Five Myths about Military Ethics

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ABSTRACT: After a decade and a half of struggling across various dimensions, the Army's ethic risks losing traction with its practitioners. With that loss of traction comes a commensurate loss of trust, which will have a negative impact on the relationship the military has with the society it serves, undermining its status as a profession. Addressing these challenges requires getting past the myths that obscure the solutions.

As Dr. Snider notes, winning in a complex world requires a professional military capable of generating new expert knowledge that addresses the demands of evolving characters of war as well as the changing society the military serves. Ethical application of this knowledge is critical since it demonstrates our moral commitment and provides the cornerstone of our trust with the American people. This trust will be essential if the military profession is to navigate the uncertain and ambiguous environment associated with twenty-first-century security challenges. To this end, the following article addresses current challenges to the military profession and its ethic.

While professional and ethical challenges have multiple sources, such as "endless" wars, eroding resilience, bad leader behaviors at multiple levels, and the impact of technology, they cannot be resolved without dispelling the myths that often obscure the solutions. The first challenge is acceptance. After a decade and a half of fighting "among the peoples" and struggling with restrictive rules of engagement, the military ethic risks losing traction with practitioners, who often see restrictions on the use of force as misguided, or worse, cynical efforts of higher authorities to avoid bad publicity, often at the soldier's expense.

The second related myth is the psychological impact this ethical confusion imposes on soldiers. Ambiguous moral commitments and weak understanding impact their experiences of the harms they commit and the sacrifices they and their comrades make. The resulting moral injuries undermine soldier well-being and thus readiness of the force, suggesting it is in the interest of the services to address these injuries with the same concern as physical ones. Similarly, the prevention—or at least mitigation—of moral injury raises the third challenge which requires not just identifying the traits of good character but also ensuring conditions are met for the successful development of those traits.

The fourth and fifth myths address the evolution of warfare, specifically the future challenges technology will pose to the ethic. In this regard, cyberwarfare has opened up an entirely new domain of warfare with different morally relevant features not present in the other physical domains. In doing so, it poses moral challenges largely unfamiliar

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to many professionals who will have to lead troops in this domain in the very near future. Likewise, the advent of autonomous weapon systems has the potential to erode moral decision-making and accountability while perhaps simultaneously making warfare more humane. As we acquire new technologies, therefore, we must also develop the norms associated with employing them.

Acting ethically in war ties my hands and makes winning more difficult—false.

Certainly soldiers who have fought in Iraq and Afghanistan have experienced rules of engagement that severely limited their ability to close with and destroy the enemy. More important, applying these rules has placed soldiers at considerable risk, often without any commensurate contribution to victory. In some cases, these rules of engagement have even appeared to limit the enemy's risk while endangering friendly soldiers and the populations they are supposed to protect. These situations arise out of misunderstanding the role military ethics plays. Understanding how the ethics of war aligns with ways of war and how ways of war align with war's ends can resolve this tension.

Ethical military decision-making requires balancing moral obligations associated with achieving a just cause, minimizing harm to civilians, and protecting soldiers.[1] The balance, however, depends on the character of the war being fought. For the most part, Americans characterize war, drawing heavily on Clausewitz, as the imposition of one's will on the enemy. In such a view, one has successfully imposed one's will when the enemy no longer has the capacity to resist. The resulting way of war, therefore, typically requires a strategy of annihilation that seeks open, head-to-head battle with the enemy's combat forces.[2]

In this conventional way of war, winning is not so much about what the enemy or enemy population wants as much as it is about the destruction of its military forces. In this view, imposing one's will does not mean the other party must adopt new goals. Rather, it simply means eliminating the other's ability to realize its goals. Germany, for example, was able to occupy France in 1940 because it destroyed the French and British military forces defending it. There was no requirement for a referendum among the French population to justify the German invasion, as there appeared to be when Russia seized Crimea from Ukraine in 2014. In such a way of war, achieving the military objective necessarily attains the political objective that motivates the fighting: when the enemy's military is destroyed, he can no longer resist, and the war is won.

One can easily see how this way of war shapes its ethics. When victory is almost entirely dependent on the destruction of military forces, civilians have little direct impact on the military's combat capability. Therefore, imposing restrictions on directly targeting civilians, even though they belong to the enemy, and requiring soldiers to take some extra risks to prevent otherwise unnecessary destruction, makes

1   Tony Pfaff, *Resolving Ethical Challenges in an Era of Persistent Conflict*, Professional Military Ethics Monograph Series 3 (Carlisle, PA: Strategic Studies Institute [SSI], 2011), 10–12.

2   Victor Davis Hanson, *Carnage and Culture: Landmark Battles in the Rise of Western Power* (New York: Doubleday, 2001), 22, 10–12.

sense.[3] In this way, soldiers can maintain a commitment to humanitarian concerns but still effectively prosecute the war.

Not all wars, however, entail equivalent military and political objectives—for example, insurgencies, such as the ones the United States has fought in Iraq and Afghanistan, depend on civilian populations for concealment, protection, intelligence, and logistics. In this way, civilians contribute more directly to enemy combat power than they have for more conventional wars.[4] Thus under the current rubric, a gap arises between the political objective of war and the military objectives intended to attain it. This gap is filled by shifting the support of the population away from the insurgent cause.[5]

The requirements associated with winning such wars confound the American military ethic. When the gap between enemy and civilian closes, almost all risk associated with warfighting is born by the counterinsurgent force. Since directly targeting civilians is prohibited, targeting the enemy becomes extremely difficult. As a result, the enemy moves and fights almost freely while counterinsurgent forces must undertake the slow, deliberate, and risky effort to separate adversaries from a supportive population. Of course, counterinsurgent forces are free to use nonlethal means to achieve this separation, even though such measures often create other kinds of suffering. Moreover, when they fail, counterinsurgent actions frequently drift toward barbarism as soldiers are compelled to take increasingly stronger measures to break the will of insurgents and their supporters.[6]

Resolving this conundrum requires rebalancing the application of norms associated with warfighting to align with the character of irregular wars. Doing so will likely mean a slower, more deliberate way of war that may encourage foregoing short-term gains and perhaps lead to experiencing short-term losses to attain longer-term strategic goals. Such a balance will permit soldiers to forego missions and require less risky and less lethal means to accomplish objectives. This balance would also mean soldiers will have to develop an ethic for dealing with civilian populations beyond current prohibitions against direct, lethal targeting. The resulting ethic will likely emphasize practices normally associated with law enforcement and an understanding of discrimination that prohibits even incidental civilian harm while accentuating a wider range of means and measures to control populations, to deter civilian cooperation with insurgents, and to gain reliable intelligence on insurgent activities.

Commanders have multiple ways to align these moral obligations, but by understanding ethical decision-making as the balance of competing obligations, a framework emerges to address the various demands of the evolving battlespaces in which the Army finds itself. Being sensitive to this ethical dynamic enables paths to victory while preserving the moral integrity necessary to fight just wars well.

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3 Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 2nd ed. (New York: Basic Books, 1992), 152–59.

4 Rupert Smith, *The Utility of Force: The Art of War in the Modern World* (New York: Knopf, 2007).

5 Patricia L. Sullivan, "War Aims and War Outcomes: Why Powerful States Lose Limited Wars," *Journal of Conflict Resolution* 51, no. 33 (June 2007): 505, doi:10.1177/0022002707300187.

6 Ivan Arreguín-Toft, "How the Weak Win Wars: A Theory of Asymmetric Conflict," *International Security* 26, no. 1 (Summer 2001): 96–97.

Acting ethically prevents depression or post-traumatic stress syndrome—not always.

A great deal of research correctly observes that soldiers who believe they act ethically, even when those actions entail killing, experience war-related mental illnesses such as depression or post-traumatic stress disorder less frequently or severely; however, some events are so traumatic that moral injury occurs even when one has not committed any particular wrong.[7] Thus only considering moral injury as arising out of some failure makes no more sense than always attributing physical injury to a mistake on the individual's part. This point suggests leaders need to address moral injury with the same interest and support given to physical injuries.

The military's traditional stoic ethos prepares soldiers for the demands of warfighting but sometimes at the expense of living well in peace. Stoicism detaches a person from his or her personal desire and emphasizes responsibilities, breeding combatants who willfully accept extreme hardships and are prepared to hold themselves accountable for events that are largely out of their control. While apt for warfighting, these traits interfere with caring for moral wounds.[8] In fact, this ethos fails to prevent and likely contributes to 10–20 percent of the mental health difficulties for the two million service members who served in Afghanistan and Iraq.[9]

Generally speaking, moral injury occurs in the presence of grievous moral transgressions committed by oneself or others that "overwhelm one's sense of goodness and humanity."[10] Many soldiers have experienced a great deal of mental anguish over harms they caused, failed to prevent, or suffered. Moreover, the source of suffering can also be a sense of betrayal by higher authorities who are perceived as having a cavalier attitude toward the soldiers' safety and well-being.[11] Such injuries can be exacerbated by a soldier's sense of cause's justice as loss is psychologically easier to bear when some tangible good results. In this regard, society's attitudes toward a specific war matter: to the extent society feels a war is unjust, soldiers will have difficulty accepting the harms they have committed and the sacrifices they and others have made.

Counterintuitively, the public's expressions of appreciation, though well-intentioned, work to undermine the kind of civil-military relationship necessary to address this concern. Resentment arises because civilians, of whom less than 1 percent have experienced military service, are largely distanced from the costs of war; thus soldiers perceive the ubiquitous "thanks for your service" as a sentiment too cheap to count as sharing any part of the burden. This distance further contributes to confusion among soldiers and civilians alike about what exactly we are warring over. If civilians are not invested, there is only the leader's word

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7 Jonathan Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Scribner, 1994); and Nancy Sherman, *Afterwar: Healing the Moral Wounds of Our Soldiers* (Oxford: Oxford University Press, 2015), 174.

8 Sherman, *Afterwar*, 15.

9 Brett T. Litz et. al., *Adaptive Disclosure: A New Treatment for Military Trauma, Loss, and Moral Injury* (New York: Guilford, 2016), 7.

10 Sherman, *Afterwar*, 8. See also, Nancy Sherman, *Stoic Warriors: The Ancient Philosophy behind the Military Mind* (New York: Oxford University Press, 2005).

11 Litz et al., *Adaptive Disclosure,* 21.

that the cause is both just and worthwhile. In today's cynical society, that word is often not good enough.[12]

Thus, those charged with the decision to go to war—including advisers—need to ensure the justice of the cause, the necessity to fight for it, and the commitment of the civilian population to its successful outcome. In so doing, these leaders need to emphasize that soldiers are never mere forces, never only an asset to be used or preserved instrumentally. This point suggests the public should be invested enough in the war effort to make its voices heard, to elect leaders who fight the right wars in the right ways, and to hold leaders accountable when they do not.

Trust in the civilian-military relationship, while important, is not sufficient to provide soldiers and their leaders with effective resources to deal with moral injuries. Trust in the chain of command plays an important role as well. In her book *After War*, Nancy Sherman relates stories of women in combat zones who raised concerns regarding sexual harassment to their commanding officers. In one case, the concern regarded theft of undergarments, which even the victim felt might be too trivial to waste her supervisor's time. But the violation of her privacy in an environment where she did not feel entirely safe was enough for her to come forward, trusting her supervisor would take her concerns seriously. The commanding officer did not, and she spent the rest of her tour hypervigilant, resentful, and distrustful of her command. Sherman's point is not that leaders have an unrestrained responsibility to take every subordinate concern seriously; however, especially where issues closely associated with identity—like sexuality—are involved, leaders should be especially sensitive.[13] Another important lesson from this story is that moral injury in the military does not arise only from warfighting.

Most importantly, transitioning soldiers back to society should begin before the war starts. Leaders at all levels need to pay attention to what they teach soldiers about responsibility to ensure they have a balanced response to their experiences. Furthermore, citizens need to make their voices heard regarding decisions to go to war to ensure such wars are both just and necessary. Finally, military leaders need to build and act on the kind of trust that enables subordinates to be resilient in the face of adversity. While moral injury may be as unavoidable in war as physical injury, there is much to do before the military, as a profession, has fully met its responsibility to address it.

Good character entails good behavior—not necessarily.

No matter how strong someone's character is, there is a set of circumstances where it will fail. As suggested above, military history is filled with stories of good people in difficult situations doing bad things. Military history is also filled with flawed human beings who go on to be great warriors and military leaders. While truly good character should always yield morally appropriate decisions, the limitations of individual human psychology, especially under pressure, suggests human beings are sometimes inefficient at finding the right thing to do at the right time. As Leonard Wong and Stephen J. Gerras noted in *Lying to Ourselves:*

12 Sherman, *Afterwar*, 23–55.
13 Ibid., 105–30.

Dishonesty in the Army Profession, excessive demands to meet individual and organizational competency requirements forced many leaders to choose between meeting these requirements and placing unfair demands on subordinates. Many leaders, according to the study, chose not to impose the excessive demands and often falsely reported compliance.[14] So while it was good these leaders cared for their soldiers, it was not good that doing so came at the expense of conscientiousness towards their duties.

The real test of character in such circumstances is how one responds to that failure. Repetitive bad acts are certainly an indicator, if not a determinant, of bad character. Even without repetition, however, attempts to hide or cover up failure, especially those that entail additional wrongdoing, also discredit a person's character. The extent one is transparent, on the other hand, about the bad act and voluntarily subjects oneself to judgment by the appropriate authorities for having committed it, preserves the individual's virtue and should mitigate the institution's response to the wrongdoing. Further, as Wong and Gerras's observations suggest, commanders also need to take into account the conditions in which bad acts arise and try to understand how the conditions influenced the subordinate's available choices.

Of course, there are numerous competing viewpoints on what counts as a bad act or a good character trait. In general, good character is determined by what is required for humans to live well, which can be understood as realizing potential. That potential depends on what one believes the purpose of a human being is, for which there are numerous, competing conceptions.[15] This point suggests commanders would be hard-pressed to establish one comprehensive view that could be implemented for a diverse force of close to one million soldiers and civilians. In fact, the Army has recently identified its inability to determine the attributes of good character as a significant capabilities gap and has launched a major effort to address it.[16]

A good place to start that effort lies in analyzing the Army's role, which identifies the kinds of potential it seeks to realize. In the same way we know the traits of a good racehorse—strong, sure-footed, and fast—by understanding what purpose it serves—winning races—we can align our concept of good character to the Army's purpose to establish the character traits necessary for individuals to serve the role of soldier well. Army Doctrine Reference Publication 1 (ADRP 1), *The Army Profession*, provides a good beginning by stating the purpose of the Army is to defend the nation and win its wars, which requires the traits

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14 Leonard Wong and Stephen J. Gerras, *Lying to Ourselves: Dishonesty in the Army Profession* (Carlisle, PA: SSI, 2015), 2.

15 Alasdair MacIntyre observes: "Homer, Sophocles, Aristotle, the New Testament and medieval thinkers differ from each other in too many ways. They offer us different and incompatible lists of the virtues; they give us a different rank order of importance to different virtues; and they have different and incompatible theories of the virtues." MacIntyre, *After Virtue: A Study in Moral Theory*, 2nd ed. (Notre Dame, IN: University of Notre Dame Press, 1984), 181.

16 US Department of the Army, Training and Doctrine Command, *Developing the Character of Trusted Army Professionals: Forging the Way Ahead*, white paper (New York: Center for the Army Profession and Ethic, 2016), 3. The white paper notes "the Army Character Development Project specifically addresses Army Capability Needs Analysis Gap #501028: 'The Army lacks the capability to identify attributes of character and to assess the success of efforts to develop character so that Army professionals consistently demonstrate their commitment and resilience to live and uphold the Army Ethic.' "

of honor, competence, and commitment.[17] Such a view entails acting with integrity not just in relation to one's actions but also in regard to one's relationships, conscientiousness towards not just doing one's duty but also demonstrating a commensurate commitment to excellence, and accountability for not only the material resources society allocates but more importantly for the people who place their trust in the profession by joining it. Setting these conditions is the responsibility of all Army leaders and necessary for the successful development of professionals of good character.

Cyberwarfare poses no new challenge to military ethics—false.

Actions in cyberspace, the fifth and newest domain of war, can differ greatly from the four physical domains: air, sea, land, and space. Unlike in the physical realm where an action constituting an act of war is violent, instrumental, and political, cyberattacks—which are directed at information—do not have to be. In fact, no cyberattack to date has met all three of these criteria.[18] Rather, the vast majority of cyberattacks are better characterized as subversion, espionage, or sabotage, all of which are well-accounted for in international law.[19]

Although there has not yet been a "cyber Pearl Harbor," there is a great deal of research regarding possible moral and legal responses to such an event. Probably the most comprehensive articulation of these responses is found in the *Tallinn Manual* written by a group of experts hosted by the North Atlantic Treaty Organization's (NATO's) Cooperative Cyber Defense Center of Excellence. Written in the aftermath of widespread directed denial of service operations against Estonia in 2007, the manual essentially argues unless a cyberattack entails some physical harm, it cannot constitute an act of war.[20] This conclusion ignores the potentially devastating disruption cyberoperations could cause even without physically harming anyone or anything.

Of course, assessing the detrimental effects on Estonia is a somewhat subjective endeavor. While the attacks went on for three weeks, most government and financial services were only off-line for a few hours at a time. So these cyberoperations probably did not rise to the level of an act of war; however, imagining cyberattacks causing much more widespread disruption to government and financial services thus severely damaging the economy and individuals' livelihoods would not be difficult. Given such a possibility, it is worth asking what a purely cyberconflict would look like and what its rules would be? When no violence is associated with the cyberattack, the appropriate response is not always clear. Preferably, the attacked state would be able to defend itself, eliminating or reducing the harm. Given the just cause, however, determining whether a responding cyberattack would be warranted, especially if attribution were not certain, is also not clear. Further, if a

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17 Headquarters, US Department of the Army (HQDA), *The Army Profession*, ADRP 1 (Washington, DC: HQDA, 2015), 2-6.

18 Thomas Rid, *Cyber War Will Not Take Place* (Oxford: Oxford University Press, 2013), 3.

19 Ibid., xv.

20 Michael Schmitt, ed., *Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defense Center of Excellence* (Cambridge: Cambridge University Press, 2013).

responding cyberattack were not possible or effective, questions remain regarding the permissibility of a kinetic response.[21]

Notably, the use of military force that is violent, instrumental, and political is always attributable in the other four domains, at least eventually; when they are not, they are not proper acts of war.[22] If war is a contest of wills, then in the physical world it matters whose wills are in conflict—a point complicated when an attack cannot be attributed to any particular state. There is, in fact, a great deal of evidence the attacks on Estonia were not directed by the Russian government as some claim, but rather the attacks were conducted by angry Russian hackers who used the Internet to coordinate a largely automated response to the Estonian government's removal of a World War II monument from a public square. Whether the Russian government would not or could not intervene may be in question in this case. Given such uncertainty, however, these kinds of cyberoperations raise questions regarding how states can hold one another responsible for malicious cyberactivity when none has the capability of exercising sovereignty over cyberactors operating in the state's territory. The situation is further complicated when malicious cyberactivities seem to originate in territories of states that are not a party to a particular conflict and who may be on friendly terms with the affected state. Such a dynamic could challenge how the international community views and respects state sovereignty in the future.

Cyber-resources also raise questions that military means in the physical realm typically do not. Namely, because cyber-resources can avoid physical harm while attaining a great deal of disruption, some argue they are morally preferable.[23] This point further suggests their relatively nonlethal nature should permit rethinking preventive war doctrine as well as preemptive operations against an adversary even in the absence of imminent physical attack. If the Israeli attack on a presumed Syrian nuclear facility in 2013 that used cyberattacks to preemptively shut down Syria's air defense systems avoided a larger and more destructive military operation, perhaps the criteria for permissible preventive and preemptive actions should be revised.[24]

Cyberweapons also complicate the application of the traditional just war principles of discrimination and proportionality because military and civilian networks are often indistinguishable and targeting one could have similar effects on the other. As one speaker pointed out at a recent conference on cybersecurity, for example, where states see adversaries in cyberconflict, technology companies see customers. This point suggests that otherwise legitimate government responses to adversaries' cyberoperations could represent violations of their terms of services with those clients.[25] Adding "respect terms of service agreements" to

21   Randall R. Dipert, "The Ethics of Cyberwarfare," *Journal of Military Ethics* 9, no. 4 (2010): 384–410, doi:10.1080/15027570.2010.536404.

22   Rid, *Cyber War*, 2–3.

23   Ryan Jenkins, "Cyberwarfare as Ideal Warfare," in *Binary Bullets: The Ethics of Cyberwarfare*, ed. Fritz Allhoff, Adam Henschke, Bradley Jay Strawser (Oxford: Oxford University Press, 2016), 89–114.

24   David E. Sanger and Mark Mazetti, "Israel Struck Syrian Nuclear Project, Analysts Say," *New York Times*, October 14, 2007.

25   Speaker, "Protecting the Future: International Conference on Cyber Conflict" (conference, Ronald Reagan Building and International Trade Center, Washington, DC, October 21–23, 2016).

cyberwar rules of engagement adds a layer of complexity not seen in the physical domain.

Applying the principle of proportionality is also more complicated in the cyber domain. In the physical domains of war, proportionality only takes into account physical harms. Without an established way of accounting for cyberwarfare's nonphysical harms, calculating the value of a bank's off-line hours or code destroyed in human lives becomes difficult. While it is easy to answer "zero," given the potential for widespread disruption, it is reasonable to ask if the answer will remain constant even if outages last days and affect entire banking systems. In 2014, for example, NATO ministers agreed a cyberattack could trigger the mutual defense provisions of Article 5; however, they have been relatively quiet about what scale, scope, and intensity of attack would warrant a defensive response or what such a response might be.[26]

Although cyberattacks that warrant just cause for war are still very much in our imaginations, there is no reason to believe they will remain there. The strategic ambiguity associated with declarations such as NATO's have made the rules governing cyberwarriors difficult to determine. The *Tallinn Manual*'s claim that cyberattacks resulting in physical destruction should be treated as a use of force under international law is likely definitive; however, as noted above, its conclusions are not nearly as applicable in governing the kinds of covert political cyberactions constituting many of the cyberoperations states experience.[27] Further, the relatively low cost and anonymity of such measures suggests states will increasingly rely on them to pressure adversaries to conform to the state's interests. Given the likelihood of such increases, it may be time to establish an international convention, much like those of Geneva and Hague, to govern the technical innovations of the time and bring order to the current chaos.

Technology changes, but our ethics do not—false!

A discrete concern from the previous discussion of warfare in the cyber domain, the application of technologies such as lethal autonomous weapon systems (LAWs) requires reviewing and perhaps revising the principles and practices associated with military ethics across the four physical domains. These autonomous weapons challenge the military ethic because of the central role autonomy plays in assigning moral praise or blame.

To understand the ethical implications of such technology, imagine a soldier who wants to kill noncombatants out of some misguided notion that the noncombatants are responsible for the war, but is not allowed to participate in any operations. The soldier's actions conform to the rules, but one would not praise the behavior because no choice was made. Later permitted to participate on a patrol, the soldier still chooses not to kill noncombatants when given the opportunity because of the threat of punishment. Again, following the rule was a good choice, but praise

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26 Kevin G. Coleman, "NATO Extends Article 5 Powers to Cyber," C4ISRNET, June 23, 2016, http://www.c4isrnet.com/story/military-tech/blog/net-defense/2016/06/23/nato-extends-article-5-powers-cyber/86298254/; and NATO, *North Atlantic Treaty* (Washington, DC: NATO, 1949).

27 Seumas Miller, "Cyberattacks and 'Dirty Hands': Cyberwar, Cybercrime, or Covert Political Action?," in *Binary Bullets*.

would not make sense. Exercising moral autonomy does not simply mean following the rules, it means deciding which rules to follow. For decisions about rules to be morally praiseworthy, they have to be made for the right reasons and be free from coercion.[28] In this case, the soldier followed the rule, but absent the threat of sanction, this was not a rule the soldier would choose to follow. We would, however, praise someone who, despite having some motivation to kill noncombatants, chooses not to because of consciously acknowledging and accepting the rule as well as believing the action would be wrong.

Moral autonomy as described above is not exactly the same kind of autonomy employed by lethal autonomous weapon systems. As stated in Department of Defense Directive 3000.09, *Autonomy in Weapon Systems*, a LAW is "a weapon system that, once activated, can select and engage targets without further intervention by a human operator."[29] This removal of the human from aspects of the targeting process transfers decision-making capabilities without conveying commensurate moral autonomy. This transfer is not, of course, all or nothing. The directive does recognize degrees of autonomy that can be characterized as "human in the loop" where the human decides what to shoot and when, "human on the loop" where the human can intervene if the machine makes a mistake, and "humans out of the loop" where the machine's autonomous process operates without additional input.[30] What is important to note, however, is at even the highest level of autonomy, the machine does not choose which rule to follow as much as it follows the rule humans programmed into it.

Thus, increasing levels of machine autonomy can represent an erosion of humans' ability to act morally. In addition to taking some decisions away, from a psychological perspective, these machines distance soldiers from actual fighting, which can desensitize them to the harm their machines commit. As one US Air Force lieutenant reportedly said about conducting unmanned air strikes in Iraq, "It's like a video game. The ability to kill. It's like . . . freaking cool."[31] One thing LAWs are teaching the twenty-first-century warfighter: racial denigration is not the only way soldiers can dehumanize an enemy.

Given this desensitization, it is perhaps counterintuitive to observe that LAWs can also have a positive moral effect on warfighting. The precision afforded by even semiautonomous weapons gives humans the ability to target more specifically and thus more humanely. Because such weapons limit the risk experienced by soldiers, the soldiers may act more deliberately, spending more time accounting for factors morally relevant to targeting that might not be possible in the heat of battle when human senses, and thus autonomy, are often compromised. Likewise, machines are immune to motivations such as revenge, dehumanization,

28 Brian Orend, *War and International Justice: A Kantian Perspective* (Waterloo, ON: Wilfrid Laurier University Press, 2000), 18–21.

29 US Department of Defense (DoD), *Autonomy in Weapon Systems*, Directive Number 3000.09 (Washington, DC: DoD, November 21, 2012).

30 Jeffrey L. Caton, *Autonomous Weapon Systems: A Brief Survey of Developmental, Operational, Legal, and Ethical Issues* (Carlisle Barracks, PA: SSI, 2015), 2–3.

31 P. W. Singer, *Wired for War: The Robotics Revolution and Conflict in the 21st Century* (New York: Penguin Press, 2009), 395.

frustration, and psychological dispositions that make people prone to cruelty and give rise to war crimes.[32]

These points suggest the advent of LAWs will profoundly affect how soldiers experience war and what they consider when making decisions about ethically employing these systems. These points also suggest calls to eliminate or strictly reduce the employment of such weapons are unfounded. If employed appropriately, the development of such weapons can deter war or reduce the harms caused by war. If employed inappropriately, these same weapons can encourage violence when nonviolent alternatives are available, set conditions for atrocities for which no one can be found accountable, and thus create soldiers desensitized to killing.

Strengthening the Army Profession in a Complex World

Clearly, these challenges are of immense practical as well as moral importance. Failure to reconcile the competing imperatives of defeating the enemy, protecting the force, and avoiding harm to noncombatants imposes excessive risks to soldiers and the mission, often leading to feelings of betrayal or impotence. These feelings can exacerbate moral injuries thus making the force less resilient and thus less prepared.

In such a context, trust between soldiers, leaders, and institutions will remain elusive and undermine the Army's efforts to develop good character among its professionals. Without moral character enabling soldiers to "exercise discretionary judgments" repeatedly the lack of trust within the Army will further erode its trust with the American people and its status and legitimacy as a profession. Finally, the culture of the Army Profession, rather than the culture of military bureaucracy, creates the best position to respond to the security and technology challenges the Army must confront in the years to come.

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32 Caton, *Autonomous Weapon Systems*, 52; and Singer, *Wired for War*, 396–98.