Martial and moral courage in tele-operated warfare: A commentary on Kirkpatrick.

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Introduction

The controversy that erupted when the (then) US Defence Secretary, Leon Panetta, announced plans to award Distinguished Warfare Medals, which would have outranked US combat metals such as the Bronze Star and Purple Heart, to the operators of drones highlighted the deep-seated ambivalence that exist within both the US public and the US military about the extent to which these weapons represent an honourable way of warfare.[1] On the one hand, drones — and their operators — are lauded for their capacity to find and

[1] For an account of the controversy surrounding this decision, see: The Economist, "Medals for drone pilots? The fraught debate over how to honour cyber-warriors," *The Economist*, March 29, 2014, available at http://www.economist.com/news/united-states/21599785-fraught-debate-over-how-honour-cyber-warriors-medals-drone-pilots (accessed 12.8.14); E. Londono, "Pentagon cancels divisive Distinguished Warfare Medal for cyber ops, drone strikes," *The Washington Post*, April 15, 2013, available at http://www.washingtonpost.com/world/national-security/pentagon-cancels-divisive-distinguished-warfare-medal-for-cyber-ops-drone-strikes/2013/04/15/62335492-a612-11e2-8302-3c7e0ea97057_story.html (accessed 11.8.14).

kill those the US government identifies as its enemies anywhere in the world and to do so with — at least in theory — the minimum number of civilian casualties. On the other hand, the unwillingness of the public and of at least some sections of the US military to countenance awarding drone operators combat medals suggest that they do not believe that those who operate the systems are really "at war" or deserve the honour accorded to those who risk their lives in the service of their nation.

Jesse Kirkpatrick's "Drones and the Martial Virtue of Courage" constitutes, to the best of my knowledge, the most thorough and compelling attempt to date to establish that the operators of drones *can* display martial courage — and therefore presumably that it may sometimes be appropriate to award them military honours.[2] Kirkpatrick accuses critics of tele-operated warfare of two failings when it comes to their understanding of the implications of these systems for the capacity of their operators to display courage.[3] First, he suggests that critics of drones are operating with a truncated notion of courage, which overemphasises the role of the risk of bodily injury at the expense of other sorts of risk, such as the risk of psychological harms or moral hazards, which courage is also required to face. Second, he claims that critics neglect the risks which drone operators do face.

In this commentary, which is extracted from a larger discussion of the implications of the development of tele-operated warfare for the future culture of the armed services forthcoming in the *Routledge Handbook of Military Ethics*, edited by George R. Lucas, Jr., I will argue that while Kirkpatrick's account usefully draws our attention to the risks faced by drone

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[2] Kirkpatrick, "Drones and the Martial Virtue of Courage."

[3] My own discussion of the implications of drones for the martial virtues, in R. Sparrow, "War without virtue?" in B. J. Strawser (ed) *Killing By Remote Control*, Oxford and New York: Oxford University Press, 2013, pp. 84-105, is a particular target of his criticism.

operators and to the possibility that courage may be required to face these risks, he is much less successful in establishing that operators are capable of cultivating and displaying *martial* courage.[4] The risks that drone operators face are also faced by members of other professions who are very far from being "warriors".

Physical courage in tele-operated warfare

Before turning to address Kirkpatrick's arguments, however, it is worth observing that the fact that drone operators are physically safe is not solely a function of the nature of drones themselves but is also due to the nature of the adversaries against which they have (thus far) been deployed. In a conflict against a well-armed and technologically sophisticated adversary the air bases from which drone operations are conducted would likely become the targets for cruise missile strikes. In such a conflict, operating drones *would* require physical courage because the operators would be risking injury and/or death in reporting for duty. Of course, in this context, so would the janitors and the admin personnel on base require courage to do their work as well.

Even in asymmetric warfare of the sort that the US is currently engaged in, operators of drones must be presumed to be potential targets for enemy operations. It would, for instance, represent a propaganda coup if one of the armed nationalist, jihadi, and/or resistance groups the US is battling in Pakistan, Syria, Afghanistan, Iraq, or North Africa, carried out an attack on one of the air force bases in the US from which drone operations are controlled. If these groups should succeed in making recruits in the US or otherwise infiltrating operatives onto

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[4] R. Sparrow, "Drones, courage, and military culture" in George R. Lucas, Jr. (ed) *Routledge Handbook of Military Ethics*. Oxford: Routledge, forthcoming.

US soil, one might anticipate that they would attempt to attack the operators of drones.[5] Thus even those operating drones today do, it might be argued, face some (admittedly low) risk of bodily injury.

Yet it is difficult to make a case that operating drones requires courage — and (therefore) allows operators to cultivate and exercise this virtue — in their current role in asymmetric warfare. When the US's enemies in its current wars have managed to carry out attacks on US soil, their targets have typically been civilian.[6] The bases from which drones operate are heavily guarded and the risks to operators must therefore be considered to be extremely low — arguably lower than that faced by ordinary US citizens. At most, then, it might be argued that the operators of drones do face some risk of bodily injury and that this level of risk is not qualitatively different to that faced by the operators of some other long-range weapons or weapon systems, such as cruise missiles or stealth bombers. What would appear to follow from this, however — especially if we concede that civilians face similar risks — is not that drone operators need courage but that many others currently thought of as warfighters have little — or no — need for physical courage either.

The courage to risk psychological injury

However, as Kirkpatrick rightly points out, the absence of physical risk — of risk of bodily injury — is not the same thing as the absence of risk. There is an emerging literature on the risks of psychological injury faced by drone pilots and, in particular, on the risk of Post-

[5] I owe this point to a conversation with David Blair.

[6] Possible exceptions here are the September 11, 2001, attack on the Pentagon (arguably a legitimate military target according to just war theory) and the Fort Hood shooting carried out by Major Nidal Malik Hasan.

Traumatic Stress Disorder (PTSD). Psychological wounds may be as disabling as physical injuries suffered in combat and so to the extent that the risk of PTSD exists (and is known to exist) the operators of drones will (and presumably do) require courage to confront it.[7]

Until recently, much of the evidence adduced for the claim that the operators of drones sometimes suffer from PTSD was anecdotal and appeared alongside accounts which suggested that operators found it all too easy to kill using these systems, suggesting that there was little trauma involved.[8] However, recently two studies have been published, which provide some data regarding the rate of psychological injuries amongst drone operators as compared to the civilian population, other serving military personnel, and the pilots of manned aircraft.[9] These studies show that (some) drone operators do experience adverse mental health outcomes, including symptoms characteristic of PTSD, at rates comparable to those affecting pilots of manned aircraft.[10] To date, however, the published data does *not* bear out speculations that the fact that drones provide their operators with real-time video imagery

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[7] For discussion of various ways in which the design of teleoperated weapons might contribute to or mitigate the risk of such trauma see, R. Sparrow, "Building a better warbot: Ethical issues in the design of unmanned systems for military applications," *Science and Engineering Ethics* 15:2, 2009, pp. 169–187.

[8] For different treatments of the topic, see, for instance: P. W. Singer, *Wired for War: The Robotics Revolution and Conflict in the 21st Century*, New York: Penguin Books, 2009, 346-347; B. Bender, "Attacking Iraq, from a Nev. Computer," *Boston Globe* April 3, 2005, A6; and, N. Shachtman, "Drone School, a Ground's-Eye View," *Wired Magazine*, 27 May, 2005, available at http://archive.wired.com/science/discoveries/news/2005/05/67655?currentPage=all (accessed 13.8.14).

[9] J. L. Otto and B. J. Webber, "Mental health diagnoses and counseling among pilots of remotely piloted aircraft in the United States Air Force," *Medical Surveillance Monthly Report* 20:3, 2013, pp. 3-8; W. Chappelle, T. Goodman, L. Reardon and W. Thompson, "An analysis of post-traumatic stress symptoms in United States Air Force drone operators," *Journal of Anxiety Disorders* 28:5, 2014, pp. 480-487.

[10] M. D. Matthews, "Stress among UAV operators — post-traumatic stress disorder, existential crisis, or moral injury?," *Ethics and Armed Forces* 1, 2014, pp. 53-57, notes that it is arguable that because UAV operators do not directly experience a traumatic event such as "a violent crime, serious bodily injury, or threat of death or serious bodily injury" they cannot, strictly speaking, suffer from PTSD. Nevertheless, Matthews acknowledges that operators may experience psychological distress as a result of a loss of meaning in life or "moral injury". However, if we interpret "traumatic event" more widely, to include witnessing such episodes, then it is clear that drone operators are exposed to such trauma and might be expected to experience stress-related symptoms as a result.

of those they are targeting and of the fate of their targets when they launch their weapons, makes operators especially vulnerable to PTSD. Nevertheless, now that these risks are known, operating drones arguably requires significant courage.[11]

The courage to make tough moral decisions

Kirkpatrick argues that drone operators may also be called upon to exercise *moral* courage in the course of their duties. They may need to exercise courage to risk their "reputation, financial security, career, psychological health, personal relationships…" in order to do what is right. A moment's thought suggest that there are actually two different cases where, it might be argued, moral courage is (or might be) required of drone operators: when they obey orders to kill; and, when they disobey orders which they believe to be illegal or immoral.[12]

Kirkpatrick suggests that it takes significant moral courage to take a human life and suggests that "there seems little difference between drone operators and those physically present in the battlespace" when it comes to the moral courage required to do so. This latter claim is one of the key controversies in the debate about drone warfare. The idea that killing requires moral courage relies crucially upon a folk-psychological belief in an innate human reluctance to kill which is most plausible in the context of personal violence. The notion that it takes moral courage to launch a missile at — and kill — a person thousands of kilometres away, whom

[11] Kirkpatrick, "Drones and the Martial Virtue of Courage."

[12] In fact, it is possible to imagine a situation where moral courage was required to disobey an order *not* to kill (for instance, in order to defend a comrade one's commanding officer was willing to sacrifice in to achieve some trivial military goal). However, I take it that the discussion below will also deal adequately with this case.

one has only ever seen in images on a computer monitor, is precisely what critics of drones contest.[13]

Kirkpatrick cites the fact that (some) drone operators experience PTSD as evidence that it requires moral courage for them to kill. Yet the fact that operators sometimes regret what they have done or suffer psychological injury after doing it does not establish that they require moral (as opposed to psychological) courage to kill. One can, for instance, be traumatised by something one had no moral qualms about doing at the time. Indeed, one suspects that this is reasonably common when warfighters develop PTSD; the memory that they were untroubled about what they were doing at the time is part of what makes the memory of what they did so traumatic. Unless it can be shown that operators of drones are typically reluctant to kill and are fully conscious of the moral serious of killing when they do it, the argument that it requires moral courage to operate the systems will be unconvincing.

However, there are now a number of publicly available accounts, both by and about drone operators, which report that operators are in fact acutely aware of the moral consequences of their actions and struggle with them.[14] Indeed, because they may spend weeks watching the people they are ultimately ordered to kill and witness the aftermath of the attacks they carry out in vivid detail, courtesy of the powerful spy cameras on their drones, drone operators arguably have a much better sense of the moral reality of killing than do the pilots of manned

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[13] For useful discussions, see: D. Whetham, "Remote Killing and Drive-By Wars" in D. Lovell & Igor Primoratz (eds) *Protecting Civilians During Armed Conflict: Theoretical and Practical Issues During Violent Conflict*, Farnham: Ashgate, 2012, pp. 199-214; and, J. Sparrow, *Killing: Misadventures in Violence* Carlton, Vic.: Melbourne University Publishing, 2009.

[14] See, for instance: M. Power, "Confessions of a Drone Warrior," *GQ*, October 23, 2013. Available at http://www.gq.com/news-politics/big-issues/201311/drone-uav-pilot-assassination (accessed 14.8.2014); and, P. Lee, "Remoteness, risk and aircrew ethos," *Air Power Review* 15:1, 2012, pp. 1-20.

aircraft or those who launch cruise missiles or fire long-range guns. On the other hand, it must be acknowledged that a number of media stories suggest that those who fly drones are typically eager to attack targets and are excited when they do and that an important task in training the operators of Predator and Reaper is reminding them that they are not just "shooting electrons" and that real people die when they carry out an attack.[15] The evidence available (to people outside of the US military at least) on this question is mixed, then, but it seems pretty clear that at least some drone operators do kill reluctantly and exercise moral courage in doing so — and therefore that drones allow, even if they do not necessarily encourage, the exercise of moral courage.

The other circumstance in which drone operators may be called upon to demonstrate moral courage is when they are ordered to do something which they believe to be immoral or illegal, such as fire on a group of people they believe to be civilians. Refusing to carry out an order may have dire consequences for the career, reputation, and well-being of operators. The institutional culture of the armed services typically emphasises and reinforces discipline, loyalty, and solidarity, which means that it can require extraordinary strength of character to stand out from the crowd by refusing to obey an order; these pressures are especially strong in close-knit communities of the sort that the operators of remotely-piloted aircraft often become.

There are, admittedly, some reasons to believe that drone operators have *less* need of moral courage to disobey illegal or immoral orders than combatants physically located in the area where combat operations are occurring. Because the telemetry to and from drones is

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[15] See, for instance: Bender, "Attacking Iraq, from a Nev, Computer"; N. Shachtman, "Attack of the Drones," *Wired Magazine* 13: 6, 2005, available at http://archive.wired.com/wired/archive/13.06/drones.html (accessed 14.8.2014); and, Shachtman, "Drone School, a Ground's-Eye View."

recorded, commanders are likely to be cautious about the nature of the commands they issue. A number of authors have argued that drone operators are less likely to experience strong emotions like terror or anger, which may cloud the judgement of those engaged in combat, and thus are better situated to consider the ethics of their actions.[16] Finally, as I have argued elsewhere, the demands of loyalty are likely to be weaker on drone operators than on combatants physically located in the theatre of operations, so even given the strong social bonds between them they are much better placed to resist peer pressure to carry out immoral acts than, for instance, members of a squad of marines.[17]

Despite these observations, Kirkpatrick's claim that drone operators may require moral courage to disobey illegal or immoral orders — and therefore can exercise it by doing so — seems right. Indeed, given that the immediate consequences for the operators of drones of disobeying rather than obeying orders to kill are likely to be more severe, this would appear to be the epitome of moral courage amongst this cohort.

Courage, yes, but martial courage?

Thus, Kirkpatrick is correct in claiming that tele-operated weapons still require their operators to be courageous and offer them opportunities to cultivate and exercise the virtue of courage. Yet intuitively there still seems to be something different about the opportunities to exercise courage available to drone operators — and the sorts of courage they may exercise

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[16] See, for instance: Whetham, "Remote Killing and Drive-By Wars"; and, J. Kaag and S. Kreps, *Drone Warfare*, Cambridge: Polity Press, 2014, p. 115. It is worth observing that this argument, often deployed to assert the moral benefits of using drones, cuts against the claim that operators experience strong and troubling emotions when they kill.

[17] Sparrow, "War without virtue?", pp. 96-97.

— as compared to (some) other warfighters. The absence of physical risk matters. Indeed, the arguments I adduced above about the extent to which drone operators are or might be at risk as a result of enemy action are telling by virtue of the way they struggle to establish that the operators of drones are subject to any more risk of bodily injury as a result of enemy action than civilians or non-military personnel co-located on their bases. While drone operators may fight wars, they don't "go to war", and while they may kill people, they do not engage in combat.[18] For this reason, the courage they display does not appear to be an especially "martial" courage.

A similar dialectic is present in discussions about the courage required to confront the risk of psychological injury. Medics, chaplains, and military psychologists are often exposed to stressful and traumatic experiences and may suffer psychological harms as a result but we would hesitate to characterise them as displaying martial courage in these roles. Moreover, when drone operators do suffer psychological injury, it is not the case that they are injured by enemy action. Thus, the courage displayed by the operators of drones when they carry out their duties in the face of the known psychological risks of doing so looks more like the courage, both physical and mental, displayed by people working in other demanding or dangerous, but non-martial, professions.

The role and nature of the moral courage required by drone operators is more complicated.

Members of other professions, such as doctors and aid-workers do often have to make life and death decisions. However, while those working in these roles may sometimes decide to let someone — or even a whole group of people — die, they do not have to be able to make

[18] M. S. Riza, *Killing Without Heart: Limits on Robotic Warfare in an Age of Persistent Conflict*, Dulles: Potomac Books, 2013, pp. 86-95.

the deliberate choice to kill which drone operators must be able to make to carry out their duties.[19] Thus, the moral courage required of drone operators to kill people *is* arguably distinctively "martial".

However, as we saw above, moral courage will mostly be required of drone operators to *refuse* to kill — or at least to refuse to obey orders they believe to be immoral or illegal. Drone operators are not the only military personnel who might receive immoral or illegal orders and need courage to disobey them. Lawyers, accountants, and supply officers may encounter circumstances where their conscience requires them to disobey orders. Indeed, arguably people in these professions are more likely to find themselves in these situations than drone operators given the incentives for — and, consequently, prevalence of — corrupt or immoral activities in large bureaucracies. On the other hand, members of these professions are unlikely to be commanded to kill someone and to require moral courage in order to refuse to do so, which suggests that moral courage of this sort in drone operators is also more martial.

Yet emphasising the moral courage required to refuse to kill has a paradoxical implication, which unsettles this conclusion: it suggests that those who refuse to kill — or even leave the military or refuse military service — demonstrate the most courage. To become a conscientious objector or a deserter on moral or political grounds does, I strongly suspect, require great moral courage but it stretches the imagination to call this martial courage.

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[19] Police officers must sometimes make this decision but arguably do so in a much less contested moral and political context than warfighters; nor is killing people the defining task of their profession, as it is for warfighters.

While Kirkpatrick succeeds, then, in demonstrating that the advent of tele-operated weapons need not prohibit the development and exercise of the virtue of courage *per se* in those who operate them, it still seems likely that these weapons constitute a significant threat to the virtue of martial courage that is currently at the heart of the self-conception of warriors.[20] At most, the operators of these weapons may require a distinctively martial moral courage when they kill in full awareness of the moral significance of this act. Just how many operators exercise this virtue and how often is likely to remain controversial until we have a better understanding of the impact of tele-operation on the experience of war.[21]

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[20] S. E. French, *The Code of the Warrior: Exploring Warrior Values, Past and Present*, Lanham, Md.: Rowman & Littlefield, 2003; R. Moelker and P. Olsthoorn, "Virtue Ethics and Military Ethics," *Journal of Military Ethics* 6:4, 2007, pp. 257-258; P. Olsthoorn, *Military Ethics and Virtues: An Interdisciplinary Approach for the 21st Century*, London and New York: Routledge, 2011; B. C. S. Watson, "The Western Ethical Tradition and the Morality of the Warrior," *Armed Forces and Society* 26:1, 1999, pp. 55-72.

[21] This question is, of course, only one of the many ethical issues raised by the development and use of armed drones in modern warfare. For a more wide-ranging discussion of these issues, see R. Sparrow, "Robotic weapons and the future of war," in P. Tripodi and J. Wolfendale (eds), *New Wars and New Soldiers: Military Ethics in the Contemporary World*, Surrey, UK & Burlington, VA: Ashgate, 2011, pp. 117-133. For an argument that there is an urgent need for an arms control regime to regulate the development and uses of robotic weapons, see R. Sparrow, "Predators or plowshares? Arms control of robotic weapons," *IEEE Technology and Society* 28:1, 2009, pp. 25-29.

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