the relationships between the martial virtues, effectiveness, and ethics represents at least the skeletal structure of a role morality for soldiers, and lends credibility to Sparrow's claim that such a role morality consists in the martial virtues.

As some role morality theorists would have it, this view suggests that morality for soldiers *qua* soldiers consists in their being devoted to proficiency. This view eliminates the thesis held by Aronovitch that there is a distinction between good (proficient) soldiers, and good (ethical) soldiers, by collapsing the two senses of "good" (proficient and ethical).[16] Admittedly, there is no military ethicist to whom I can point that makes this claim directly. That is, I know of no ethical theorist who openly admits that his or her interpretation of the martial virtues combines the proficiency claim with the ethical mandate that soldiers strive for proficiency. Nevertheless, this combination of the two claims supports Sparrow's view that the martial virtues function as a role morality for soldiers.[17] Further, it seems plausible that his view is more common than it initially appears. For example, Aronovitch, though he maintains his distinction between the two senses of "good," ascribes importance to the virtues "for the sake of and as part of assuring that persons are able to carry out obligations to others and dictates of justice, especially in connection with their having *specific roles and responsibilities*."[18] René Moelker and Peter Olsthoorn question the sufficiency of traditional martial virtues for modern applications in their contention that "much depends on whether the actual virtues military personnel subscribe to are the right ones *for a particular job*."[19] Perhaps these

references to roles and jobs betray an intuition that what it is to be ethical *qua* soldier is inextricably woven together with what the role of soldier is.

Our task, then, is to determine whether the martial virtues can be interpreted as a role morality for soldiers. This project requires a number of sequential steps. First, one would have to show that the role of "soldier" is a strong candidate for a morally determinative role.[20] When this is done, one would have to show that the special responsibilities that befall soldiers (as people who fill that morally determinative role) consist in their striving for proficiency. Finally, even if these steps can be successfully taken, one would have to show that the martial virtues (whatever those might be) are an adequate measure of, or guideline for, proficient soldiering. The remainder of this paper will attempt, if not to take these steps, then at least to sketch a plan for how they might be taken. Before we can proceed in that direction, though, it may be helpful to offer a brief outline of role morality as conceived by some theorists.

Role Morality

Role morality admits two grounds for moral obligations.[21] The first ground might be called common humanity, and this ground generates general moral obligations. These are obligations that each owes to everyone else, though they will certainly be contextually identified and developed.[22] On the existence of such general obligations, many normative ethical theorists can agree, regardless of Kantian, utilitarian, or virtue ethical leanings. The views that see all moral obligations as having the same ground (e.g., common humanity) are collectively called "reductionist." Role morality, however, posits a second kind of obligation. Here, "special relationships give rise to special responsibilities."[23]

Views (like the role morality view) that see different grounds for different sets of moral obligations are called "nonreductionist."

To consider a few examples, suppose we can agree that Anne has a moral obligation to rescue a stranger, Bret, from drowning. Both adherents to role morality, and non-adherents, can agree that Anne's moral obligation under these circumstances is a general one, grounded in her being a person able to help, and Bret's being a person in need of help. Now consider a different role relationship. A father, Charlie, has a moral obligation to provide vital necessities (food, for example) to his daughter, Diana. Here, adherents to role morality will see Charlie's moral obligation as a special one, grounded in his morally determinative role as her father. Non-adherents (insofar as they agree he faces a moral obligation in such a case) will have to find a way to explain Charlie's moral obligation to Diana as a general one; that is, grounded in their shared humanity, and informed by circumstance, but certainly not grounded in special roles or relationships.

There is a stronger role morality view (sometimes called "role-centered morality") that views *all* moral obligations as grounded in morally determinative roles. Just as the reductionist view that all moral obligations are grounded in shared humanity has difficulty justifying Charlie's moral obligation to Diana, so too do role-centered moralists have difficulty justifying Anne's seemingly general moral obligation to Bret as grounded in a morally determinative relationship.[24]

Now that we have a shared (if still fairly shallow) understanding of role morality in view, let us turn to our first task—determining whether "soldier" is a role that warrants a role morality.

Step 1: Is "Soldier" a Morally Determinative Role?

The analysis of role morality in this paper will lean heavily on two theorists; namely, Samuel Scheffler and J. L. A. Garcia.[25] According to role morality (broadly), there are special responsibilities that are grounded in some (and not all) relational roles. Though the mail carrier who delivers my mail, for example, does play a social role in my life, it would be difficult to articulate any special moral obligations that I owe to her based on this role or relationship. Certainly I may face moral obligations to her (if she were drowning, and I were in a position to help, for example), but under traditional role morality, this obligation would likely be seen as a general one that befalls me because she and I are both people and not because she is my mail carrier. So the role morality theorist first recognizes that only certain relational roles will generate special moral responsibilities, and then attempts to give an account of how we might classify, or identify such roles.

Garcia's position, that he admits relying on without thoroughly defending, is that morally determinative roles, that is, roles that generate special moral responsibilities, are those roles "that it is human nature to want others to play in our lives: friend, fellow human, parent, offspring, etc., . . . [and they] must also be ones which it is no part of human nature to be *averse* to playing."[26]

It is unclear, on the face of it, whether the role of "soldier" would meet this standard for a morally determinative role. While it certainly may be human nature to desire a defender, or champion, or someone to stand up for one's rights and interests, any attempt to paint the role of "military member" with this brush will probably stretch the role too thin, admitting to the title of "soldier" a great many who are not, in fact, soldiers in the relevant sense.

Further, competing conceptions of what human nature consists in may have contradictory views on the moral validity of armies at all. C. A. J. Coady says "it is only those roles that can be morally supported by quite general moral considerations that will have a role morality," citing the "code of the Mafia thug" as generating from a non-moral role.[27] On this view, one can imagine a pacifist view, or even more broadly religious, view of human nature that allows states' militaries as necessary evils, rather than as essential (or even accidental) elements of human nature. In Coady's terms, such commentators might find the role of "soldier" as morally unsupportable as the role of "Mafia thug." I think a contextualized view, though, can dispel these concerns. To borrow a clause from MacIntyre, "the world being what it contingently is,"[28] it may be human nature to want to be defended. That is, it might be the case that when humans share an important relationship (like citizenship in a common state), and when that relational group is threatened (say, by another state), it may very well be human nature to want someone to defend the relational group. This is, though, mere speculation, and more work would have to be done in this area to develop stronger conclusions.

Garcia does mention the role of soldier specifically in his account, but he never directly identifies it as either morally determinative or not. He says that "soldiers ought to be brave and disciplined," but he immediately follows that claim with this one: "Watchmen [ought to be] alert and watchful, schoolteachers patient and understanding;"[29] thus indicating that this particular list, though comprised of roles, is not necessarily comprised of morally determinative ones.[30] The question, then, of whether "soldier" is a morally determinative role in Garcia's scheme is left open, largely because it points to a prior question about human nature and the state that, not only falls to

political philosophy and outside the scope of this thesis, but also falls outside the insights of its author. Suffice it to say here that, according to Garcia's account, while "soldier" may be a morally determinative role, it is certainly not so obvious a one as "sister" or "friend" or "parent."

Samuel Scheffler takes a nonreductionist role morality approach.[31] That is, he admits that, in addition to general moral obligations, special moral responsibilities will be generated from special relationships. Terminologically, in contrast with Garcia's "morally determinative roles," Scheffler opts for "socially salient relationships."[32] The following is a brief summary of Scheffler's seven requirements for special, relational, moral obligations. (1) One must have reason to value the relationship—where "value" refers to non-instrumental value, and "reason" to net-reason.[33] (2) Only those relationships that are socially salient will count. Scheffler offers that there is a sense in which every human stands in some relation to every other. Nevertheless, the content of this use of "relationship" is too thin to be socially salient. (3) Value in the relevant sense "means valuing the relation each of us to the other."[34] It is possible for the hero to value himself as hero standing in opposition to the villain, and yet not value the villain standing in opposition to himself. Such a relationship would fail to meet this third requirement. (4) The relationship, though it generates special moral responsibilities, may not yield the only, nor even the strongest, moral responsibilities in a given circumstance. (5) There may be non-relational (general) moral duties in addition to relational (special) ones. (6) Like Garcia, Scheffler admits that people may misunderstand their relationships, and their special responsibilities. In this way, the responsibilities are objective. Just because one agent fails to recognize a relationship as socially salient, for example, that does not

absolve the agent of the special responsibilities generated by the relationship. Finally, (7) whether a relationship generates special obligations is not dependent upon whether that relationship is *actually* valued, but whether there is sufficient *reason* that it should be valued. In Scheffler's own words, "our ability to sustain claims of this kind is clearly dependent . . . on a conception of the conditions under which people may be said to have reasons to value their relations to others."[35] He does not offer any such reasons in his account of nonreductionism generally, but leaves that to particular role morality theories.[36]

Like Garcia, Scheffler does not give "soldier" any specific attention as generating, or not generating, special obligations. Perhaps to do justice to Scheffler's account, we must recognize that he has cast his view in terms of relationships, rather than simply in terms of roles. Instead of considering the *role* of "soldier," as with Garcia's view, Scheffler's view requires that we consider the *relationships* that issue from the role. Though there may be any number of relationships we might consider (that of one soldier to another, of subordinate to superior, etc.), time permits us to consider only the soldier-to-citizen relationship here.

Though this relationship may stand up to Scheffler's first requirement (that it be valued non-instrumentally), it will do so at some difficulty. As mentioned above, in the kind of world in which we live, there may be reasons to think it is human nature to want a defender of the rights and privileges of citizenship. But if this is the relevant sense in which there is reason to value soldiers, then they might be valued only instrumentally. This is a complicated issue, and a thorough investigation (for which we do not have the time) would require a fairly detailed study of the reasons that soldiers may be valued. For

example, when a U.S. citizen thanks a service member "for her service," what does the citizen mean? Does the citizen mean to say, "I value the results of the work you have actually done in defending me and my interests?" If so, the soldier seems to be valued instrumentally—the citizen is thankful for the ends the soldier has helped to secure. But if, instead, the citizen means to say "I value *you* for your admirable attitude and qualities, and for your willingness to defend me and my interests," then perhaps the soldier is valued non-instrumentally. Even this notional exercise is complicated in that it may falsely equate gratitude with value. It may be possible for a citizen to value her freedom, but to be *grateful to* the soldier who she believes help to secure that freedom without *valuing* the soldier. More work would have to be done on this line of thinking. Here I can only say that it does not seem immediately evident that gratitude and value necessarily share the same object. Further we must recall that, for Scheffler, what the citizen *actually* values is irrelevant compared with what the citizen has *reason* to value. Again, more work will need to be done, but I think there is a strong *prima facie* case that citizens have reasons to value soldiers instrumentally. I do not think the case for non-instrumental value has the same intuitive appeal.

Finally, on Scheffler's view, the third requirement may, at first glance, be a cause for concern. Scheffler claims that the relationship must be valued "each of us to the other. So if, for example, I value my status as the brutal Tyrant's leading opponent but not his status as my despised adversary, then I do not value our relationship in the sense that the nonreductionist principle treats as relevant."[37] One will notice that the requirement that the relationship be valued "each of us to the other" does not demand perfect reciprocity. Indeed, the father-son relationship can be valued in the appropriate sense, and be seen as

socially salient, despite the fact that each occupies quite a different role with respect to the other.

I think there is something to be said for the soldier-to-citizen relationship meeting the "each of us to the other" requirement. It seems that, at least theoretically, citizens have reasons to value (even if it is an instrumental value) the soldier for her role in defending the rights and interests of the citizens. And, all the more in an all-volunteer force like that of the United States, the soldier must have reasons to value the citizens whom she has chosen to defend—often at personal risk, and sometimes with great personal sacrifice.

As with Garcia, Scheffler leaves us grappling with important questions. The relationship between soldiers and citizens is an important one. Hard and fast answers to questions about "soldier" as a morally determinative role, or about the soldier-to-citizen relationship as socially salient, are goals too lofty for this chapter. Nevertheless, I think we are left with at least the possibility that on both Garcia's and Scheffler's accounts, the role of "soldier" (or the relationship between citizen and soldier) is at least a candidate for generating special moral responsibilities.

Next, we will look at what special moral responsibilities might be generated, if the role of "soldier" is indeed morally determinative.

Step 2: What Ought Soldiers To Do?

In a sense, we are back where we began. The question posed at the opening of this chapter was whether the martial virtues can act as a plausible role morality for soldiers, but this is only an important question insofar as it helps to answer the prior question of what soldiers ought to do (or how soldiers ought to live). Here we ask more specifically,

according to the role morality described above, what are the special responsibilities that befall soldiers, if we admit "soldier" as a morally determinative role.

Scheffler, defending nonreductionism more generally, does not put forward a particular theory of role morality, and is thus of little help here. Garcia does present a singular theory, and it represents quite a strong role morality in two senses. In the first sense, he holds a role-centered morality such that *all* moral obligations, even those that appear to us at first to be general, are in fact derived from our roles and relationships.[38] In a second sense, Garcia's position is a strong role morality in that it sees those special moral responsibilities as consisting in one's devoting oneself to fulfilling such roles well. In Garcia's own words, "I am not saying that we morally ought to fill these roles in the way people want. Rather, I am saying that there is nothing to the notion of what one morally ought to do or be except that being this or doing that is appropriate to, is part of, filling some relevant role."[39]

It is important to note here a distinction between one's devotion to fulfilling a role well and one's actually fulfilling it well. The first is a question of one's character, inclinations, and decisions, while the second is a question of consequences or results of that character and those inclinations and decisions. One can image two mothers who, all else being equal, have very different physical capabilities. Suppose one is able to sleep much less to maintain a certain level of productivity, while the other has to sleep more. They may share an equivalent devotion to their respective children, or love, or care, or whatever else may be inherent in what it is to be a good mother. And yet, one may produce different results—one may be able to do more than the other. Garcia's role morality is interested in the *devotion* to being a good mother, in this case, and not with

the *effects* of the mother's devotion. This point will affect our treatment of soldiers below.

Perhaps Garcia's strong role morality view will come into better focus if we continue to consider the role of "mother" as something of a central case in role morality theory. Recall, according to Garcia's position, that a morally determinative role is one that it is human nature for us to want someone to play in our lives. Reasonable people may agree that "mother" is one such role. On Garcia's view, then, what it is to be morally good *qua* mother, is to be devoted to carrying out the role of mother well. This view collapses any claims about a mother's proficiency and her morality.[40] Her morality generated by this role *consists in* her internal states and efforts toward executing the role well.

For Garcia, then, if a person P fills morally determinative role R, then P has a moral duty to strive to fulfill well whatever special responsibilities befall P *qua* R.[41] By contrast, a Kantian conception might suggest that a mother has a duty to tell her daughter the truth, because truth-telling is required by the first formulation of the categorical imperative, and that she has a duty to provide sustenance for her daughter because she must treat her daughter as an end unto herself. Garcia's position may admit both moral duties, but sees them as generating from a single ground. Mothers ought (moral ought) to tell the truth to their daughters and mothers ought (moral ought) to feed their daughters because "mother" is a morally determinative role, and *because that is what mothers do*—because that is "what it would be natural and normal for someone in [the daughter's] position to want from her [mother]."[42]

On Garcia's view, then, if "soldier" can be found to be a morally determinative role, then what is required of soldiers *qua* soldiers is that they do what it would be natural and normal for someone in the relevant relation to the soldiers to expect—that they *do what soldiers do*. There are two possible steps we can take from the point. The first is unhelpful: We could say that being a moral soldier consists in doing what soldiers do well, and one of the things reasonable people expect soldiers to do is behave ethically. To take this step in Garcia's system is to critically misunderstand his ethics. Garcia defines ethical behavior in terms of one's morally determinative roles. It is circular, then, to try to define one's morally determinative roles in terms of ethical behavior. To take this false step is effectively to say that what it is to be an ethical soldier is to be a proficient one, but one requirement of proficient soldiers is that they be ethical.

The other alternative, and I think the only one available to us in Garcia's system, is to say that ethical behavior for soldiers *qua* soldiers consists in their executing their role of soldier well, that is, in being devoted to proficiency as soldiers. Recall the two premises from the introduction of this paper:[43] Soldiers (morally) ought to devote themselves to proficiency, and soldiers ought (ordinary ought) to cultivate martial virtues in order to be proficient. Garcia's role morality (provided "soldier" is admitted as morally determinative) yields the first premise: That soldiers (morally) ought to devote themselves to proficiency, or ought to be for soldiering well.

Step 3: What Makes Soldiers Proficient?

The previous section yielded the first of two premises. This section addresses the other: That the martial virtues are those traits of character that enable soldiers to fulfill the role of "soldier" proficiently. This point has been presented at length elsewhere, and

we need not reproduce the arguments here.[44] What is important to note is that, while the martial virtues (whatever listing we choose) may be necessary conditions for proficient soldiers, they are probably not sufficient.

Consider a traditional military virtue like courage. Probably the first among the martial virtues,[45] courage may even be conceived as first among human virtues,[46] and indeed, in antiquity, to be courageous was to be virtuous.[47] Alasdair MacIntyre, apart from the military context, ties courage to "the care and concern for individuals, communities, and causes. … Courage, the capacity to risk harm or danger to oneself, has its role in human life because of this connection with care and concern."[48] C. A. Castro describes the primacy of courage this way: "Phrases such as 'duty, honor, and country' mean nothing without the courage to act."[49] Though the essence of the virtue courage may be as elusive now as it was in Plato's *Laches*, [50] the military's need for it is obvious. "The military depends on the willingness to make sacrifices, and to accept casualties for morally just causes such as the defense of one's own country, or to restore peace in others, as can still be witnessed today."[51] Much has been written on courage.

The application of role morality to the martial virtues contributes to this millennia-old discussion of courage (and of the other martial virtues) in an important way: It transforms the ordinary ought into the moral ought. Without role morality, there are two options available to martial virtue theorists. Either (a) the martial virtues are valuable as virtues. That is, they are of ethical significance to the same degree and in the same way as all of the other virtues (temperance, generosity, truth-telling, etc.).[52] In this case, there is nothing particularly important about their being martial. Or (b) the martial virtues are special in that they help soldiers to be proficient, but for this reason, are of

only strategic, and not ethical significance. A role morality for soldiers that makes use of the martial virtues is able to take the best from each of these two options. It is able to incorporate centuries of study on the martial virtues, and introduce those resources into the ethical sphere. It is able to see both strategic *and* ethical application in what Plato, Aristotle, Aquinas, Sun Tzu, Machiavelli, and many others have had to say.

There is a downside, though. While the martial virtues (as traditionally construed) may offer some appeal as part of a role morality for soldiers, they do not make the whole. After all, if Garcia is right, then the martial virtues are only ethically valuable insofar as they are able to improve soldiers' proficiency.[53] Thus any character trait (or physical skill) that improves proficiency is of the same ethical value in the soldier's role morality. The traditional martial virtues of honor, courage, and loyalty, then, necessarily lose their pride of place, or the prestige they once held, as governors of lethal warriors. Or perhaps better understood, the more mundane and tedious skills of soldiers are elevated to the grandiose position the martial virtues once held exclusively.

Garcia may be right that "intuitively we think that to lack the loyalty that would make one a good friend, to lack the compassion that would make one a good fellow human being … are moral failings, just as intuitively we think that being a bad shortstop or a bad liar is not a moral failing."[54] Nevertheless, if "soldier" is a morally determinative role, and if the special requirements that fall to those soldiers consist in their being devoted to proficiency as soldiers, then some failings that would otherwise seem non-ethical will, in fact, be moral failings. If steady hands and sharp eyes help to make soldiers more effective, then cultivating a steady hand, and a sharp eye are moral obligations no less than the moral obligation to cultivate honor and courage. There is

something profoundly counterintuitive in the claim that, for soldiers, a failure to learn to shoot strait is a moral failure of the same kind as the failure to cultivate honor, or loyalty, or justice;[55] but this is the conclusion to which Garcia's role morality brings us when it is applied to soldiers. Next to the difficulty in establishing "soldier" as a morally determinative role, I find this point to be the most troubling element of the role morality for soldiers we have investigated here.

Insofar as this thesis is a response to Sparrow's conclusions about drone pilots, my reader may very easily argue that I have committed a kind of straw man assault here. I have ascribed to Sparrow a particular view of role morality that he has not claimed for himself, and then identified some weaknesses in that view. I respond by acknowledging that there are a precious few role morality theories about, and though Sparrow is committed to the martial virtues as a role morality, he has not identified any such role morality view in particular. The most prudent response and the most benevolent to Sparrow, then, is to assume on his behalf the strongest role morality view available, and carry it through in its application to soldiers to see how it fares. This section has been such an attempt. Further, our discussion has not shown that the role of "soldier" cannot generate special moral obligations, but only that more work must be done to answer the question.

The Next Step

There are reasons that the role morality for soldiers approach is appealing. Paul Robinson has noted that the great majority of state militaries (with the exceptions of Israel and Canada) have failed to include virtues such as "respect for human dignity" and "respect for human life" in their lists of martial virtues or values.[56] Robinson suggests

that, for reasons of efficacy and efficiency, "in a time of supposed humanitarian operations, for which public opinion demands the highest standards in the treatment of civilians (and of captives), more emphasis on virtues such as respect for human dignity would seem to be required."[57] Robinson's argument from efficacy and efficiency has its place, but is limited to the strategic sphere. On his line of thinking, it seems that under different circumstances, or in different times, efficacy may not demand that soldiers act with respect for human dignity, and thus, such respect is not a moral responsibility for soldiers.

Role morality, though, leaves open the possibility of multiple grounds for multiple sets of responsibilities. It may very well be the case that soldiers acting in their morally determinative role as soldiers have a special moral obligation to be strive for proficiency and do their best to achieve tactical and strategic effects, and that at the same time, they have a general moral obligation to respect human dignity.[58] Structuring and prioritizing duties generated from different grounds is notoriously difficult.[59] When these two moral obligations generating from different grounds—to achieve military effects and respect human dignity—conflict with one another, any theory will have a difficult time justifying a scheme to prioritize them. But at the very least, we are left with a system that adequately justifies an intuition—and I think it is a common one—that soldiers have a moral duty to try to win the war *and* a moral duty to treat enemy combatants, detainees, and civilians with respect as human beings. Indeed, a role morality view leaves open the possibility (and perhaps necessity) that each of these relationships be treated separately, and meaningfully.

Though a particular woman, for example, may have special responsibilities as someone's mother, she may have an additional set of special responsibilities as someone else's sister. Her moral life consists in a weaving together of her general moral obligations and the moral obligations generated by her numerous morally determinative roles. It is likely the case that soldiers too have different sets of special moral obligations to each other, to their own state's citizens, to enemy soldiers, to civilians, to their own superiors, and to their own subordinates. While the result would be a dizzying intersection of moral duties—perhaps impossible to correctly prioritize—I think such a dizzying set of duties conforms to our intuitions. This matrix of intersecting relationships and duties might explain why some Americans have been willing to accept torture as an acceptable (albeit morally objectionable) practice, because they saw their moral obligations to those prisoners as outweighed by their moral obligations to their own fellow citizens. It might explain why the United States chose not to engage militarily in Syria on behalf of threatened civilians prior to the rise of the so-called Islamic State terror group in 2014. While there may have been a genuine duty to defend those citizens, that duty may have been overcome by the United States' duty to protect its own soldiers.

Conclusion

This chapter set out to determine whether the martial virtues can be seen as a role morality for soldiers. The answer, as it turns out, is not simple. What this chapter has shown is that *if* "soldier" can be admitted as a morally determinative role, then a role morality can indeed be ascribed to soldiers—soldiers (morally) ought to strive for proficiency. The martial virtues, as traditionally construed however, probably represent an insufficient guide for military proficiency. They may be a necessary inclusion and

therefore of both strategic and ethical value, but they must make room for other equally important means of military efficacy. Finally, this chapter has shown that a role morality for soldiers, if admitted, would produce a complex and layered set of moral obligations for soldiers; but I think when we observe soldiers in the world, a complex and layered set of moral obligations is precisely what we see. The next chapter will determine the propriety of applying this relationship between the martial virtues and role morality to military drone pilots in particular.

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1. Rob Sparrow, "War Without Virtue?," in *Killing by Remote Control: The Ethics of an Unmanned Military,* ed. Bradley Jay Strawser (Oxford: Oxford University Press, 2013), 84, 92.

2. Ibid 84.

3. Ibid 92.

4. I am careful to avoid saying that soldiers morally ought to *be effective*. Because their actual efficacy will be based, in large part, on variables outside of their control (the activity of the enemy, for example), and even on some personal abilities that are outside of their control. Their moral duty cannot be seen as grounded in the actual results of their efforts—it must be based on the intentions, decisions, actions, etc., over which they have agency. For this reason, throughout the paper, I will say that soldiers ought to *try* to be effective, or that the martial virtues *help* make soldiers more effective, or that soldiers ought to be *devoted to* proficiency.

5. For authors who see martial virtues as contributory to military effectiveness, see Hilliard Aronovitch, "Good Soldiers, A Traditional Approach," *Journal of Applied Philosophy* 18, no. 1 (2001): 16; René Moelker and Peter Olsthoorn, "Introduction: Virtue Ethics and Military Ethics" *Journal of Military Ethics* 6, no. 4 (2007): 257.

6. James Risen, "The struggle for Iraq: Treatment of prisoners; G.I.'s are accused of abusing Iraqi captives," *New York Times*, April 29, 2004.

7. Greg Miller, Adam Goldman and Ellen Nakashima, "CIA misled on interrogation program, Senate report says," *Washington Post*, 31 March, 2014.

8. Cora Currier, "Drone strikes 101: Facts about the United States' secret defense tool," *Huffington Post*, January 11, 2013.

9. See Audrey Kurth Cronin, "Why Drones Fail: When Tactics Drive Strategy," *Foreign Affairs* (July/August 2013); and Darius Rejali's comments in Mark Bowden, et al., "The Question of Torture," *Carnegie Council* (June 1, 2005).

10. G. E. M. Anscombe, "Modern Moral Philosophy," *Philosophy* 33, no. 124 (Jan, 1958): 18.

11. Paul Robinson, "Ethics Training and Development in the Military," *Parameters* (Spring 2007): 25.

12. David H. Petreaus, "Open Letter to Multi-National Force-Iraq," (10 May, 2007), (accessed 25 August, 2014) http://www.globalsecurity.org/military/library/policy/army/other/petraeus_values-msg_torture070510.pdf

13. Peter Olsthoorn, *Military Ethics and Virtues: An Interdisciplinary Approach for the 21st Century* (London: Routledge, 2011), 3.

14. Thomas Hurka, *Virtue, Vice, and Value*, (Oxford: Oxford University Press, 2001), 3-28.

15. Sparrow, "War Without Virtue?," 85; italics added.

16. Hilliard Aronovitch, "Good Soldiers, A Traditional Approach," *Journal of Applied Philosophy* 18, no. 1 (2001): 17.

17. Sparrow, "War Without Virtue?," 84, 92.

18. Aronovitch, "Good Soldiers," 16; italics added.

19. Moelker and Olsthoorn, "Introduction," 257; italics added.

20. This term, borrowed from J. L. A. Garcia, will receive more attention and explanation later in this chapter

21. In fact, it admits at least two. To admit more would not be logically inconsistent with a traditional role morality view. This is in contrast to role-centered morality, which admits only one ground.

22. Sarah J. Harper, "Role-Centered Morality" (PhD dissertation, Boston College, 2007), 37.

23. Ibid 42.

24. For more on this strong view, see Harper, "Role-Centered Morality."

25. My intent in this chapter is limited. I do not intend to develop a role morality theory nor to engage exhaustively with the role morality literature. As such, my use of works by J. L. A. Garcia and Samuel Scheffler is somewhat superficial and this chapter does not represent a thorough employment of or response to either. Specifically, I am working only from Garcia's "'Morally Ought' Rethought," *Journal of Value Inquiry* no. 20 (1986): 83-94 and Samuel Scheffler's "Relationships and Responsibilities," *Philosophy and Public Affairs* 26, no. 3 (Summer, 1997): 189-209.

26. J. L. A. Garcia, "'Morally Ought' Rethought," *Journal of Value Inquiry* no. 20 (1986): 87.

27. C. A. J. Coady, "The Problem of Dirty Hands," *The Stanford Encyclopedia of Philosophy* (Spring 2014), ed. Edward N. Zalta; (accessed 9 Sept, 2014) http://plato.stanford.edu/archives/spr2014/entries/dirty-hands/

28. Alasdair MacIntyre, "The Nature of the Virtues," in *Virtue Ethics,* eds. Roger Crisp and Michael Slote (Oxford: Oxford University Press, 1997), 133. From his line, "yet notoriously the cultivation of truthfulness, justice, and courage will often, the world being what it contingently is, bar us from being rich or famous or powerful."

29. Garcia "'Morally Ought' Rethought," 84.

30. Ibid 88. After all, he says explicitly elsewhere that "watchman" is *not* a morally determinative role. He makes similar reference to "warrior" on page 86, but again, the context seems to indicate that he is talking about social roles more broadly, and not morally determinative social roles in particular.

31. This view is distinct from Garcia's role-centered morality, which will be discussed in greater detail later in this chapter.

32. Samuel Scheffler, "Relationships and Responsibilities," *Philosophy and Public Affairs* 26, no. 3 (Summer, 1997): 198. It is important to note here that, for Scheffler, the social saliency of a relationship is a necessary, although not sufficient condition for generating special moral responsibilities. As such, Scheffler's term, "socially salient," and Garcia's term, "morally determinate," are not synonymous. "Morally determinative" implies all the necessary conditions for generating special duties, and for this reason, when referring to roles or relationships that generate special responsibilities throughout this chapter, I will use "morally determinative."

33. For example, a person could have weak reasons to value the relationship, but some stronger reasons not to. The net reason in this case would not meet Scheffler's first requirement.

34. Scheffler, "Relationships and Responsibilities," 199.

35. Ibid 200.

36. Ibid 198-200.

37. Ibid 199.

38. Harper, "Role-Centered Morality," 55.

39. Garcia, "'Morally Ought' Rethought," 85.

40. Again, I am cautious against referring to the mother's actual effectiveness. Effectiveness will be determined by factors in and out of her control, while her devotion to proficiency is within her control.

41. Garcia, "'Morally Ought' Rethought," 85. Garcia admits that "not everything that we want in friends, fellows, relatives, is relevant to what people morally ought to or ought not to be and do. Kindness toward me is a moral virtue in my friends and fellows but charm and gracefulness are not." Thus, we must be careful to limit the compulsion of moral duty to only those internal states and actions of a mother that are *essential* to that moral role, and not accidental to it.

42. Garcia, "'Morally Ought' Rethought," 88.

43. Though admitting some potential confusion, I have reversed the order of the premises from that in which they appeared in the introduction for better readability in this section.

44. See Olsthoorn, *Military Ethics and Virtues*; Robinson, "Ethics Training;" Paul Robinson, "Magnanimity and Integrity as Military Virtues" *Journal of Military Ethics* 6, no. 4 (2007): 259-269; C. A.

Castro, "Military Courage," in *Military Life: The Psychology of Serving in Peace and Combat*, eds. Thomas W. Britt, Carl A. Castro, and Amy B. Adler (Westport: Praeger Security International, 1966), 60-78; Aronovitch, "Good Soldiers;" Olsthoorn, "Honor as Motive" *Journal of Military Ethics* 4, no. 3 (2005): 183-197; Sparrow, "War Without Virtue?"

45. Aronovitch, "Good Soldiers," 17.

46. C. A. Castro, "Military Courage," in *Military Life: The Psychology of Serving in Peace and Combat*, eds. Thomas W. Britt, Carl A. Castro, and Amy B. Adler (Westport: Praeger Security International, 1966), 60.

47. Olsthoorn, *Military Ethics and Virtues*, 44.

48. MacIntyre, "The Nature of the Virtues," 129.

49. Castro, "Military Courage," 73.

50. See Ian Miller, *The Mystery of Courage*, (Cambridge: Harvard University Press, 2000), 14.

51. Olsthoorn, *Military Ethics and Virtues*, 44.

52. Aristotle, *Nicomachean Ethics: Second Edition*, trans. Terence Irwin (Indianapolis: Hackett Publishing Company, Inc., 1999), 26 [1107b].

53. I concede that a role morality view that admits general responsibilities may allow for the martial virtues to be of value based on the soldier's morally determinative role, and *also* valuable for their own sake, or toward human flourishing, or some other such end. It is possible, then, that my claim that the martial virtues are *only* valuable insofar as they enable soldiers to be effective may be an exaggeration. However, I think a serious response to my claim here would require a thorough argument for the cumulative value of the martial virtues in both senses.

54. Garcia, "'Morally Ought' Rethought," 85.

55. I have not assigned, nor am I in a position to assign, discrete values or priorities to those traits and skills that make soldiers effective. It may be possible that, though both obligations are grounded in the morally determinative role, the obligation to cultivate honor is of greater ethical importance than the obligation to learn to physically bear heavy burdens. I am open to the possibility, but such a project falls well outside the scope here.

56. Paul Robinson, "Magnanimity and Integrity as Military Virtues" *Journal of Military Ethics* 6, no. 4 (2007): 266.

57. Ibid 266.

58. There is an analogous relationship here between a nonreductionist view of role morality (citing one ground for special moral responsibilities and another for general moral responsibilities) and a multiple grounds approach to distributive justice. See Mathias Risse, On *Global Justice* (Princeton: Princeton University Press, 2012); and Frank J. Garcia, *Global Justice and International Economic Law: Three Takes* (New York: Cambridge University Press, 2013).

59. Mathias Risse unashamedly admits that the difficulty we find in ordering duties derived from different grounds "reflects the nature of a pluralist theory." Mathias Risse, *On Global Justice*, 330.

Chapter Two – Martial Virtues for Drone Pilots

Two Problems

In the previous chapter, we saw that the role of "soldier" may, under role morality, generate special moral obligations, and that these moral obligations may include the cultivation of martial virtues. This chapter discusses the application of such a role morality to drone operators. Specifically, this chapter engages Rob Sparrow's claim that drone pilots, based upon their physical distance from the battlefield and the absence of any personal risk, are unable to meet the demands of such a role morality.

Let me say first that I do not intend to actually apply a role morality for soldiers to drone operators. Put another way, I have no intention of evaluating the role morality of drone operators *qua* soldiers. There are two reasons for this: First, there is something inherently problematic about assessing the morality of those who fill one role ("drone pilot") against the role morality generated by a different role ("soldier"). Second, in this particular case, the moral obligations generated by a role morality for soldiers include virtues, and to evaluate a person's virtue is to judge her character. Character judgments based solely on vocation (e.g., drone pilot) will yield spurious results. Rather than trying to answer these questions, this chapter attempts only to investigate and explain these two concerns: The problems with assessing the role morality of drone operators *qua* soldiers, and the problem of assessing the character of individual drone pilots in light of their vocation alone. Much like the previous chapter, my goals here are modest. I do not intend, on the one hand, to say with any certainty how we should apply a role morality to drone pilots *qua* soldiers, nor, on the other, that it is an impossible task. I mean only to identify and explain two major areas of concern inherent in such a project.

Drone Pilots qua *Soldiers*

This discussion can proceed smoothly only if we clearly identify and define some critical terms at the start. First, by "soldier," I mean a uniformed member of a sovereign state's military. By "drone pilot," I am referring to uniformed military personnel who operate lethal military air vehicles from great distances.[1] Neither this argument nor the one in Sparrow's chapter is concerned with CIA or other non-military drone applications. By these definitions, all drone pilots are soldiers. Additionally, we should recognize that just as "soldier" is a role, "drone pilot" is also a role. It may not be (and probably is not) morally determinative as according to the standards established in the previous chapter, but it need not be for our purposes here. All we need to agree upon here is that "military drone pilot" is a role, and all who fill the role of "military drone pilot" also fill the role of "soldier."

Sparrow argues that drone pilots cannot meet the demands of a role morality for soldiers. He presents separate arguments for each of four martial virtues, but to summarize very briefly, the structure of his argument can be characterized in these four steps: (1) The martial virtues function as a role morality for soldiers.[2] (2) The requisite martial virtues can only be cultivated if one is physically present in the battlespace and faces personal risk to oneself.[3] (3) Drone pilots are not physically present and face no risk.[4] (4) Therefore, drone pilots will either be unable to meet (in the case of loyalty, courage, and mercy) or will face significant difficulty in meeting (in the case of honor) the demands of the role morality for soldiers.[5]

Generally, Sparrow does not claim that drone pilots are faced with the opportunity to cultivate these virtues and fail to do so, but rather—by the nature of the role of "drone pilot"—they are afforded no such opportunity. Sparrow's argument faces significant

problems when it comes into contact with our definitions above (which are, I think, reasonable definitions for "soldier" and "drone pilot").

A Role Within a Role

Put in formulaic terms, suppose there is a role "R" that generates moral responsibilities. The set of people, S, is defined by the role "R" (such that every S is R), and D is a subset of S (every D is S). Thus far, all the moral responsibilities generated by the role "R" fall to every S, and therefore, to every D. And yet, suppose we found that every D is unable (not unwilling) to meet the moral demands that befall them as people who fill the role "R." This set of relationships produces the dual conclusion that (1) moral duties fall to every D and (2) that every D is unable to fulfill those duties. If we rest on the long-held principle that "ought" implies "can," then there is a structural problem somewhere in the argument. Put in another way, R generates duties for every S, and S includes every D, but every D is unable to meet the duties in question. This is a logical problem.

There are two obvious places we might amend the argument to solve the problem. First, we might be mistaken to believe that every D is S. Or second, we might be mistaken about the special responsibilities generated by R.

To return to the language of drones and soldiers, the role of "soldier" generates special responsibilities to all soldiers. Drone pilots are soldiers, and yet according to Sparrow, drone pilots are unable to meet the moral demands of the role "soldier." As above, there are two places we might amend the argument in order to solve the logical problem. We might be mistaken in our claim that drone pilots are, in fact, soldiers; or we might be mistaken about the special moral responsibilities generated by the role of

"soldier." That is, the martial virtues required of soldiers may not be, as Sparrow claims, dependent upon personal risk and physical presence.

There is, of course, another possibility. We can admit that drone pilots, in fact, face some risk; but we will save this question for Part II of this thesis.

To admit that drone pilots are not actually soldiers would solve the logical puzzle, but would miss the bigger point. The reason that this issue of drones and ethics is so widely and energetically debated among scholars (and others) is precisely because it has changed, or is changing, what it is to be a fighting military force—what it means to be a soldier. To say, then, that in order to deal with this change, we choose to maintain our traditional conception of soldier, such that it requires personal risk, to the exclusion of drone operators, is to sidestep the most interesting and important questions that drones raise. In a sense, this line of argument is insufficient because it ignores the obvious empirical data. Drone pilots, whether we like it or not, *are* soldiers. To say that they do not face the risks that traditional soldiers have faced is only to acknowledge that they are different; and recognizing their difference *poses* important questions about their ethics; it does not answer them.

Further, if one chooses to solve the logic puzzle by claiming that drone operators are not actually soldiers, then one cannot say that they fail to measure up to a soldier's role morality. One can only say that they are not *subject* to that role morality. If one dismisses drone operators from the role of "soldier," then the claim that "drone pilots fail to meet the moral demands of the role of 'soldier'" is of exactly the same value as the claim that "concert pianists (and cattle ranchers, and philosophy professors) fail to meet the moral demands of the role of 'soldier.'" If we dismiss drone pilots from the genus of

"soldier," we likewise jettison any moral ground on which to demand that they behave like good soldiers, that they submit to *jus in bello* requirements, and that they try to cultivate any martial virtues at all. It seems, then, that removing drone pilots from the role of "soldier" will likely create more problems than it solves.

There is a second option. We could admit that the role morality prescribed for soldiers is insufficient because it does not apply to all who fill that role. This option is more plausible. On this view, we must acknowledge that while, at first, it may have seemed that the role of "soldier" generated special moral responsibilities with physical risk as a necessary condition, further analysis revealed that such a role morality mischaracterized the role of "soldier" as necessarily involving physical risk. Thus, we might amend Sparrow's third claim in the list above, that the martial virtues required by a role morality for soldiers can only be cultivated if one is present in the battlespace and faces personal risk to oneself.

In defining martial virtues in terms of personal risk and physical presence in the battlespace,[6] Sparrow has distinguished between a virtue that is for traditional military people, and a virtue that is for other people. He has created a new virtue that is *strictly* martial. In his discussion of loyalty and drone pilots, he writes that "even if a Predator drone comes to the rescue of others by destroying an enemy who was threatening troops on the battlefield just in the nick of time, the operators will have shown no bravery and undergone little hardship."[7] Whether this statement is true or not is, for the moment, irrelevant. What is more important is that Sparrow has implicitly required that any act of loyalty include an act of physical bravery. He denies drone pilot loyalty by saying they "have shown no bravery." Ordinarily, we would see these two virtues as distinct from

one another. In conflating them, Sparrow has defined a special kind of loyalty—a risk-requisite loyalty—that is available *only* to those in traditional martial contexts. Under this narrow definition, it should come as no surprise that many modern soldiers (and not only drone pilots) would be unable to cultivate it.

Sparrow takes a similar turn in his discussion of honor. He defines honor as social. "To be a good Marine, [for example] is to live up to the tradition of the Marines."[8] Thus, "the virtue of (a sense of) honor consists in larger part, then, in being able to pick out the appropriate group of people whose opinions should matter to us."[9] Drone pilots are at a severe disadvantage in this regard because they are "alienated from two groups of people who should properly be an important resource for the development and maintenance of a sense of honor: … their immediate comrades, [and] the enemy warriors."[10] Here, the virtue of honor is not defined explicitly in terms of personal risk, but in terms of proximity to the battlefield. Drone pilots are alienated based upon their physical distance from friendly and enemy combatants, and this physical distance makes the kind of honor Sparrow has defined inaccessible to them.

Sparrow appears to recognize some of the implications of these risk- and presence-requisite virtues in his discussion of moral courage. Even as he argues that drone pilots face little opportunity to cultivate moral courage, he admits that "pilots of these systems must be willing to make life-or-death decisions, including the decision to kill another person, in circumstances where making the wrong decision may lead to the death of other warfighters. Thus, piloting drones is not for the fainthearted."[11] One wonders what positive trait drone pilots must possess if they lack "faint-heartedness." Whatever word we choose it will probably sound something like "morally courageous."

It seems from this quotation that Sparrow is willing to admit that drone operators are able to cultivate something like "stout-heartedness," but because he has defined the martial virtues as risk- and presence-requisite, he refuses to admit a correlation between strong-heartedness and moral courage.

This step—narrowly defining martial virtues in terms of traditionally martial contexts—may be worth some additional consideration. Perhaps rather than define a particular kind of martial honor, and a particular kind of martial loyalty, etc., we need only to demand the same kinds of virtue that may be demanded of other citizens in other roles. In this way, just as a schoolteacher, or a postal worker, or a bank teller can cultivate the character traits of honor, courage, loyalty, and mercy, so can a soldier, and so can a drone operator. This is, though, only an initial thought and more work would be required to develop such a theory.

Virtue and Vocation

The second problem with Sparrow's account is that it intends to assess the virtue of a set of human agents defined only by their vocation. The claim that drone operators are unable to cultivate (or face great difficulty in cultivating) various virtues presumes too much (or perhaps too little) about each individual agent. The limitations of this approach will become clear when we recognize that the role morality for soldiers (as proposed in the previous chapter) includes the obligation to cultivate virtues. Virtue cultivation is about character, and at least to some degree, influenced by habituation. One's ability to cultivate certain virtues depends upon a number of variables and while vocation may influence one's virtue cultivation, it is by no means the sole influence.

A thorough study of virtue theory (for which we do not have time here) would reveal that ideas about how one goes about developing a given virtue are numerous. Many theorists do agree, however, that virtue is about character.[12] Daniel Statman introduces virtue ethics by identifying shortcomings in other normative ethical approaches, and specifically, the inadequacy of principles to govern moral action. "If principles are insufficient to guide our behavior and cannot simply be 'applied' to concrete situations, some other factor must be at work in real-life decision-making. This factor, according to [virtue ethics], is character." And again, "[virtue ethics] now refers to a rather new (or renewed) approach to ethics, according to which the basic judgments in ethics are judgments about character."[13] Similarly, J. L. A. Garcia writes that "in moral assessment we are concerned not with personality but with character which, roughly, means having (and identifying with) certain projects and desires."[14] Additionally, Rosalind Hursthouse agrees with Aristotle that virtue is a character trait.[15] And even Alasdair MacIntyre, though he avoids the word "character," calls virtue an "acquired human quality."[16]

We should note here that there is no consensus on the centrality of character among ethical philosophers, but for our purposes, there need not be. The aim of this section is to show that according to Sparrow's own presuppositions about virtue cultivation by habituation, we must be willing to look at the agent's character on the whole, and not merely at her present vocation. In adopting Aristotelian (or neo-Aristotelian) habituation as the method by which virtues are cultivated, Sparrow seems to at least tacitly concede that to some significant degree virtue is about character.[17] Indeed,

he openly admits that "*shaping the character* of service personnel is … the best way to promote … both military efficiency and ethical ideals."[18]

If it is the case, then, that a role morality for soldiers requires virtue cultivation, and if it is also the case that virtue cultivation involves habituation and the development of one's character over time, then a soldier's ability to meet, or success in meeting, the requirements of that role morality must be based upon character; and surely vocation alone is insufficient to assess a person's character.

Virtue Cultivation Among Drone Pilots

Below is one notional example, followed by a very few real-world examples (indeed, there are only a few real-world examples available) that suggest the insufficiency of making character judgments of drone pilots based solely on their role (or vocation) as drone pilots.

Consider, as a notional example, a drone pilot named Alice, and for comparison, consider an army infantry soldier named Bob. Suppose the only information with which we are furnished is that Alice is a drone pilot who operates an aircraft "[removed] from the theater of operations entirely, allowing [her] to 'fight' wars in complete safety from the air-conditioned comfort of [her] command module;"[19] and Bob is a combat veteran infantry soldier with multiple tours of duty in Afghanistan. It is the case that, if this is the only information available, we may expect that Bob has probably had greater opportunity to cultivate (or fail to cultivate) the martial virtue of courage, for example, than Alice. But this assessment of virtue is a character assessment made with very little observation of either Alice's or Bob's circumstances. We certainly cannot say with any confidence that Bob is *actually* more courageous than Alice, and for two reasons.

First, though Bob may have had more opportunities to cultivate the virtue of courage, he may have failed to do so. That is, through those many exposures to risk, he may have cultivated, not the virtue of courage, but the vice of cowardice. The fact that he was faced with the opportunity to cultivate virtue is not alone enough to conclude that he did in fact cultivate it. Even if Sparrow's argument is accepted, then, whether or not a certain soldier or group of soldiers possesses, or is even more likely to possess, the martial virtues, is inconclusive. The only difference we can expect between Alice and Bob is in the varying opportunity each has had to cultivate virtue.

Second, we know very little of the other circumstances that have contributed to and affected the character of each agent. Perhaps it is the case that, although Alice is currently a drone pilot, she has previous combat experience in the F-16 (a U.S. Air Force fighter aircraft). Even if we are convinced by Sparrow's arguments about drone operators, he admits that fighter and bomber pilots do not face all of the same obstacles to martial virtue cultivation that drone pilots do.[20] So if Alice cultivated the martial virtue of courage through her F-16 experience, and then transitioned to the MQ-1 Predator, she may still have a courageous disposition as a trait of her character.

Far from a strictly hypothetical circumstance, this is precisely the experience of many U.S. drone operators. The U.S. Air Force's Transformational Aircrew Management Initiatives for the twenty-first century (TAMI 21) program recognized the over-staffed fighter and bomber career fields as a potential solution to meet the personnel requirements of the rapidly growing MQ-1 and MQ-9 drone programs. The result was the transfer of a large number of pilots from fighter and bomber assignments to drone assignments.[21] It seems, then, that if Sparrow's assessment is to be taken seriously, he

would have to distinguish between those drone pilots that have previous flight experience (and thus, have had opportunities to cultivate martial virtues), and those that do not.

The problem becomes even more pronounced once we recognize that the prior experience of the U.S. Air Force's drone pilot cadre is not limited to other cockpits. One U.S. Air Force drone pilot, identified only as "Captain Rob" for security reasons, was an Air Force Security Forces Officer before he transitioned to the drone program.[22] This is of significance in that the duties of Air Force security forces personnel are as like the duties of Bob the Army infantry troop as any in the Air Force. "Directing air base defense functions," officers like Captain Rob "control and secure the terrain inside and adjacent to military installations as well as the personnel, equipment and resources within. Responsibilities include directing team patrols, tactical drills, battle procedures and antiterrorism duties."[23] These are military men and women that carry automatic weapons, move out in squads and fire teams like the army and, when required, engage the enemy at close range. Whatever conclusions Sparrow has drawn about the potential for drone pilots to have cultivated the martial virtues, they do not apply to Captain Rob and others like him.

All this is to say that Sparrow's claims about the ability for drone pilots to develop certain character dispositions are made without any knowledge of each individual's life experiences and circumstances—and it is those experiences and circumstances that will provide an agent with opportunities to cultivate virtue.

Having recognized the importance of each drone pilot's experiences prior to accepting their role as drone pilot, it takes only a small step to also recognize the contribution of the agent's varied duties *as* a drone pilot. Sparrow is quick to point out

that some of the drone pilot's responsibilities include controlling an aircraft "[successfully removed] from the theater of operations entirely."[24] But this description is not exhaustive of the drone pilot's professional duties.

The technological architecture that allows drone operators to control their aircraft half a world away is the satellite communication link between the ground control station (GCS) and the aircraft. One unintended consequence of this system, however, is a latency between the pilot's control inputs and the aircraft's response. The result is that, while an aircraft can be successfully operated from the other side of the world, it cannot be successfully *landed* from the other side of the world.[25] The Air Force calls this architecture Remote Split Operations (RSO). A critical element of the U.S. drone program's tactical success in areas of responsibility such as Iraq and Afghanistan has been the forward deployment of Air Force drone crews to launch and land aircraft. For example, the 62nd Expeditionary Reconnaissance Squadron operates MQ-1 and MQ-9 aircraft from Kandahar Air Field, Afghanistan. "The crews use satellite uplinks that allow the transfer of control between the deployed local pilots who taxi, launch, land and recover the aircraft from trailers near the flight line and the crews based in the U.S. or UK."[26] What this means is that, even though drone crews will spend a significant portion of their time in the safety of an air-conditioned trailer in the continental United States, from time to time, they will don their Kevlar and M-4 rifles to travel to, and live in, the war zone.

This acknowledgment is critical to recognizing the limitation of assessing the virtue of a person based only on their vocation at a given moment. Virtue ethics is not concerned (primarily) with particular actions, but with particular agents. A Kantian or

consequentialist approach to drones might concern itself with the singular action of pulling a trigger and killing an enemy from the other side of the world. Virtue ethics, though, is concerned with the character of the agent. And that character is cultivated and refined over long periods of time based on repeated exposures to circumstances, and the agent's willful response to those varied circumstances. It matters a great deal, therefore, that drone crews experience the traditional military life, exposed to the traditional military threats, and bearing traditional military burdens—even if less frequently than some of their peers. To say that drone pilots have not experienced the demands (to include the risks) of military life is to fail to understand the U.S. Air Force personnel system, expeditionary force model, and operations tempo throughout the thirteen years the U.S. has been at war.

This chapter has held the humble aim of identifying two major problems with applying a role morality for soldiers in general to drone pilots in particular. With these arguments in view, it becomes clear that rather than eliminating drone pilots from the role of "soldier" in the relevant sense, it may be far more fruitful to re-engage the role morality generated by the role of "soldier" (if in fact "soldier" generates a role morality). Rather than developing an entirely new taxonomy of virtues that are applicable and accessible only to warfighters, the better alternative is to demand that soldiers be honorable, loyal, courageous, and merciful in the traditional senses of these terms—that is, in the same sense in which they would apply to civilians. Rather than alienating 2,500 years of philosophic contemplation on the martial virtues from the modern conception of soldier, in these globally troubled, and militarily charged times, our conception of the soldier ought to accept wisdom from any century that can offer it.

Thus far, then, in chapter one, we saw that the role of "soldier" may indeed be morally determinative, that is, it may generate special moral obligations, and that those obligations may include the cultivation of martial virtues. This chapter has shown that, while it may be unhelpful to evaluate the whole class of drone pilots according to these special obligations, it may indeed be possible to ask whether a particular drone pilot is honorable, courageous, loyal, or merciful. This discussion has taken place while temporarily admitting Sparrow's premise that drone pilots face no risk. The next two chapters will engage the issue of risk directly.

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1. Though there may be, and in the future likely will be, others, I am thinking specifically of such weapons systems as the MQ-1 Predator (U.S. Air Force) and MQ-9 Reaper (U.S. Air Force and British Royal Air Force).

2. Rob Sparrow, "War Without Virtue?," in *Killing by Remote Control: The Ethics of an Unmanned Military*, ed. Bradley Jay Strawser (Oxford: Oxford University Press, 2013), 84, 92.

3. Sparrow, "War Without Virtue?," 100. Specifically, Sparrow argues that physical presence in the battlespace is a necessary condition for the cultivation of mercy (pp. 102) and honor (pp. 91, 98). Likewise, personal risk is a necessary condition for the cultivation of courage (88-89) and loyalty (pp. 90, 96). Sparrow leaves the door open (or rather, ajar) for drone pilots to cultivate honor. Of this virtue, he writes, "there is I think much more work, both philosophical and empirical, to be done on this topic. My initial investigations suggest, though, that the operations of [drones] also pose a substantial challenge to this important martial virtue."

4. This claim will be addressed in Part II of this thesis.

5. This is, admittedly, a severely truncated representation of Sparrow's argument. However, as this chapter is not concerned with the individual virtues at stake but with the general practice of applying a soldier's role morality to drone pilots, this abbreviation must suffice.

6. Though I use this term here for clarity, I have argued elsewhere, and maintain, that the physical location of drone pilots, wherever they may be, helps *define* the battlespace—the battlespace is redrawn to include them wherever they are. See Joe Chapa, "The Ethics of Remotely Piloted Aircraft," *Air and Space Power Journal – Spanish Language Edition*, 25, no. 4 (Fall 2013): 23-33 (English language version: http://www.airpower.maxwell.af.mil/apjinternational/apj-s/2013/2013-4/2013_4_04_chapa_eng_s.pdf)

7. Sparrow, "War Without Virtue?," 96.

8. Ibid 91.

9. Ibid 91.

10. Ibid 98.

11. Ibid 93.

12. See Per Sandin, "Collective Military Virtues," *Journal of Military Ethics* 6, no. 4 (2007): 306; Olsthoorn, "Courage in The Military: Physical and Moral," *Journal of Military Ethics* 6, no. 4 (2007): 272-276; G. Harman, "Moral Philosophy Meets Social Psychology: Virtue Ethics and the Fundamental Attribute Error," in *Explaining Value and Other Essays in Moral Philosophy* (Oxford: Oxford University Press, 2000): 165-178

13. Daniel Statman, "Introduction to Virtue Ethics" in *Virtue Ethics: A Critical Reader*, ed. Daniel Statman (Washington: Georgetown University Press, 1997): 6-7.

14. J. L. A. Garcia, "'Morally Ought' Rethought," *Journal of Value Inquiry* no. 20 (1986): 85.

15. Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), 20.

16. Alasdair MacIntyre, “The Nature of the Virtues,” in *Virtue Ethics,* eds. Roger Crisp and Michael Slote (Oxford: Oxford University Press, 1997), 128.

17. Sparrow, “War Without Virtue?,” 86.

18. Ibid 85; Italics added.

19. Ibid 88.

20. “In an age of long-range artillery, cruise missiles, and high-altitude bombing, it may appear perverse to single out remote control weapons for making possible ‘killing at a distance.’ Many warfighters who fire weapons in the services of high-tech industrial powers now never set eyes on the people they intend to kill. … Yet there remains an element of risk in each of these activities: spotters may themselves be spotted and fired upon, bombers may crash or be shot down, commanders and artillery gunners may themselves be shelled or killed when weapons malfunction catastrophically.” Sparrow, “War Without Virtue?” 88.

21. About 100 pilots were transferred from fighter and bomber assignments to both special operations and drone assignments. The distribution between special operations and drone assignments is unclear, but it is also irrelevant to the discussion here. The transfer of just one fighter pilot to a drone assignment demonstrates the invalidity of the universal statements about the character (or potential character) of the class of drone pilots. See William W. Taylor, James H. Bigelow, and John A. Ausink, *Fighter Draw Down Dynamics: Effects on Aircrew Inventories* (RAND: Project Air Force), 73. (accessed 12 August, 2014) http://www.rand.org/content/dam/rand/pubs/monographs/2009/RAND_MG855.pdf

22. 432nd Air Expeditionary Wing Public Affairs, “First Beta class RPA pilot becomes launch-and-recovery qualified,” *U.S. Air Force* (July 19, 2011), 1. http://www.af.mil/News/ArticleDisplay/tabid/223/Article/112774/first-beta-class-rpa-pilot-becomes-launch-and-recovery-qualified.aspx (accessed 12 August, 2014).

23. U.S. Air Force Academy, “Air Force Officer Careers,” http://www.academyadmissions.com/the-experience/military/officer-careers-in-the-air-force/ (accessed 12 August, 2014).

24. Sparrow, “War Without Virtue?,” 88.

25. Air Force Special Operations Command. “Hurlburt Field preferred for MQ-1 remote split-operation unit,” http://www.afsoc.af.mil/news/story.asp?id=123266733

26. Tech. Sgt. Renni Thornton, “62nd ERS reaches 250K flying hours in AOR,” *The Kandahar Chronicle: 451st Air Expeditionary Wing*, (June 14, 2010), 1. http://www.afcent.af.mil/shared/media/document/AFD-100616-001.pdf (accessed 12 August, 2014).

PART II: RISK

The previous two chapters sought to answer questions about whether there can be a role morality for soldiers, and if there can be, how drone pilots might measure up against such a moral standard. That discussion took for granted the claim that drone pilots face no risk to themselves in the conduct of their military duties. The two chapters that follow challenge this claim. Chapter three presents the case that drone pilots do, in fact, face psychological risk. And further, that because their actions are—of necessity—in defense of someone else, their lethal activity in the face of this risk can be seen as an act of sacrifice. Chapter four presents a brief argument, or the outline of an argument, that drone pilots may also face some physical risk, however limited in probability. Specifically, chapter four intends to show that any absence of physical risk to drone pilots is contingent on political and strategic circumstances, and does not categorically follow from the nature of remote weapons systems.

Chapter Three – Psychological Risk

A 2013 Defense Department study found that drone operators are diagnosed with post-traumatic stress disorder (PTSD) at the same rate as pilots of traditionally manned combat aircraft.[1] The lost life of a wartime combatant is often called the ultimate sacrifice, and rightfully so—what more can one give? But without diminishing that sacrifice, we can, at the same time, recognize a different kind of sacrifice. Asking men and women to die in service to their country is a serious business. But insofar as it produces negative psychological effects, asking them to *kill* for it is serious too. This chapter aims to show that remote killing can be an act of sacrifice, and that this conception of killing as sacrifice will affect the discussion of drone ethics more broadly.

The argument that follows rests upon the premise that not all killing is the same. Though language may be insufficient to capture the gamut of possible acts of killing, one recognizes that "murder," "genocide," "suicide," and "execution" are all terms that denote an act of killing but each act is different from the others. The discussion below recognizes a further distinction among different kinds of killing in war. Namely, that the killing that takes place in self-defense (by a proximate killer) is a different kind of act than the killing in defense of another (by a remote killer).[2]

The chapter will begin with a few thought experiments to establish the possibility that, first, one who is being attacked, in addition to his right to defend himself, may have a right to be defended by someone else. Second, a third party who is neither attacking nor being attacked, may face a moral obligation to defend the one being attacked. Then, some attention will be given to the psychological implications of killing in general and some conclusions drawn about potential psychological costs associated with remote killing.

The subsequent section will develop the claim that 2001 witnessed a turning point in the development of military technology. Physical distance between the shooter and the target has reached a kind of boundary. As such, future technological developments will produce a dynamic shift in the relationship between physical distance and emotional, psychological, or empathetic distance.

The final section will tie the preceding arguments together and conclude that remote killers, when killing in defense of another, may accept some psychological risk, and that they may do so for the sake of another. Thus, the act of killing remotely may be seen in such situations as an act of sacrifice. I will then, very briefly, situate these

conclusions in the context of Rob Sparrow's claims about the virtue of drone pilots in his chapter, "War Without Virtue?"[3]

Remote Killing and Proximate Killing: Two Acts

The following does not intend to argue that self-defense can justify killing under certain circumstances. Instead, the whole discussion admits the justificatory work of self-defense as an assumption. Jeff McMahan calls the claim that "there are occasions on which it is permissible intentionally to kill another person in self-defense" axiomatic to contemporary ethical theory.[4] The argument in this section builds on this assumption to argue that however plausible self-defense justifications for killing may be, justifications by defense-of-another are even more so.

Consider a notional conflict between a just and unjust combatant.[5] The unjust aggressor (called "Attacker") forces a choice on the just combatant (called "Defender") such that one of the two will die: Attacker will kill Defender unless Defender kills Attacker first. Suppose that Defender kills Attacker. In this case, Defender's action is in self-defense and is morally justified.

Suppose in the second case that Defender is unable to ward off the attack, but there is a third party, fighting on Defender's side, who is able to intervene (called "Third Party"). Third Party intercedes, killing Attacker and saving Defender's life.

In both cases Attacker, who imposed the forced choice situation, is killed. In the first case, however, the one doing the killing (Defender) does so self-interestedly. Defender might say something like, "Attacker must be killed because he threatens *me* and *I* don't want to die." In the second case, Third Party's action is anything but self-interested. Third Party might say something like, "Attacker must be killed because he

threatens *someone else.*" There is a *prima facie* sense in which Third Party's action in this case is more admirable than Defender's own.

The justificatory work of self-defense is based upon the choice Defender faced: Either kill, or do nothing and die. Third party faced a different choice: Kill, or do nothing and *live* (allowing her fellow to be killed). This is a substantive difference. Third Party chooses to kill, not for her own sake, but for the sake of another. Certainly, Defender may have been partially motivated by a sense of justice in seeing Attacker punished, or seeing an unjust action thwarted for justice's sake. Likewise, Third Party may have been partially motivated by selfishness, knowing that she would be a happier if her comrade lived. I will call this "the self-interested gain" and we will return to it later. For now, it seems clear that, in either case, the self-interested gain is a peripheral concern. In a more fundamental sense, Defender is motivated by self-interest and Third Party is not.

To make the case further consider another notional example. In this case, there is violent though non-lethal crime, like a mugging, involving three similar people. Attacker attacks Victim (formerly called Defender) on a busy city sidewalk, while Third Party steps over the scuffle and continues on her way. Suppose, in this case, Victim refuses to fight back, surrendering his right to self-defense. Victim and Third Party may, then, offer almost identical accounts of their respective actions. Victim might say, "*I* was being attacked, and I did nothing." Third Party may say, "*he* was being attacked, and I did nothing." In Victim's case, the response seems intuitively admirable. He seems somehow virtuous and honorable, laying down his own right to self-defense. Third Party, though, who responded in almost exactly the same language, seems, at the very least, morally questionable. She did nothing, though she could have done something. She might have

taken action to defend Victim, but she chose not to. Intuitively, one can conclude that Victim's moral position improves with inaction, while Third Party's moral position suffers with inaction.

If our intuitive sense is right, it demonstrates the possibility of two significant elements in the relationship between Defender and Third Party. (1) While Victim has a right to defend himself, he may also have a right to be defended by someone else; and (2) Third Party may face a duty to intervene on Victim's behalf. These reciprocal conclusions are evident in that, by refusing to aid, Third Party appears to have done some disservice to, or failed to act justly toward, Victim.

These two questions, namely, whether Defender, in fact, has a right to be defended, and whether Third Party, in fact, has a duty to intervene, are admittedly left open. This brief section is insufficient to draw compelling conclusions as to the normative ethical questions at stake. The preceding discussion serves only to show that these claims *might* be the case; and the mere possibility may impact a proper ethical assessment of the remote killer.

Costs and Benefits

One possible objection to the argument thus far was briefly mentioned above. Someone might say that when Third Party acts (killing in defense of another), she may, even if only in part, be acting self-interestedly. As a result, her action is no more, and possibly less, morally defensible than that of Defender who kills in self-defense.

A thorough response to this objection will be filled out in the remainder of this section, but here we can begin to sketch the response by clarifying the cost-benefit relationships involved: There is a self-interested gain for Third Party—perhaps she will

be happier if her fellow soldier lives. There is a cost to Third Party, and there is the other-interested gain for Defender (he keeps his life). The broad argument of this chapter suggests that the above ordering is from smallest to largest (or least significant to most significant). That is, Third Party's potential self-interested gain is smallest. It is less significant than the associated cost to Third Party, and minuscule compared to the gain in saving Defender's life *for Defender's sake*. In order to argue for this sequence, the remainder of this section must demonstrate that there is a cost to Third Party that can be reasonably believed to be of greater significance than the self-interested gain to Third Party.

Put another way, in order to assess Third Party's motives, we might ask why she acts in the way she does. If she acts self-interestedly, it can only be because the self-interested gain outweighs the cost to Third Party. If she acts other-interestedly, it is because the other-interested gain outweighs the personal cost. Neither of these conclusions can be accepted until we properly understand the cost that falls to Third Party.

The Cost of Remote Killing

Just because the remote killer is not exposed to physical suffering, does not mean that she is not exposed to any suffering at all. There is, after all, non-physical suffering. Much has been said on this topic, and I will not develop a complete argument for it here. But as introductory examples, we can consider the non-physical suffering produced by hate speech, torture and bullying.

Rae Langton argues that hate speech is a kind of assault on the hearer,[6] and others argue further that such speech should be taken out from under First Amendment protections.[7] This argument suggests a genuine presence of suffering unrelated to

physical pain. On the suffering caused by torture, Jessica Wolfendale argues that "our judgment of whether an act constitutes torture should … focus on … whether the torturer's aim is to cause extreme suffering—to 'turn its victim into someone who is isolated, overwhelmed, terrorized and humiliated.'"[8] These terms focus on mental, emotional, and spiritual (not physical) pain, again demonstrating the reality of non-physical suffering. Finally, from an otherwise unrelated field, we learn that those who have been bullied are between 1.4 and 10 times (depending on the study) more likely to attempt or consider suicide than their non-bullied peers.[9] In each case, the bullying victim either has sufficient psychological trauma from past bullying experiences to drive her to a suicidal decision, or she is willing to take her own life out of fear of future bullying. In either case, the decision to attempt suicide demonstrates the severity of this kind of non-physical suffering. This very brief survey serves only to show that the reality of non-physical suffering is widely accepted across numerous fields of study. Building on this premise, then, let us count the cost of remote killing.

It is unnatural for one human being to kill another. U.S. Army Psychiatrist, Dave Grossman, has written extensively on this topic. In his account, *On Killing*, he concludes, "there is within most men an intense resistance to killing their fellow man. A resistance so strong that, in many circumstances, soldiers on the battlefield will die before they can overcome it."[10] S. L. A. Marshall's interviews with more than 400 infantry companies after World War II revealed that only between 15% and 25% of the soldiers fired their weapons against the enemy, even when they were in a position to do so.[11] Seth Lazar explains that "most soldiers have an understandable aversion to killing, which can be overcome only through intensive psychological training."[12]

If killing one's fellow human being is unnatural, then one can expect psychological consequences for doing so. Grossman explains those consequences in detail. Quoting Richard Gabriel, Grossman warns that "nations customarily measure the 'costs of war' in dollars, lost production, or the number of soldiers killed or wounded," even though "psychiatric breakdown remains one of the most costly items of war."[13] Grossman suggests that human beings cannot "easily throw off the moral inhibitions of a lifetime … and kill casually and guiltlessly in combat."[14] One of Grossman's many interviews with combat veterans revealed an important quotation to our discussion of drone pilots. "Often you can keep these things out of your mind when you are young and active, but they come back to haunt your nights in your old age."[15]

The above references regard, not remote killings, but proximate ones. The remote killer may be subjected to similar psychological costs, and in some ways those costs may be seen as more acute. Recall the forced choice scenario above. In it, Defender could either kill, or do nothing and die. Third party though, could kill, or do nothing and *live*. The latent psychological result of this distinction may be significant. No matter what deadly acts the proximate killer may have committed, in his old age, he may be able to rest on the assurance that he had no choice, or rather, that his only other choice was death. The remote killer, in a ground control station half a world away has no such emotional comfort. It remains to be seen how old age will treat the remote killer who choses, not between her own life and her own death, but between the life and death of another.

Boundary and The Kantian Sphere

If it is in fact the case that killing one's fellow human is unnatural, then there are two methods by which drone operators (or remote killers, more broadly) may overcome

this instinct. Lazar has given us the first: Intensive psychological training. Grossman offers the second: Killing at a distance. Grossman argues that the greater the distance, the easier it is to kill.

Someone will object here that if distance makes killing easier, then any argument for a psychological cost to remote killers is invalidated. That is, if Grossman is right, and killing at a distance is easier, then perhaps drone operators, because of their very great distance from their enemies, face no psychological risk or cost at all. This objection fails in the face of two interrelated observations. The first is a distinction between physical distance and emotional distance. The second is an understanding of the technological architecture of U.S. drone systems.

Some have re-told the history of combat weapons development as a continuous race toward remote killing: Each technological advancement allows an incremental step beyond the enemy's weapons range.[16] Technological developments have allowed the transition from swords to slings to pikes to longbows to tanks;[17] and now to drones.

With this progression in view, one recognizes the significance of the U.S. drone control mechanism. The satellite-based communications architecture used for armed U.S. Air Force drones allows the aircrew to employ their weapons from the other side of the world.[18] Barring significant improvements in space travel, how much farther can they go? Immanuel Kant recognized that the spherical nature of the earth imposes a geometric boundary that has necessary implications on international relations.[19] In the same way, the earth's geometry also creates a boundary to the physical distance from which one person can kill another person. If pilots are in the United States and targets are in Afghanistan then the boundary has already been reached.

One should not suppose, now that physical distance has reached a maximum, that technology will cease to develop. Technology will continue to develop, and with that development, based upon the geometric boundary, physical distance cannot increase; but information transmission rates can. The U.S. Air Force is already pursuing high definition cameras,[20] wide area motion imagery sensors, [21] and increased bandwidth to transmit all this new data.[22]

Grossman suggests a negative one-to-one correspondence between physical distance and resistance to killing.[23] That is, killing up close is psychologically more difficult, while killing at a distance is psychologically less difficult. On Grossman's account, as distance approaches infinity, psychological effects become increasingly benign. Thus, drone operators, being so far from their lethal effects, would face almost no psychological impact at all; but technological developments have shattered the one-to-one model.

If technology has driven the shooter (the drone pilot, in this case) as far from the weapons' effects as Earth's geometry allows, then future technological developments will not increase physical distance, but they will increase video quality, time on station, and sensor capability. Now that physical distance has reached a boundary, future technological developments will exceed previously established limits. That is, killers will not increase their physical distance from the killing. Instead they will decrease their psychological distance from the target. They will decrease *empathetic* distance,[24] and the psychological resistance to killing will increase.

It may have been the case up to this point, that technological developments produced physical distance, and that physical distance resulted in empathetic distance.

When the U.S. government mounted an AGM-114 Hellfire missile onto an MQ-1B Predator in November 2001, it changed that relationship.[25] For centuries, technological developments decreased psychological resistance to killing, but no longer.

The boundary imposed by the sphere of the earth has driven a wedge between the long-standing correlation between physical and empathetic distance. Now that physical distance has reached a boundary, future technological developments will bring the shooter (in this case, the drone pilot) psychologically closer to the weapons effects. What was only a dark collection of pixels on a black and white infrared display yesterday will be the look of a man's eyes tomorrow. The future of drone operations will see a resurgence of some of the elements from the old wars. Operators will look "in a man's face, seeing his eyes and his fear . . . the killer must shoot at a person and kill a specific individual."[26] The command, "don't fire until you see the whites of their eyes" may soon become as meaningful in drone operations as it was at Breeds Hill in 1775.[27]

This is not a science fiction claim about the future. The technological developments that have brought us to this point have already begun to render their psychological effects: Drone operators are already being diagnosed with post-traumatic stress disorder.[28] These men and women have paid a psychological cost based on their emotional proximity to the killing—and they paid that price in service to their country.

It is not merely the case that the drone pilot defies Grossman's one-to-one model. It is not merely the case that the drone pilot is an outlier, or an anomaly, in an otherwise comprehensive system. Drones are deconstructing traditional distance relationships. As these weapons push their operators to the greatest *physical* distances possible, empathetically, they pull the operators in, closer than ever before; and that empathetic

gravitation toward the front lines of battle will undoubtedly produce second order psychological effects.

Drone Pilots and Risk

There are two elements that differentiate the remote killer and the proximate killer, or in our original terms, Third Party and Defender. The first is the other-interested motivation of Third Party's actions. This element alone may be sufficient to make her actions *more* justifiable than those of Defender. Second, there is the cost to each. Defender, as a proximate killer, is subjected to personal physical risk, and the psychological effects of killing. In the remote case, Third Party is not subjected to physical risk, but does face psychological risk. Based on the absence of the kill-or-be-killed forced choice, and the decreased empathetic distance resulting from technological developments, Third Party's psychological risk may be greater than that faced by Defender. Time will tell. Though the psychological claims here are theoretical, and much work is left to be done, this much is certain: If there is a cost that falls to Third Party, while the benefits fall to Defender, then Third Party's action is one of sacrifice.

Remote killing understood as sacrifice necessarily affects the discussion of risk and justified killing. If self-defense is to justify killing in war, as many of the commentators agree that it does, then defense-of-another is likewise capable of justifying killing in war. The application of this argument to Sparrow's claims about role morality is clear. Even if one accepts Sparrow's claim that there are risk-requisite martial virtues (as addressed in the previous chapter), drone pilots *do* face some risk. It is not the same kind, or of the same magnitude, as the risk faced by infantry soldiers, but it need not be. Sparrow's conclusions about the virtue of drone pilots is built upon the claim that,

although a great number of weapons systems reduce risk to their operators, drones are the first such weapons to eliminate it. This is not so. Not only do drone pilots face psychological risk, their role as other-interested defenders in the face of psychological risk make them co-equal with their traditional military peers as candidates for the virtues of honor, courage, loyalty, and mercy. Drone pilots can be—despite their physical distance—good soldiers in the moral sense.

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1. James Dao, "Drone Pilots Found to Get Stress Disorders Much as Those in Combat Do," *New York Times*, February 22, 2013.

2. Though I use generic terms like "remote killer" and "drone" throughout this essay, I have in mind armed MQ-1 and MQ-9 aircraft, like those employed by the U.S. military.

3. Rob Sparrow, "War Without Virtue?" in *Killing by Remote Control: The Ethics of an Unmanned Military*. Edited by Bradley Jay Strawser (Oxford: Oxford University Press, 2013).

4. Jeff McMahan, "Self-Defense and the Problem of the Innocent Attacker," *Ethics* 104 (January 1994), 252. There is, though, significant disagreement as to *why* self-defense provides such justification.

5. Whether or not opposing combatants are morally equivalent is irrelevant to this argument and falls outside the scope of this paper. For this reason, my thought experiments will presuppose that the moral determination of the combatants has taken place prior to the discussion.

6. Rae Langton, "Beyond Belief: Pragmatics in Hate Speech and Pornography," in *Speech & Harm: Controversies Over Free Speech*, eds. Ishani Maitra and Mary Kate McGowan (Oxford: Oxford University Press, May, 2012), 76-77.

7. Ishani Maitra, "Subordinating Speech," in *Speech & Harm: Controversies Over Free Speech,* eds. Ishani Maitra and Mary Kate McGowan (Oxford: Oxford University Press, May, 2012), 96.

8. Jessica Wolfendale, "The Myth of 'Torture Lite'," *Carnegie Council on Ethics in International Affairs* (2009), 50. The internal quotation is attributed to David Luban, "Liberalism, Torture, and the Ticking Bomb," *Virginia Law Review* 91 (2005): 1430.

9. Anat Brunstein Klomek, Andre Sourander and Madelyn Gould, "The Association of Suicide and Bullying in Childhood to Young Adulthood: A Review of Cross-Sectional and Longitudinal Research Findings," *The Canadian Journal of Psychiatry* 55, no. 5 (May 2010), 283.

10. Dave Grossman, LtCol, *On Killing: The Psychological Cost of Learning to Kill in War and Society, Revised Edition*, (New York: Back Bay Books, 2009), 4.

11. S. L. A. Marshall, *Men Against Fire: The Problem of Battle Command in Future War*, (Washington: The Infantry Journal, 1947), 54.

12. Seth Lazar, "Responsibility, Risk, and Killing in Self-Defense" *Ethics* 119 (July 2009): 710.

13. Grossman, *On Killing*, 41.

14. Ibid 87.

15. Ibid 74.

16. Trevor McCrisken, "Obama's Drone War," *Survival: Global Politics and Strategy,* 55, issue 2 (2013): 106.

17. Charles J. Dunlap Jr, "Some Reflections on the Intersection of Law and Ethics in Cyber War," *Air and Space Power Journal* 27, no. 1 (January-February 2013): 32.

18. Air Force Special Operations Command, "Hurlburt Field preferred for MQ-1 remote split-operation unit," http://www.afsoc.af.mil/news/story.asp?id=123266733

19. Kant suggested that if the earth were an infinite plane, people, or groups of people, could perpetually move away from one another. The earth's sphere imposes a finite surface area, such that we are forced to interrelate with one another. See Immanuel Kant, *The Metaphysics of Morals*, Mary Gregor, trans.

(Cambridge: Cambridge University Press, 1991), 158; and Mathias Risse, *On Global Justice* (Princeton: Princeton University Press, 2012), 380.

20. Exhibit R-2, RDT&E Budget Item Justification, *MQ-9 Development and Fielding*, February 2012, 1. (accessed 30 July 2013) http://www.dtic.mil/descriptivesum/Y2013/AirForce/stamped/0205219F_7_PB_2013.pdf

21. Lance Menthe, Amado Cordova, Carl Rhodes, Rachel Costello, and Jeffrey Sullivan, "The Future of Air Force Motion Imagery Exploitation – Lessons from the Commercial World," *Rand – Project Air Force*, iii. (http://www.rand.org/content/dam/rand/pubs/technical_reports/2012/RAND_TR1133.pdf) accessed 30 July 2013.

22. Grace V. Jean, "Remotely Piloted Aircraft Fuel Demand for Satellite Bandwidth" *National Defense Magazine,* July 2011. (accessed 30 July 2013) http://www.nationaldefensemagazine.org/archive/2011/July/Pages/RemotelyPilotedAircraftFuelsDemandforSatelliteBandwidth.aspx

23. Grossman, *On Killing,* 98.

24. Ibid 97-98.

25. Pir Zubair Shah, "My Drone War," *Foreign Policy* no. 192 (March/April 2012): 62.

26. Grossman, *On Killing,* 119.

27. George E. Ellis, *Battle of Bunker's Hill,* (Boston: Rockwell and Churchill, 1895), 70.

28. Dao, "Drone Pilots Found to Get Stress Disorders."

Chapter Four – A Note About Physical Risk[1]

While in the previous chapter, we saw that drone pilots may face psychological risk, here I address the question of physical risk. Many of the ethical concerns over drones are grounded in the recurring claim—one with significant *prima facie* appeal—that drone pilots are not present on the battlefield. Bradley Strawser, even in defending the ethical use of drones, concedes that their operators are "not even present in the primary theater of combat."[2] Jai C. Galliott, in his response to Strawser, distinguishes a fighter pilot from a drone pilot by saying that, whatever the altitude, at least the fighter pilot "remains in the air; therefore the [enemy soldier] still has a human to target, regardless of how futile his efforts may be."[3] And, as quoted in a previous chapter, Sparrow describes drone pilots as "[successfully removed] from the theater of operations entirely."[4]

This chapter argues for a new conception of the battlespace such that it includes drone operators, wherever they may be. The term "battlespace" is chosen here to avoid the etymological limits of the classical term "battlefield." The introduction of airpower in the twentieth century had profound implications on warfare. Until that time, the term "battlefield" was sufficient because the battle took place on the surface of the earth. On this conception, aircraft—despite their significant tactical and strategic implications in the twentieth century—were not present on the battlefield. Thus, airpower forced military minds to re-conceive of a battlespace such that it includes the air domain. Since then, not only has airpower progressed, but so have other military technologies. That region containing the elements used in battle is no longer simply represented by lateral boundaries drawn on a two-dimensional map. This development has been of such

significance that in the 1990s, the U.S. military replaced the term "battlefield" with "battlespace" universally.[5] This note is of value, not only in defining our terms, but also in that it illustrates that drones are not the first technological development to cause us to redraw the battlespace.

Two Scenarios

The following are two scenarios to which I will refer throughout the course of this short chapter. In Scenario 1, a technologically dominant State X employs an F-22 (an advanced, traditionally manned fighter aircraft) carrying an assortment of precision-guided munitions against a tribal warrior of technologically limited State Y who is wielding only a rocket propelled grenade (RPG).[6] In Scenario 2 the State Y tribal warrior's weapon remains the same, but this time State X employs a drone whose pilot is in a ground control station (GCS) some 7,500 miles away.

This comparison between F-22 and drone is critical. If any ethical argument against the drone proves equally applicable to the F-22, then the argument is not an argument against drones as such, but against drones as instantiations of airpower more broadly. To make a claim about the ethics of drones is to claim something about the nature, or implications, of the remoteness of the pilot. Arguments that fail to isolate the remoteness of remotely piloted aircraft are misleading and disingenuous. While such arguments may have their place in a broad discussion about the ethics of war, or the ethics of technology, they are misleading and inappropriate in the narrow discussion of the ethics of drones.

In Scenario 1, State X has redrawn the boundaries of the battlespace such that it includes the F-22's nominal 50,000-foot altitude. The tribal warrior with his RPG

probably would have preferred to limit the battlespace to the earth thereby restricting his adversary to an engagement envelope commensurate with his combat capabilities (namely, the RPG). But, as the case of the F-22 illustrates, a state may choose to redraw the battlespace while maintaining *jus in bello* requirements. In this particular case it was the technological advantage that provided the dominant state such prerogative.

In Strawser's discussion of a scenario like Scenario 1, he says that the difference between the F-22 and the drone is one of degree and not one of ethical category. But the change is not simply, as he supposes, in the distance between the combatant and his foe,[7] but instead in the size and scope of the battlespace. The F-22 pilot is not 50,000 feet above the battlespace. The battlespace has expanded to include him. The same is true of the drone pilot on the other side of the world—the battlespace has been redrawn to include her.

The Twenty-First Century Battlespace

Just as technological developments of the twentieth century demanded that both war planners and ethicists conceptualize the battlespace in three dimensions rather than two, the remote weaponry of the twenty-first century demands that war planners and ethicists conceptualize the battlespace as comprised of multiple parts rather than as unitary. That is, rather than describe a single and complete battlespace as "The Pacific Theater," and another as "The European Theater," as in the twentieth century, globalization, satellite communications, distributed command and control networks, and of course drones, require that we re-conceive of the battlespace as including all elements of the battle, wherever they may be. In the Second World War, a bridge in France or a railroad in Holland may have been targeted for its contribution to the enemy's war-

making capabilities. That such a bridge was physically located in the "European Theater" was merely accidental. The bridge and railroad of the previous century may be replaced by a satellite communication station and frequency band in this one—even though one exists physically in one place, and the other, electromagnetically on the frequency spectrum.

Someone will respond by arguing that though the drone pilot represents a valid military target, the limited state cannot feasibly attack that target, and therefore, she is still outside the battlespace. In this way, State X breaches a risk asymmetry threshold, violating *jus in bello* requirements. But against this feasibility argument, the F-22 comparison stands. The RPG-toting tribal warrior is as likely to successfully engage the drone pilot thousands of miles away with his weapon, as he is to engage the F-22 pilot at 50,000 feet. If the F-22 is in the battlespace, so is the drone pilot.

Furthermore, just because the drone pilot is thousands of miles away does not mean that he is invincible. It is here that the two scenarios above expose an unstated premise. If the RPG is the only weapon available to the tribal warrior, then both targets are impossible to engage, and the asymmetry problem that results does not contribute to an argument against drones as such, but against airpower in general, and is thus outside the scope of this paper.

This premise, though, probably limits the application of Scenarios 1 and 2 artificially. In reality, any technologically limited state probably has a wider array of weapons available to it than just the RPG. We will return to this point below. For now, we need only acknowledge that any state, even a technologically limited one, that has the

means of striking the technologically dominant state on its home soil will not generate *jus in bello* asymmetry problems for drones *qua* drones.[8]

The ability to redraw the battlespace is not unique to the dominant state. Consider this notional scenario. Technologically dominant State A and technologically limited State B are at war under presumably justified *jus ad bellum* conditions. The war takes place entirely in State B's coastal regions. One entrepreneurial State B soldier believes that his anti-aircraft weapon will see better success if he employs it from the water. The soldier boards a State B military vessel by himself and pilots it more than 12 nautical miles from his home country and therefore into international waters. From there, he attempts to engage State A's aircraft with his weapon. Until this time, State A has limited its aerial attacks to State B's land. Under these circumstances, State A aircraft are justified in engaging the State B soldier in international waters because the State B soldier, in this case, has chosen to redraw the battlespace such that it includes some portion of those waters.[9] Perhaps State A would have preferred that the battlespace not include international waters. In this case State A's preferences are of little concern as State B has executed its prerogative to redraw the battlespace.

Collateral Damage at Home

State X's decision to operate drones from its homeland is no different. Actions, though, have consequences. The State B soldier has induced some additional collateral damage risk into his circumstance. Not only the State B boat, which may have otherwise been left alone, but any surrounding international boats may be at risk due to the State B soldier's decision. Similarly, State X has assumed some additional risk with its use of drones.

Consider three scenarios in which a State X fighter pilot can be engaged during a war with State Y. (1) She might be engaged while flying her aircraft in combat. (2) She might be engaged while conducting official business on the ground; writing post-mission reports, conducting an inspection of her aircraft or planning the following day's mission. (3) Or she might be engaged while doing something not directly related to her combat mission; something like sleeping, or eating. State Y is justified in engaging the fighter pilot in any of these scenarios, and each scenario carries with it some collateral damage concerns. The other military or support personnel at the dining hall or sleeping quarters, for example, may be at risk in situation (3). However, if State X's war is carried out in the way dominant states have recently carried them out, that is, if the fighter pilot is operating from a forward deployed location, based close to the enemy and within the range of its combat capabilities, then the military and support personnel accepted some level of risk just by being at the forward deployed location.

It is here that the collateral damage concerns change drastically with drone operations. The drone pilot might similarly be engaged in any of the three situations above, but unlike the case of the deployed fighter pilot, these engagements would take place within State X's borders. Just as the State B impromptu boat captain induced collateral damage risk when he redrew the battlespace, so too has State X induced risk to some of its civilian citizens and resources when it decided to conduct drone operations from within its homeland. When the drone operator eats and sleeps, it may not be in a barracks full of deployed military members, but in her home with her family. The risk of collateral damage has shifted from military members in the case of the fighter pilot to civilians in the case of the drone pilot.

While this new conception of a redrawn battlespace does address some ethical concerns with the employment of drones, it does not follow that using drones in this way is strategically advantageous. Put another way, the preceding argument only shows that the dominant state may be ethically justified in using drones, what it does not show is whether that justified use of drones is in the best interest of the dominant state. The technologically dominant state ought to consider the impacts on collateral damage and inviting war to its homeland before employing such a weapon.

Regardless of the strategic concerns, this new conception of the redrawn battlespace makes clear the fact that drone pilots do, at least theoretically, face some physical risk. The legal and moral structures are in place to allow for a strike against domestically based drone pilots. While the enemies the United States has engaged in the last decade, for example, have had a limited ability to engage them, future enemies may not be so inhibited. This chapter has shown that any claims about an absence of physical risk to drone pilots are, at best, contingent upon an enemy of limited military sophistication. No such categorical claims can be made.

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1. This chapter represents a summary of a previously published article with the permission of the publisher. See Joe Chapa, "The Ethics of Remotely Piloted Aircraft," *Air and Space Power Journal – Spanish Language Edition*, 25, no. 4 (Fall 2013): 23-33. English language version: http://www.airpower.maxwell.af.mil/apjinternational/apj-s/2013/2013-4/2013_4_04_chapa_eng_s.pdf

2. Bradley Jay Strawser in "Moral Predators: The Duty to Employ Uninhabited Aerial Vehicles," *Journal of Military Ethics* 9, no. 4 (16 Dec 2010): 356.

3. Jai C. Galliott, "Uninhabited Aerial Vehicles and The Asymmetry Objection: A Response to Strawser," *Journal of Military Ethics* 11, no. 1 (2012): 60.

4. Sparrow, "War Without Virtue?" 88.

5. Milan N. Vego, *Joint Operational Warfare Theory and Practice and V. 2, Historical Companion*, Reissue, First edition, 2009 reissue ed. (Dept. of the Navy, 2009), IV-9; As per Vego, it was not merely airpower that required the updated term battlespace, but the application of cyberspace to the combat operations. This is of interest here in that the drone is not just an airplane operating over the battlefield and in the battlespace, but it is operated via datalinks. As a result, the battlespace is inclusive of the pilot, the ground control station, the satellites and the bands of the electromagnetic spectrum occupied by the datalinks.

6. This scenario is a modified version of that presented by Bradley Jay Strawser in "Moral Predators" 356.

7. Strawser, "Moral Predators" 343.

8. Though I have admittedly limited my argument to only those technologically limited states that have some method of striking the technologically dominant state on its own soil, I see this as a limitation in principle only and not in application. While dominant states may be the ones developing technology, technological developments in general affect worldwide affairs. Though dominant states may have developed jet propulsion and the modern air transportation system, for example, Al Qaeda (a technologically limited organization) used this air travel technology to target the U.S. on September 11th, 2001. To suppose, then, that State X will continue to develop advanced technology without yielding any tactical advantages to State Y seems to be an artificial supposition.

9. This question is concerned with the ethical and moral issues associated with the scenario rather than the legal ones.

CONCLUSION: THE VIRTUOUS DRONE PILOT

The preceding chapters developed the claim that drone pilots can, indeed, be virtuous, and more specifically, that they can cultivate martial virtue. Chapter one investigated whether the role of "soldier" generates special moral obligations, and whether those moral obligations consist in cultivating the martial virtues. It yielded the soft conclusions that "soldier" may be such a role, and that if it is, those special moral obligations may include the cultivation of some martial virtues.

Chapter two demonstrated the internal inconsistencies in claiming that a species ("drone pilot") is unable to meet the moral demands of the genus ("soldier") to which it belongs. It further demonstrated the limitations in assessing a person's virtue, or potential for virtue cultivation, knowing only her vocation. As each drone pilot is a human being who has faced, and continues to face, varied contextually defined circumstances, the virtue, and potential for virtue cultivation, of each must be determined individually.

Chapter three recognized the psychological effects that have manifested in some drone operators, and argued that such psychological threats represent risk in the traditional sense, even if not of the same kind as the risk faced by traditional soldiers. The chapter also argued that because drone operators are physically dislocated from their weapons effects, the benefits of those effects always fall to someone else (usually friendly forces on the ground). Therefore, drone pilots face a cost in their exposure to psychological risk, that someone else might reap the benefits. This act, therefore, is one of sacrifice on the part of the drone pilots; suggesting that perhaps drone operators may be in a better position to cultivate virtue than is immediately apparent.

Finally, chapter four presented a case for physical risk. Though drone operators are physically dislocated from their weapons effects, that fact alone does not render them invincible. By employing remote warriors as it does, in moral and legal terms, the United States (for example) has redrawn the battlespace such that it includes the drone operators, wherever they may be. Thus a peer threat (or near-peer threat) may target drone operators with conventional military means. Additionally, an asymmetric threat may target drone operators with unconventional means. Chapter four yielded the recognition that just because domestically based drone operators have not historically faced physically harm, that does not mean that they face no physical risk.

The preceding arguments, then, have been primarily negative—they have argued against the claim that drone operators cannot be virtuous. What remains in this brief conclusion is to put forth a positive account of virtue among drone operators.

On my view, martial virtues are virtues. Martial honor is not a peculiar kind of honor, available only to those who kill and die vocationally. Martial loyalty is not a special loyalty, shared only by those who are loyal unto death. Instead, martial virtues are merely moral virtues that have a particularly thick application in the military context. While non-military people may, and likely will, face opportunities to cultivate the virtue of courage, military people can be expected to face such opportunities more frequently, and the consequences for failing to cultivate courage will be more severe. There are a number of advantages to this view. Not the least of which is that the martial virtues retain their value under a breadth of normative ethical theories.

Rosalind Hursthouse offers a helpful distinction between virtue ethics and virtue theory.[1] Within the field of philosophical ethics, one can give the virtues, and a virtuous

character, a central role in an ethical theory. Daniel Statman summarizes this project by saying that “what is essential [to virtue ethics] is the idea that aretaic judgments, i.e. judgments about character, are prior to deontic judgments, i.e. judgments about the rightness or wrongness of actions.”[2] Hursthouse calls this kind of project “virtue ethics.”

By contrast, one can investigate the virtues without giving them a central role. For example, a consequentialist could develop virtues because their cultivation might tend to produce the greatest happiness for the greatest number of people. Likewise, a Kantian could develop virtues because they are an aid in meeting the demands of deontic imperatives. Hursthouse calls this kind of work “virtue theory.”[3]

It seems that, regardless of whether one adopts a virtue ethics or a virtue theory approach, the virtues are of value, or importance, or necessity for individual ethics. In the case of virtue ethics, the foundational questions are about how one ought to live. In Hursthouse’s words, “the virtues make their possessor good *qua* human being.”[4] If this is the case, one cannot admit that courage, honor, friendship, nor even a particular kind of each, is a virtue for soldiers, but not for others. Martial virtues as virtues more broadly are those traits of character that promote the flourishing of human beings.

There is a strong *prima facie* case that, even in virtue theory, if a virtue is of value for one person it must also be of value for another. We must remember that virtues are cultivated over time, whether by habituation, or some combination of habituation and predisposition. Given, then, that one cannot know all the future circumstances one will face, surely reasonable people can agree that, one is more likely to bring about the greatest good if one is loyal, honorable, courageous, a friend, temperate, etc., than if one is vicious. Ignorant of future events, we might suppose that the soldier is more likely to

face circumstances such that his cultivation of courage will yield higher goods than the grocer's cultivation of courage in his own circumstances. It in no way follows, though, that the grocer ought to cultivate cowardice, nor even to ignore the cultivation of courage. Instead, courage is a virtue for the soldier *and* a virtue for the grocer. Likewise, cowardice would be a vice in each. If there is a difference in the value of the outcomes for each person, the difference will be one of magnitude. If forced to choose, I suppose I would rather have a coward for a grocer than a coward for a soldier, but even consequentialism (insofar as it is concerned with virtue at all) demands that both try to become courageous.

My view does not allow for a situation in which honor is a virtue for one member of society, but not a virtue for another.[5] Thus, when we say that the grocer is honorable, we mean something serious about her character, or her will, or her general way of being. When we say that the soldier is honorable, we mean the very same things. However, we can expect this character, or will, or way of acting, to manifest itself in quite a different way. This is not because the two individuals are of a different kind of character from one another, but only because they face different sets of circumstances from one another.

Further, if it is the case that the question virtue ethics seeks to answer is not "how one ought to act" but rather, "how one ought to live,"[6] then this similarity in character but difference in circumstance between the grocer and the soldier should come as no surprise. A courageous civilian will behave differently when attacked in a dark alley than when coaching his child's baseball game. This is not because his character is of a different kind at one time than at the other. That is, it is not the case that he is courageous in the first instance, but cowardly in the second. Instead it is because his circumstances are of a

different kind in each case; the first demands courageous action, while the second does not. Likewise, it is not difficult to see the broad differences in the circumstances that will likely be faced by the courageous soldier and those likely faced by the courageous grocer.

There is a better reason, though, to conceive of martial virtues as moral virtues. If, instead of conceiving martial virtues as virtues, one siphons the martial virtues off from the larger reservoir, creating for it a special place, a special cultivation, and a special subset of humanity to whom they are available, then a discussion of military honor, courage, loyalty, and friendship can neither contribute to, nor benefit from the ancient and contemporary resources otherwise available. Military ethicists would needlessly cut themselves off from a vital and flourishing field within normative ethics. But when we admit the martial virtues as merely moral virtues that will be challenged more frequently, and the cultivation of which (or lack thereof) will have more severe consequences in military application, the whole history of ethical philosophy opens its doors to us. Not only the ancients, but the recent resurgence of virtue theorists also have something valuable to say about soldiers and the military.

A final reason to allow the martial virtues to be seen as moral virtues is that such a claim allows the empirical evidence in chapter two of this thesis to speak more clearly. Though positions on virtue cultivation may vary in nuance, they are largely agreed upon as to the importance of character, and with slightly lesser consensus, the value of habituation. Drone pilots, at least as they exist in the United States at present, are men and women who are exposed to psychological risk even as they sit in their ground control stations. They submit to this psychological risk in the defense of the fighting men and women on the ground, thereby sacrificing their own well being for that of another.

Insofar as they support launch and recovery operations, they are subjected to the same deployments, hardships, and physical risks of their counterparts in the area of operations (AOR). Many drone pilots bring to the relative safety of the ground control stations prior military experience, which undoubtedly brought with it the opportunity for virtue cultivation. And finally, by operating from home, they expose their communities and their homes to enemy actions that are justified by the requirements of *jus in bello*. This is not by any means an argument that all drone pilots are virtuous, but it is certainly an argument against the claim that *no* drone pilot is virtuous, and indeed against the stronger claim that no drone pilot can be. The empirical claims from chapter two, combined with the theoretical arguments throughout this thesis, demonstrate a strong reason to trust the virtuous drone pilot.

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[1] Rosalind Hursthouse, "Virtue Ethics," *The Stanford Encyclopedia of Philosophy,* ed. Edward N. Zalta (Fall 2013). http://plato.stanford.edu/archives/fall2013/entries/ethics-virtue

2. Daniel Statman, "Introduction to Virtue Ethics" in *Virtue Ethics: A Critical Reader*, ed. Daniel Statman (Washington: Georgetown University Press, 1997), 8.

3. Ibid 7.

4. Rosalind Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), 20.

5. I use the term "society" here to allow for MacIntyre's system. MacIntyre defines a virtue as "an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods." The practices to which he refers, however, may vary from one society to another. As such, "different societies have had different codes of truthfulness, justice and courage." Thus, it may be possible, on MacIntyre's view, that a virtue for a soldier in one society may not be a virtue for a soldier in another. However, even in MacIntyre's system, it is not possible that a virtue for a soldier in one society would be anything other than a virtue for a grocer in the same society. Alasdair MacIntyre, "The Nature of the Virtues," in *Virtue Ethics,* eds. Roger Crisp and Michael Slote (Oxford: Oxford University Press, 1997), 128-130.

6. In Robert B. Louden's terms, "It is by means of this conceptual shift that 'being' rather than 'doing' achieves prominence in virtue ethics." Robert B. Louden, "Kant's Virtue Ethics," in *Virtue Ethics: A Critical Reader*, ed. Daniel Statman (Washington: Georgetown University Press, 1997), 288.

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