

PART III: JUS ANTE BELLUM

CHAPTER 7

THE MORAL SINGULARITY OF MILITARY PROFESSIONALISM

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Introduction: For the last century and more, professionalism has been the dominant concept of our military's self-image and self-ideal. Central to the concept of professionalism is a distinctive concept of responsibility: the concept of professional responsibilities. That general concept has both individualist and collectivist elements, and since militaries have a distinctive inherent collectivist dynamic, unlike other professions and other organizations, our military's conception of professional responsibilities has distinctive collectivist components.

This is not well understood by military professionals, so military professionalism is not well understood by them. That's partly because this is not well understood by military ethicists whose work should illuminate such matters. The available philosophical frameworks for understanding the moral character of military professionalism are well represented by the work of Michael Walzer and Richard Schoonhoven, whose essays book end the prior essays of this volume. In Walzer's case, I refer more to the work his present essay refers to, his seminal *Just and Unjust Wars*¹ which promotes a collectivist

conception of military responsibility that aims to explain and justify a moral principle he dubbed 'the moral equality of soldiers'. The framework Schoonhoven's essay represents is implicit there and explicit in the extensive writings it cites of Jeff McMahan. Like McMahan, Schoonhoven denies the moral equality of combatants by relying on an insistently individualist conception of responsibility.²

Their topic takes them to the heart of military professionalism, yet Walzer's and Schoonhoven's arguments (and those of McMahan and many others) hardly mention military professionalism at all. Their competing analyses jointly present the profound dilemma military professionals confront regarding their professional conduct when they believe their nation has no right to be warring. That ethos doesn't resolve the dilemma; it provides no coherent specific principle on this matter; it is irredeemably ambivalent and conflicted here. As the more reflective among them sometimes sense, military professionals really don't know what to believe about this matter.³

Moral Precariousness: The dilemma is rooted in the peculiar inherent precariousness of the morality of warrior work that distinguishes the practice of warrior skills from that of civilian professions and other respectable occupations. The ethical codes of civilian professions derive primarily from the specific ends and means of their work, its defining goals and appropriate activities for achieving those goals. The defining goals are distinctive benefits for the client, specific interests served, like restoration of health, acquisition of knowledge, and so on. The work of a professional has inherently valuable ends; it is well worth doing, and not just for the money. Further, the practice (the exercise of the professional skills, the activity attaining the goals) is normally benign. While achieving a legitimate professional goal may occasionally require harming

someone, the client or others, generally the harms are mostly minor, incidental, and not inherent in the activity or its goal. In brief, professional codes of ethics presume that the profession's distinctive aims are laudable and its means are (normally) morally unproblematic.

In contrast, the warrior's goal is victory in violence. Victory never itself legitimates the violence. Only the cause for violence can do that. The warrior's skill and success are neutral among causes. Professional proficiency is measured by efficacy in battle, contribution to victory, not by the validity of the cause. Further, the work of the warrior is the deliberate infliction of the greatest evils on other persons, subjugation or death. Death, disablement, destruction of other people's goods, these are not inessential, incidental or peripheral consequences of military activity; these are the effects the warrior's tools and skills are specifically designed to cause. Absent some extrinsic legitimation, acts having such effects are monstrous, howling wrongs. In sum, the distinctive expertise of the profession of arms is a skill at causing intrinsic moral evils that cry for justification, while the profession's inherent goal is morally neutral.⁴

That sounds awful, and in the word's root sense it is, but it is not an indictment or criticism of the military. It's no ethical defect, no cause for shame or embarrassment that its work is inherently morally risky. Warring cannot but be a nasty, ghastly business, and it is very liable to be a great crime. There's no way around that.

This is a sensitive matter, frequently misunderstood and fiercely resisted, so though the point is plain and simple we need to dwell on this awhile to dispel some common distracting confusions. Throughout keep in mind that the problem presented is not whether warrior work is justifiable, but how, and the point thus far is only that the

framework of functionalist reasoning applicable to civilian professions cannot work for military professionals.

Now, while some have denied it, we can take as a given that someone's got to fight our battles and do our killing for us. The military has the grand, grim duty of defending the nation, and to that end the killing and destruction may be necessary, justifiable, righteous work, worthy of great honor and glory. Military might has other uses no less noble, like the defense of allies and of the oppressed in humanitarian interventions. Certainly, the goods attained by medical work, protecting human health and life, may also be attained by warrior work – and the work of plumbers and computer technicians – but those goods are *extrinsic* to these occupations. Those goods are internal to medical practice; the tools and skills of that practice are designed specifically to achieve those goals, and they are evaluated by their proficiency in that pursuit. Those goods do not guide the design of grenades and napalm bombs, or the development of skills in their effective employment. The warrior's tools and attendant skills are evaluated and evaluable by their proficiency, not in saving lives, but in causing death and destruction. And, note well, in the development and evaluation of the tools and skills, the identity of the victims is irrelevant.

Nothing here devalues national security as the paramount proper use of a nation's military, but no such extrinsic, distal goal identifies the military's distinctive nature or explains the distinctive character of its proper professional ethics. National security is an umbrella rubric, an "interest" threatened or affected by a dysfunctional economic or educational system and other factors outside the military purview. The military is distinguished not by its serving that interest, but by its serving that interest – and others

--- by violence (destructive power, lethal force) or its threat. More precisely, *de facto* and *de jure*, our military's essential function is to further, by violence or its threat, what its government leaders deem to be the nation's interest. It cannot defend without a capacity to aggress. Both capabilities are available for service. The military's essential nature isn't revised or reduced by deploying it only for legitimate defensive purposes, no more than the nature of a gun shrinks by firing it only at paper targets.⁵

Predictably, these truisms are persistently obscured by double talk. Hard upon our WWII triumphs, it was a neat piece of Orwellian newspeak to rename the U.S. Department of War the "Department of Defense". The old name was too ominous for the department controlling the newly world dominant military of a self-professed non-imperialistic nation. The re-baptism signaled no shift or restriction of basic functions. The department's core purpose remained to use lethal force to conquer, subdue or otherwise enforce the cooperation of other peoples (Indians, Mexicans, Filipinos, Central Americans, Vietnamese, Afghanistans, Iraqis and the rest) to serve politically influential American interests -- annexing the conquered territory when convenient or otherwise effectively controlling it without occupying or colonizing it. Engagements to repel an invasion of the homeland are singular. Clear compliance with principles of justice has been occasional, and often almost coincidental.

The renaming was motivated by political realities; it didn't revise them. Legislation restricting military activities to "defense" is also subject to revision by political realities, as Japan's shipping soldiers to Iraq shows. Terms like "national security" and "defense" have virtually unlimited rhetorical elasticity, readily expanded from repelling a territorial incursion to protecting any of a people's interests, legitimate or

not, and on to proactively promoting any such interest – till we get a government proclaiming that defense of our nation necessitates invasion of a distant, militarily crippled nation that is not attacking us, nor equipped to, nor preparing to (since any attempt would be a national-suicide bombing) – nor really seeming to. Overtly or covertly revising the definition of "national security" or "defense" may inspire or require revision of terms defining it or defined by it. When our political and media propagandists first allege that preventive war is justified as a necessary defensive strategy against terrorists, and then designate as "terrorist" all who combat our invasion and occupation of their homeland, our propagandists nicely preempt the use of "offensive" or "aggressive" to condemn any military act we indulge in.⁶

The all too prevalent current characterizations of warrior work in such terms as "defense" only mask the moral precariousness of that work. Such stipulations hope to remove the troubling precariousness by treating a possible extrinsic good of the activity as an essential intrinsic good that secures its justification. This hollow verbal victory turns a whole cluster of terms like "warrior", "military", "armed forces" etc. into honorifics whose application is as contestable as the determination of the goal some agent or agency is pursuing, and it kicks down the road what to call those exercising the same skills in the same kind of activity for other purposes. Such stipulations are unsustainable: they inevitably motivate an expansion of the definiens, "defense", to make the definiendum "warrior" apply much as before, and that makes the imputed intrinsic goal into something that justifies nothing.

The morally precarious position of the military has only dismal civilian counterparts.⁷ That position is not the lot of lawyers with professional obligations to serve

their client's interests in legal “battles”, despite the unrighteousness of the client's cause and the losses for others. The adversarial character of the legal profession is unusual for civilian professions and unlike a military’s adversarial nature in many morally significant respects. First off, much legal work is not adversarial or a threat to anyone’s interest (e.g., writing wills, negotiating mutually agreeable arrangements), and it is often adversarial without damaging anyone (society benefits when it unsuccessfully prosecutes innocent persons), and even when the outcome damages one party, the legal proceedings themselves are not inherently condemnable: they needn't discomfit anyone, beyond, perhaps, embarrassing a witness. Beyond all that, the “battles” of legal adversaries are regulated by rules and policies – including their professional code – designed (imperfectly) to promote the discovery of truth and the justice of the result. By contrast, the war rules within which warriors today work do not, in intent or effect, favor those with justice on their side or disadvantage aggressors. Instead, current war conventions prohibit the pursuit of natural justice and the punishment of captive combatants, however deserved it may be. Nations wisely sign on because generally every nation benefits, aggressors and defenders, victors and vanquished. In this respect our war rules are insistently amoral.

And so are our codes of military professionalism. Civilian professional skill put to an ignoble purpose (as when a physician masterminds undetected murders) is a perversion of the profession, a misuse of those skills. A warrior’s dutiful service in wrongful aggression is rarely deemed dishonorable, let alone “unprofessional”.

Again, the moral precariousness of warrior work is not that practitioners may find themselves ordered to do something god awful. That circumstance may equally befall the

nonmilitary government personnel under a vicious regime. The profession of arms is morally problematic because, unlike civilian professions and other government work, there is a very clear and very strong moral presumption against its primary activity. That presumption is overcome when a warrior fights on the side of justice. That fact further locates the precariousness of the warrior's position and doesn't eliminate it. The problem confronting military professionals is not that of *jus ad bellum*, the problem of whether and when nations may rightly war. The warrior's question is not whether and when individual warriors, acting like mini-nations, may rightly duel or privately battle to death. Rather, the question is whether a society's warriors may justifiably do their work *when and because their government so commands*.

If military professionalism is modeled on civilian professionalism the answer must be: no. Civilian professionals are autonomous agents; the decision to ply their skills is not outside their control. No contract or oath can – legally or morally -- bind a civilian professional to maim and kill innocent (non-aggressing) people; no such commitment eliminates or much reduces the agent's legal and moral accountability. The agent might have some justification or excuse for doing whatever she is bidden if she could reasonably believe that her client/employer would never direct her to participate in a heinous wrong. As things are, no one can reasonably believe that about any nation.

Certainly, it matters that a warrior is serving her nation rather than making a living as a mercenary. The question remains: how does that matter, given that elsewhere a governmental directive does not by itself suffice to justify compliance independent of any consideration of its righteousness? Military victory is not an impersonal good like health or knowledge. It is inherently a good for the victor, and inherently an evil for the

vanquished, so it is inherently morally unlike health and knowledge. Other people don't have your reasons for improving your health or your knowledge, but no one need have any reason to oppose your attainment of those goods. The asymmetry here is crucial. The partiality civilian professionals can or must have regarding their clients' good is consonant with universalist principles of justice. A warrior's partiality for her people may be unproblematic within a tribal morality. How a warrior's lethal partiality is compatible with the universalist principles of justice of our culture is a profoundly troubling puzzle.

This last point is crucial. The moral precariousness of warrior work – the amorality of its distinctive goal and the presumptive immorality of its distinctive means – is inherent to the activity, universal for all mankind (and extraterrestrials), but it does not present the same problem for all societies, or anyway, what comes to the same, the available responses differ profoundly.⁸

Many a warrior of yore was proudly unmerciful to disabled and defeated enemies deemed to have served an unjust cause. World-wide, pre-professional warriors have often been enthusiastically ruthless, glorying in plundering, pillaging, raping, enslaving, massacring, torturing, untroubled by any doubt that the victor may despoil the vanquished at his pleasure. More often than not, much of such mischief has been blessed and motivated by communal moral codes. However horrendous, the suffering was often inflicted as punishment, judged fully deserved. Its justice was often the roughest, assigning collective guilt, unmindful of the unwillingness of anyone's participation and contribution in the alleged wrong. Its spirit might be hot vengeance or cold pragmatic calculation or self-righteous retribution or holy obligation. Clear-eyed warriors have deliberately drawn buckets of excessive blood, unnecessary for victory, seen the blood on

their very own hands and did not distance themselves from it or feel dirtied by it.

Some warriors have respected the correlative thought and refused to practice their deadly craft for morally repugnant causes. This too has been urged and honored by some cultures. Whatever the statistical frequency of such sentiments, they are stirred by principles of moral responsibility whose nub has as much (and as little) natural, universal appeal as the Golden Rule. These natural moral sentiments may be repressed but not readily obliterated. Whatever a culture's warrior code may commend, a warrior with an open mind or a healthy human heart is vulnerable to the thought that his life might be befouled by his killing people for reasons he cannot respect. That thought is not antithetical to military professionalism. It is elemental to the ambivalence inherent in its ethos.

Moral Singularity: In our culture the moral precariousness of the military has motivated a great range of conceptions of *the moral singularity of warriors* expressed in some reluctance or resistance to regard someone's moral responsibility for service in condemnable warfare in the very same way we regard a person's moral responsibility for complicity in other horrendous injustices.⁹ People, in and out of the military, commonly feel that such service is, at minimum, not dishonorable. Attitudes on this vary widely, and while they are generally vague and inchoate, their differences may be gross or finely nuanced. At one extreme, some people feel that (almost) any refusal to serve is dishonorable. At another extreme, others think themselves morally obliged to refuse service in an unjustified war and to publicly condemn the war and the political leaders and to laud those who eventually condemn themselves for their service – yet even such conscientious objectors are commonly reluctant to condemn those who never condemn

themselves for their service.

Such conceptions may be expressed in various ways. As noted earlier, while civilian professionals are said to act unprofessionally when they put their skills to evil ends, this is not said of warriors. Further, such conceptions have varied along many dimensions. Among the most salient (historically, conceptually, and morally) is their degree and kind of universalism. Nothing truly comparable to Walzer's idea of combatant "moral equality" is available without a background acceptance of (some version of) the universalist egalitarianism that took hold in the Enlightenment.

Walzer's conception of warrior moral singularity is extreme in many respects: its egalitarianism, its simplicity, its incoherence. In essence, it says, for example, that while the nation and political leaders of Japan had no right to kill Americans at Pearl Harbor, and no right to command Japanese pilots to kill those Americans, nonetheless those pilots had the right to kill those Americans just because they were so commanded. That claims defies comprehension.¹⁰ Happily, we have no need to try to make some sense of it, since nothing remotely like it is needed to make good sense of the war conventions and principles of *jus ad bellum* and *jus in bello* Walzer accepts along with most reasonable people today. Walzer cannot himself really believe what he says. His blanket absolution of moral responsibility for a combatant's contributions to horrendous evils directly entails the denial of *any possibility of* justified conscientious objection to military service. That implication is utterly unpalatable to Walzer (and most reasonable people), but it is the sole significant import of his principle. The whole subject of warrior moral singularity has near nothing to do with war conventions, crimes and institutional sanctions and everything to do with sin, conscience, and our extra-institutional interpersonal and

intrapersonal attitudes and relations. That is how Augustine conceived this matter, and why this matter goes to the heart of professional military ethics.

Schoonhoven's criticisms of Walzeresque conceptions of warrior moral singularity are persuasive partly because they are commonsensical. As such they make it understandable why many a modern officer may be leery of Walzeresque conceptions of their moral singularity which salvage their honor by sacrificing their self respect, threatening their proud conception of themselves as professionals, morally responsible for their professional conduct. The flip side of this is that Schoonhoven leaves us wondering how it could be that (as he observes) many (perhaps most) military professionals, including relatively thoughtful ones teaching at the academies, profess some conception of their moral singularity, perhaps less elegant and extreme than Walzer's, but still quite robust.

While Schoonhoven does not offer some alternative, minimalist conception of warrior moral singularity, he may represent the outer limit of positions within that range for he does not rule out the possibility of some such singularity. He is more cautious than ethicists like McMahan who suppose that any moral attitude that appears to regard a warrior's moral responsibility as special in some way must be either indefensible or defensible by the same principles, concepts, and kinds of reasoning we properly employ regarding all other matters of moral responsibility, so the apparent singularity is sheer illusion. Anyway, in practical terms, Schoonhoven's main disagreement with McMahan is not insignificant but not significant enough. For both, the moral responsibility of military professionals differs from that of civilian professionals not at all or only in degree. McMahan might allow some minimal presumption favoring a warrior's compliance with

a governmental directive to serve. Schoonhoven seems sympathetic to a somewhat stronger but still anemic presumption unacceptable by his military professional colleagues.

The dilemma for military professionals is that neither Walzer nor Schoonhoven/McMahan offers an acceptable option, yet those are the only available philosophical frameworks. Western philosophy provides no alternative that makes sense of some compromise. It is principally our philosophical heritage -- particularly the universalist, egalitarian, cosmopolitan, humanitarian, liberal, individualism emerging in the Enlightenment -- that has made the military's moral precariousness a peculiarly acute and apparently irresolvable problem.

Enlightenment Influences: Considered geopolitically, the Enlightenment begins with the mid-17th century Westphalian renunciation of religious warfare and the recognition of states as sovereign national communities. It culminates in the early 19th century rise of military professionalism and the civilian control of the military that professionalism promotes. That development may be well conceived as the Enlightenment's dialectical response to its intensification of a cultural and political problem made specially pressing by the Peace of Westphalia: the problem of military fealty. When a military and its personnel are alienated from religious motivations, and the nation they serve is a political fiction, an artifact of state sovereignty lacking the unifying communal bonds of kinship and common culture, then the problem of securing military loyalty to political leaders (a problem for (almost?) any human society) faces unprecedented challenges. The instability of that political condition is aggravated as a culture becomes increasingly individualist, liberal, skeptical of authority, resistant to it and resentful of it, and increasingly

responsive to the callings of a transnational, trans-political common humanity.

America's military is a creature of a novel culture whose self-conception is documented by a resounding expression of Jeffersonian liberal egalitarianism. The unmistakable Enlightenment spirit shining through its founding documents has kept a steady pressure on the nation's laws and every dimension of culture. That pressure will always meet push-back from religions with imperialistic inclinations or ritual practices condemned by a conception of people as free and equal responsible lives. But most religions feel unthreatened by Enlightenment principles most of the time, for those principles protect religions from one another and enable them to flourish. Our humanist, egalitarian liberalism is inherently at odds, not with religion, but with the military and the ethos demanded by its organizational imperatives. The organizational totalitarianism needed for military proficiency is a massive, systematic violation of Jeffersonian democracy, its civil laws and social codes. Enlightenment principles do tolerate and sponsor the military's radical subordination of citizens in its ranks, because – and only insofar as -- it is necessary to protect and benefit the civilian world. Our heritage had largely left its military leaders *carte blanche* to create and run a proficient military modeled originally on European militaries with centuries of aristocratic heritage. Over the last half century the civil government (executive, legislative, and judicial), often responding to civilian movements, has taken closer and closer control of the military, and called for justification of military practices and traditions in every corner of its culture. That trend is likely to accelerate.

Members of our military enter it with the consciences born of their national civilian culture and personal subcultures. Military training must reform that mindset to

function effectively in an authoritarian agency. That is an imperative inherent in the nature of a military organization. Another imperative comes from military professionalism's commitment to the military's subordination to the civil government it serves: military culture must evolve within the evolving civilian culture, respect it and stay subordinate to it.

The conscience Professional Military Ethics Education (PMEE) must shape must continuously struggle with the civilian conscience from which it springs, respecting it while resisting it, sometimes envying or admiring it, sometimes straining to tolerate it, sometimes enhancing itself by taking civilian ideas and practices on board and redesigning them to accommodate the military's organizational imperatives. One consequence of this complexity is that the military conscience commonly sees its moral challenges and frames its inner conflicts in ways that may be opaque for civilians. Another consequence is that that conscience is susceptible to self-delusion due to the illusion of transparency natural to self-consciousness. Among its inner imperatives is a demand for unity, in thought and deed, throughout the organization. That demand is energized by its needs for decisiveness, confidence, certainty, simplicity – a cluster of concerns predisposing the military mind to suppose that it has some single, unified, coherent ethos and the primary purpose of PMEE is to transmit it. A pervasive assumption controlling its response to the moral conflicts it confronts is that its ethos is under attack from some hostile, alien ideology, so it must marshal its forces to crush this opponent. That is dangerously wrongheaded. The “enemy” is within.

Military professionalism is the Enlightenment's Trojan horse within the fortress of the military's ethos. The military wheeled that “enemy” in, transformed it and

transformed itself by professionalizing itself. The military is constrained from without by the Enlightenment strains of the civilian culture it serves; it is pulled from within by its commitment to an occupational ethos born of that culture. It has encouraged professionalism for its Enlightenment spirit of scientific rationality to improve technical proficiency. Those habits of open critical inquiry -- dissatisfied with dogma and skeptical of the epistemic authority of tradition and organizational authority -- transfer to its ethical thought. Here the ethos of professionalism turns schizoid. A true professional internalizes the attitudes, values and principles appropriate for her occupation, so the military professional must somehow integrate a flexible, liberated intellectual spirit with the rigid, authoritarian mindset of militarism. Many aspects of this conflict are controversial, but its existence is widely recognized. Other implications of professionalism are not.

With the end of aristocracy came the end of officership as the aristocratic occupation, and with the rise of liberal egalitarianism came a pervasive meritocracy and conceptions of dignified labor that award prestige and social status to occupations called *professions*. The term and its cognates are generally honorific, so their precise connotations are variable and controversial. Nowadays virtually every occupational grouping aspires to this aristocracy of employment.

Professionalization of the military has been a target and a mission, with skirmishes, battles, and marketing campaigns, in America and abroad since the 19th century. Military academies have, perforce, been prime targets and theatres of these campaigns, because professionalization means nothing without systemized education and training. Professional Military Education (PME) must satisfy the demands inherent in professionalism within the constraints of the military's organizational imperatives. That

complex demand must control every policy and program of PME, especially every aspect and detail of PMEE.

Professionalism is an Enlightenment spirit of occupational self-improvement, with two primary concerns, the cultivation of competence and the promotion of an ethos of its proper employment. Professionalizing the military resembles professionalizing other occupations in its raising the standards of skill and the competence of practitioners. As elsewhere, the big money for professionalizing goes to improving expertise, the technical skills that increase proficiency. Professionalization of the military ethos is not funded or manned on the scale of training programs for fighter pilots. It does not command that attention or invite the same cold, questioning eyes.

Still, as elsewhere, the ethos of professionalism motivates its own transmission. It presses for developing practitioners who exercise their expertise with professional integrity. Professionalizing the military's ethos resembles other professionalizations in this and other important respects. All professional codes are alike at some level of abstraction and generality. Professionalism always opposes an amoral spirit of unconstrained technical proficiency and bottom-line cost-benefit effectiveness. Military professionalism is no less morally serious; it is deadly serious about its codes. Civilian professional codes rarely have incompatible principles or values. They differ in their focus and emphasis. Each professional code is contoured to accommodate the profession's distinctive goals, expertise and circumstances. Normally, the contouring comes from directly applying general ethical principles applicable to everyone to the distinctive general features of an occupation. Not so for the military. Its moral reasoning must take a different route.

If the morality of military professionalism is modeled on that of civilian

professionalism, our military is in a morally untenable position. The ethos of professionalism has been, as it had to be, retrofitted for military operations. *Militaries are professionalized by militarizing professionalism.*

Civilian Control: American foreign policy promotes the professionalization of all militaries, not just those of our allies. It employs its military professionals to assist other nations to this end – despite the evident dangers of increasing the proficiency of all militaries in developing and applying massive lethal force. The intent is to foster intra-national – and thereby, inter-national – political stability by converting others to our own military’s professional code, whose First Commandment is: Stay out of politics. Governments anxious about their military’s fealty submit them to professionalization.¹¹

Military professionalism is premised on the civilian control of the military. Professionalism in the military is in the service of the political *status quo*. Whether this be desirable or deplorable is debatable, but it means that military professionals are walled off from the political world civilian professionals inhabit. Our culture systematically circumscribes their practical reasoning about their professional conduct. Their moral reasoning about their political relations is censured when they presume to deliberate with the unfettered reasoning of civilians.

The term ‘military professionalism’ may mislead, since we do call a politically independent organization of numerous skilled practitioners of martial arts an *army*, a *military*. A private army may be well moved to promote its self-improvement and publicize it as “professionalization” for its instituting higher standards of practitioner performance, improving the training and testing of skills, and inculcating a warrior ethos fit for a Jeffersonian democracy, a civilian warrior ethos. Since militaries share some

basic, broad organizational imperatives which put a premium on certain skills and character traits, our PMEE might profitably consider the proper ethos for such civilian warriors, and our military might reasonably reform its ethos upon learning how a private military markedly improved proficiency by adjusting its ethos and altering some practices. However, various factors limit our military's interest in such social experiments.¹² In particular, the institutionalized decoupling of the military from civil politics is no adventitious plank in the platform of the military professionalization movement. It is the cornerstone of our military's professional ethics. Whatever the military advantages of a civilian warrior code (or anything else) its features are adoptable by our military only insofar as they are adaptable to the moral constraints imposed by our military's political condition.

As a modifier of 'professionalization' and its cognates, "military" applies solely to a governmental agency, specifically, the agency empowered to develop and deliver massive deadly force. Civilian professions are not agencies. In the U.S., the medical profession is not the AMA; elsewhere it is not the national health service employing all practitioners. At its core a profession is a skill set, a valuable expertise. Generally, would be clients (beneficiaries of the skill) might be almost any person or organization, civil or government, in this or any nation. As such, professions have an apolitical or trans-political character. On the other hand, professions have an inherent tendency to organize and engage in political activity. And whatever their affiliation with or participation in such organizations, our civilians professionals have the rights and responsibilities of citizens of a Jeffersonian democracy.

Since the military's subordination to the civil government was codified in

America's Constitution before it professionalized its military, that subordination may seem much the same as that for all citizens, just a matter of obeying the law. That similarity is a bare abstraction. Our nation's military is a state sustained semi-autonomous world, with its own legal order, culture and ethos.

Statutory law assigns active-duty military personnel a distinct civic status. They are not civilians. They are denizens of a totalitarian dictatorship welcomed within a liberal democracy as long as the people believe that the totalistic subordination is needed for their own peace and security. Military professionals have markedly less participation in the civic order and processes separate from their professional lives. Around and within the statutory structure has grown a richly textured heritage, having pre-professional roots, of rules, customs and expectations – official and unofficial -- defining the whole public "conduct becoming" military personnel in general, and particularly the officers. Their professional responsibilities pervasively constrain their public conduct, in uniform and out. Military professionals respect all that and wholeheartedly embrace it. They know that no civilian profession, individual or organization, has comparable capabilities for challenging or defying civil authority. Professional officers take pride in not being civilians and being subordinate to the civic order. (Some military professionals have made it a point of honor to not exercise their right to vote.) That pride honors their dreadful power. In return, society honors them and glorifies them as long as they faithfully serve their government.

This civilian control is a social contract.¹³ With its unsurpassable potential for political mischief, the military must be denied all opportunity and any right – and thus any obligation -- to participate in the political process determining the deployment of

their power, except as technical advisors regarding their capabilities, limitations, likelihood of success, risks and costs of failure, and the like. Military professionals subordinate their will to the government, the legal authority of the society. They subordinate their political will, surrendering the rights and responsibilities of citizens to influence their government to do what they believe is right. They subordinate their professional will, surrendering the rights and responsibilities of autonomous agents to influence their employers to employ them properly, in a manner they may be rightly proud of. They wear a uniform marking their release from civil society and their subordination within a state sustained totalitarian organization that commands absolute obedience to their superiors, even in the face of death. All this is thought legitimated by providing the personnel an (allegedly) reasonably fair deal. The state supplies their basic material needs (food, clothing, shelter, health care), a living wage, and a retirement pension (below the civilian pay scale.) It supplies their physic needs by sustaining both a military culture that exalts their work, fosters pride in themselves and their occupation, and also a civic culture that respects, honors and glorifies them and their ethos, and holds them blameless for faithfully serving the nation. In sum, our society strips those in uniform of responsibility for their contributions to state sponsored deadly force, and compensates for this divestiture by sustaining a culture honoring that divestiture.

Understandably, many military professionals have presumed it absolute and axiomatic that they are not to be in the business of determining whether there is due cause for their killing people in their professional capacity. That extreme conception of their moral singularity is not a dogma of military professionalism. As with many other compatible or competing conceptions of that singularity, military professionalism neither

commands it nor condemns it. Instead, it both encourages that belief and discourages it. That belief is encouraged by a culture commanding an absolute, unquestioning respect for subservience to the civilian order. However what exactly is required by such respect -- whether it mandates some unquestioning acceptance of the wisdom and justice of civilian directives -- is open to question. That idea is called into question by professionalism's Enlightenment ideals and principles of autonomy, open inquiry, and individual responsibility.

The conflict here exemplifies the basic structure of the inherent ambivalence within military professionalism. Still, the cognitive, motivational, and emotional character of that ambivalence remains an abstraction without some accounting of some other salient peculiarities of the military. The remainder of this essay is devoted to providing that account, but the subject is immense, so the account here is only a beginning, a sketch. Throughout my intent is to understand before presuming to criticize and reform. The occasional sharp comments that may sound censorial are meant to jolt some recognition of some questionable features of this ethos, but not to answer those questions.

Collectivization: Recall, the ethos of military professionals is structured by its subservience to the professionalization of the military, a corporate government agency. Membership in a civilian profession is awarded for acquiring a distinctive expertise. The professional code is designed to bind and guide those and only those exercising the profession's distinctive expertise. But membership in the military profession comes from membership in a professionalized military, a nation's warrior agency. That agency needs some personnel with advanced warrior skills, but it also needs many personnel with

civilian skills who will not need any warrior skills. Military professional codes are designed to bind and guide all and only the uniformed members of a nation's military, whatever their skills and expertise or lack thereof.

Civilian professionals submit to their military's professional code as an additional code when plying their skills in military service. Being a military doctor (lawyer, etc.) is not comparable to practicing two civilian professions like medicine and law. The activity as a military professional is not an additional concurrent employment, and not an employment of martial skills but only the practice of a civilian profession as a uniformed member of an agency whose function is military. (Indeed, a military's medical and priestly professionals are debarred by law from deploying martial skills in combat operations.) Such civilian professionals may be licensed as military professionals by their commissioning as military officers. That status commits them to the professional code without assuming or implying their possession of any warrior skills or knowledge.

So too for their fellow professionals who have and employ expertise in warfare. Fleet admirals and infantry sergeants aren't military professionals by dint of warrior skills, not unless their warrior's will is subordinate to the state. They are held to their warrior code, not for having or employing warrior skills, but for their employment by a warrior agency. Military professionalism would be largely unfazed by out-sourcing to civilians all but the tasks employing martial expertise. There would remain the ambivalence in our military ethos between the ethos of civilian professionalism and the ethos of a warrior agency.¹⁴

Intrusion: But as things are, an additional strain is there to be felt by the many officers and enlisted personnel having no combat functions and no need or

possession of a distinctively warrior expertise. PMEE policy has been to imbue everyone in uniform with a single shared ethos, not just a code of conduct, but a spirit, temperament, sense of self, valuations of activities and character traits, etc – all of which are fitted for their contribution to the proficiency of people engaged in battles to the death. Few in uniform feel strained living by a shared ethic's behavioral do's and don'ts, but much of the military ethos relegates the non-warriors to a second-class status. The codes of those doing the same non-warrior work in civvies spotlight virtues other than those exalted in warriors. The PMEE we know trains personnel to live by and live up to the military's ethos, whatever its disconnections from the non-warriors' work and the kind of person they need to be to do it well and take pride in their own abilities, accomplishments, and their whole person.

Our military anxiously rubs this sore spot, roaring reaffirmations over and over that everyone in uniform is a warrior. Some non-warriors happily hear their cog-like lives so glorified and romanticized – and snap umbrageously at assaults on their self image. Others are not so able to fool themselves. They hear the authority's words and feel a disconnect with their own day-to-day lives. They may ignore the noise when they can, and wrestle with cynicism and resentment. Meanwhile, properly proud warriors are frequently, fiercely unempathetic. They are comfortable in their own skins, living a reality confirming their self confidence.

The military has its reasons for insistently instilling the self-identification of warriors uniformly, in everyone wearing the uniform. Armies and navies in battle live off a secure communal sense of totally invigorated togetherness. That disposition for the warriors' shared shout appears to improve military proficiency. Yet, all the repetitive

emphasis on this shared self-conception seems indicative of anxiety about how well the teaching is taking – a disconcerting result when the teaching gets treated as self-evident, not open for doubt or debate. Such anxiety would be appropriate. We might reasonably expect that some stateside secretaries or mess hall supervisors would struggle to specify any aspect of their existence reminiscent of real warrior work, with its world of occasions for heroism, honor, glory, gratitude, awe, adulation, and utter erotic power. It shouldn't surprise anyone to learn that some feel sorely put down and put upon by harangues to deny their own eyes and judge themselves by standards suited for some other life.

The emphatic reaffirmations of shared warriorhood seem indicative of some ignorance or indifference about the intrusiveness of it all. Hitherto, militaries of other eras were not given to compunctions about personal intrusions. Political interest in such invasions of citizens' selves is a peculiarity of Enlightenment culture, with its valorization of individuality, authenticity, privacy, and personal autonomy. The increasing political interest is a trend that looks to loom ever larger for the military of a Jeffersonian democracy.¹⁵

Our military is now more willing to refrain from what it deems unnecessary intrusiveness, but its ruling assumption remains that it can – and must -- be as controlling as it needs to be to instill the *esprit de corps* requisite for military proficiency and the salvation of the nation. Under this banner of controlling on the job conduct, the military continues to presume the right and duty to take control of a person's whole ethos, on and off the job. Predictably, the consequent habits of thought hardened in military leaders often hamper their capacity to recognize the impropriety of commanding their subordinates to submit to religious instruction and participate in religious practices.

Those habits were long abetted by civil society; the illegality of such commands was judicially recognized only relatively recently. The incidence of such commands, even after repeated, clear, authoritative judicial condemnation, testifies not to random outbreaks of religious fanaticism or uncommon religious zeal, but to the predisposition of the military mind, its engrained presumption of a high duty to impose totalistic indoctrination to accomplish its mission. Currently, our Jeffersonian democracy limits that indoctrination only regarding matters deemed “religious”. That aside, our civic laws and social norms legitimize a whole world structured to inculcate patterns of moral thought and feeling that prioritize the motivations prioritized by the military’s organizational imperatives: obedience and loyalty.

Such intrusiveness and valorization of obedience and loyalty are not unique to the military. They are not uncommon in religions, particularly those organized like military authoritarian hierarchies. But religiosity needn’t go that route. Unlike religions, states and other institutions and organizations, militaries, by their very nature, favor hierarchical, authoritarian organization. No other organization has an inner imperative, an inherent goal like victory in battle that makes a comparable demand for that organizational form. (Organizations of civilian professionals tend in the opposite direction.)

Unlike most all other endeavors, military success is a matter of might, and military might has been mainly a matter of the sheer size of the force – and the skills of the commanders in managing masses of personnel. Of course, technological superiority may offset numerical superiority, but technological advantages tend to be short-lived. In any case, no other professional’s success has been so dependent on sheer numbers. The development of human communities from scattered small tribes into kingdoms, empires,

and nation-states has fed and fed upon the development of massive militaries, now even in "peacetime".

Generally, civilian professional expertise can be well exercised by independent individuals and small groups. While those professionals have increasingly united in organizations which acquire a life of their own with their own (alleged or real) inherent imperatives, there's nothing like the same pressure toward organization, and still less for massive scale and authoritarianism. Civilian professionals may compete for clients, but their lives and nations aren't at risk from larger, competing practitioners. More importantly, the impetus toward organization is the opposite of that in the military. Doctors form medical groups and attorneys form laws firms so each practitioner can better serve his/her own clients, and, not coincidentally, have more clients to serve. Militaries grow larger to better serve their sole "client", the state, not to improve their members' abilities to serve their own clients or enlarge their base. In secular civilian professions, the individual practitioners are, metaphysically and morally, prior to their organizations. In the military, the individuals are professionals only by their membership in and complete subordination to the organization. So, the organizational imperatives are opposites in both their logic and content.

Obedience: The military profession, its ethos and educational programs are all in the service of and constrained by the inherent imperatives of an agency that must be huge yet tightly organized to operate effectively despite disruptions of every kind. Any rule-maker or commander intends her directives to be obeyed, but (rigorist religious orders excepted) no organization matches the military's valorization of sheer dutifulness, obedience, and unquestioning, cheerful compliance. To avoid the calamities attending

military failure, a military must aspire to be a monolithic organization maintaining close coordination despite every force and trick of Mother Nature and hostile nations.

Disorganization and noncompliance can be lethal, catastrophic. Unity and conformity must be rigorously imposed and maintained. Cooperation and compliance must be automatic and unhesitant despite powerful, natural competing impulses. Habits of discipline – a steady propensity to be motivated by the mere fact of being commanded – must be inculcated. Occasions and latitude for dissent are limited. Fateful decisions cannot commonly be submitted to negotiation, bargaining, compromise or any protracted discussion. Meanwhile, law firms, medical groups, universities, religions, and states may tolerate and thrive on dissension and internal disharmony.

All this can be and often has been overstated. Increased toleration and encouragement of debate and disagreement, loosening of command and control structures, and softening of the old blunt, emotionally blind ethos have resulted from professionalism's valuation of liberated thought, technological innovations, alterations in the nature of military threats, and so on. Military organizational imperatives limit toleration and valorization of dissension, but what the genuine imperatives really demand, specifically and in detail, is increasingly controversial.

Still, however adaptable, flexible and justified military professionalism may be, its spirit of subordination is foreign to the culture of civilian professions. While civilian codes seldom consider obedience a vice, neither is it found on any list of lead virtues. Obedience is a cardinal virtue of Boy Scouts, butlers, bellhops and bus boys, not responsible professionals. This stark contrast in the valuation of obedience is a cause and consequence of a stark contrast in the structure of moral reasoning. Traits of obedience

are less prized by civilian professionals because obedience has such a restricted, peripheral role in their reasoning. Their decisions are not so controlled by a chain of command. Generally those decisions are evaluated by direct reference to the likely objective goods and evils they entail, and their compliance with universally applicable principles of liberal egalitarianism.

Meanwhile, beginning with the absolute civilian control of the fundamental military decisions, then down the whole chain of command, officers and subordinates are systematically discouraged from the independent reasoning of civilian professionals, since it threatens to distract them from their paramount duty of compliance with the decisions of their superiors. Our military's ethos can recognize that the duty of obedience is not completely absolute; some disobedience is justified. Still, it presumes that an order is to be obeyed, and that that presumption is not to be questioned without due cause. The first presumption is a defeasible premise in practical reasoning; the second is a constraint on the topics of reasoning. Questioning the presumption of obedience carries some risk. Doing so habitually is ill-advised for career advancement.

Predictably, it seems a tad unreasonable to the inhabitants of this moral universe when their professional obligations of obedience are regarded on a par with those of civilian professionals. After all, they have been trained to valorize obedience and respect its requirement as befits the morality befitting a military, a morality honored and sponsored by its legitimate civilian leaders, and the civic laws and social norms of a free, democratic society.

Still, absolutist talk of the sacredness and sanctity of oaths, vows and contracts smacks of fanaticism. Despite all the weight, strength and solemnity of military

obligation, its power to withstand *all* claims of justice and cries of humanity will be questionable in a nation justly proud of its creation by political revolution, and committed to the principles of Nuremburg. Such questioning is within the limits of military professionalism, if not within the moral imagination of all military professionals.

Loyalty: A military professional's sense of the obligation of obedience – her metric of its strength – is unnatural to civilian ethicists; an adequate feel for it is hard to acquire by classroom contemplation of hypothetical cases. It likely defies comprehension when abstracted from the peculiarities of the military's emotional world

Our military ethos is not distillable into a single slogan: Salute smartly and obey! Its spirit is animated with an emotionality civilian professionalism need not and could not inspire: the passions of intense loyalties, not one but a structure of loyalties to the nation, the government, the corps, and, most especially, to one's own comrades. The military's unmatched valuation of these loyalties is motivated by both the demands of military proficiency and the pressure to reduce the precariousness of its moral condition. These moral bonds and their attendant emotions may differentiate military professionalism from civilian professionalism more profoundly than all else. Experientially it is a whole other world.

In combat, conscientiousness alone won't cut it. With all its fog and fluidity, warriors cannot manage with nothing more than routines and compliance with explicit commands. Their lives depend on their reliance on one another. They've got to trust that each of them is moved by a genuine, profound concern for each other, ready to risk their lives for each other. To get the job done and/or survive, there's got to be an intense commitment to the corps and to one's unit and one's comrades: the team and each

individual.

Loyalty is needed to supplement obedience and also to sustain it. Military proficiency markedly declines when the sole motivation for obedience is brute fear. Any warrior code prizes loyalty as well as obedience. Our military did less of that a century ago, but militaries have long done far more of it than any civilian profession, and now must do more than ever as leadership by stark fear becomes less acceptable and effective.

All the loyalties the military prizes are forms of partiality whose consonance with Enlightenment universalism and the reciprocalism of our golden-rule Judaeo-Christian heritage is problematic. These commitments contend with a civic culture that honors patriotism (and nationalism too), while also trumpeting the Brotherhood of Man and calling everyone to render the same basal care and regard for everyone regardless of such accidents of circumstance as gender, race, ethnicity, national origin – and national affiliation. Military professionals must reconcile the ideal of egalitarian universalism with their defining commitment to their own nation and their comrades. They declare themselves willing – indeed, honor bound -- to obliterate people of other nations when so ordered and to die in the process if need be. There is no more profound expression of favoritism than the oath of military allegiance.¹⁶

The tensions between the partiality of loyalties and the universalism and cosmopolitanism of Enlightenment ethics present little conflict for civilian professionals, for (a) their favoritism benefits their clients generally without threatening grave harm to others, (b) their clients can be anyone and (c) they generally need not have deep commitments to coworkers, a corporate agency, or government.

Civilian professionals commonly have special obligations to their clients, and

their codes prescribe loyalties to the client beyond the contractual commitments. Normally, those obligations and loyalties are consequences of the professional-client relation, not a cause or precondition of it. The client is often a stranger with no prior claim on the professional. The professional's commitments are creatures of the relation, and generally terminate with its termination. The client is well and dutifully served without the professional being the client's servant, but instead an independent, autonomous agent bound by her code to act on her best professional judgment in the client's best interests, even, in some cases, against the client's wishes.

Civilian professionals may truly love to help people and love doing it with their hard-earned skills. This may be particularly admirable when they're not out to care for particular individuals they have personal reasons to care about: their favored clients may be whoever is neediest. Civilian professionals may have admirable motives but not an analogue of patriotism or other warrior loyalties. Admirable it may be for physicians to have heartfelt concerns for their patients, and teachers for their students, but we haven't the same need or expectation of their deep and lasting attachments as we do for an officer's love of her country. With civilian professionals, the temptations of betrayal aren't so frequent or formidable; their enticement by our enemies is unlikely. Significant emotional attachment comforts a client, but generally a decent wage, or if need be a hefty one, is incentive enough to secure steady professional performance.

Some adults soldier like children at play, without caring whom or what they soldier for. That attitude, acceptable, even admirable in civilian professions, is not a virtue of noble warriors. Nowadays, few adults wish to be soldiers apart from a willingness to serve their country when it is threatened. The arms-length commercial

allegiances of mercenary troops to their client-employer must be exceptional in the military. A state cannot rely entirely on a military with only monetary motivations for fear that the mercenaries might simply seize the nation's wealth. The government must be the commander of its military, not a mere client. Its military personnel are its servants, not free-lancing pros.¹⁷ An egalitarian democracy cannot reliably command its military personnel unless they usually enter the service with an allegiance secured, not by oath or greed or fear alone, but by motivations like patriotism that are not creatures of contract or calculation of self-interest. Bereft of such motivations, bare oaths bear little credence.

Military professionals take pride in their selflessness, their subordination and submergence of self. They think it a submission with greater nobility than a vassal's servility. The submission is a surrender and liberation, a total identification with The Corps! The Corps! A military professional may think of himself, day to day, dawn to dusk, down to his core, as, say, a Marine.

Civilian professional counterparts are pallid shadows and not prescribed by their codes. A doctor may think of herself as a doctor. It's what she proudly does, what she proudly is, what she devotes and shapes her life to being. She may develop bonds with co-workers and co-professionals, but normally nothing more than the bonds nonprofessionals make in their work. (Consider what it would take to spread a fierce conviction: We dentists have got to stick together!) As for the AMA, her allegiance is likely negligible, and her identification with it null. To her hospital she may have more allegiance, but it's rarely deep and is generally readily transferable. And however substantial the allegiance, exceptional circumstances are needed for her to think of herself, on and off the job, primarily in terms of her affiliation to that organization. The

spirit of such institutions is not a martial *esprit de corps*. The conscience of its personnel doesn't hark to *Hooah* or any remotely comparable call. A properly professionalized military mind must do precisely that – or so it now supposes.

When the question is whether to serve at all, patriotism is the first loyalty to come in play. Fans of war may stand on a three-legged patriotism, shifting from stance to stance. Sometimes they speak to the unconverted with a vulnerable faith that premises their nation's righteousness unbroken or in the instance. Sometimes they speak to themselves, sharing a faith premising national exceptionalism. Sometimes they proclaim a loyalty that premises itself as sufficient justification.

Patriotism in itself has little content beyond its egocentrism. It motivates pursuit of the nation's self-interest, but patriotic fervor may move us whatever our conception of the nation's interests. Bare love of country never tells us when to war. It can only motivate acceptance and execution of a decision made on some other grounds. Patriotism powers us to support, fervently and mindlessly, whatever the nation and its military do, and not just going to war. It influences the rest of the military world by this conservatism, its proud acceptance and glorification of what its civilian and military leaders put before it.

Patriots may think their passion legitimates their military's plying its skills when their impersonal reasons for warring run out – as though their trust in their nation's righteousness were a reason for foreigners to presume the same rather than retain the foreigners' patriotic trust in their own nation's righteousness. Each patriot's love and trust can legitimate only his/her own acceptance of the authority of a decision, and support of its execution. The natural prejudice of a patriot's perspective is the presumption of the

righteousness of furthering one's nation's interests. That partiality may acknowledge that, looked at impartially, that presumption may be epistemically groundless, and in any particular case it may be mistaken and indefensible. Still, patriots insist that patriotism is a virtue, most especially in a military leader, and that loyalty demands trust in and support of one's nation's pursuits despite evidence and argument to the contrary. Vaguely stated, some such favoritism may be universalizable and impartially approved. One risk of the military's culture of uniformity and instant submission to authority is a sclerosis of the patriot's cognitive stance: a tightly blinkered trust in their nation's commanders, a steady propensity to presume that, despite appearances to the contrary, they mean well and know what they are doing. The oaths of officers and voluntary enlistees may also oblige them to trust and maintain faith, and military professionals might understandably believe that any distrust is inconsistent with the sacredness of those vows. That stance seems respectable until it becomes absolutist, brooking no conceivable exceptions, and dismissive of any demand to explain why the sanctity of those vows transcends all their other bonds of justice, humanity and decency.

Love of country commonly overpowers love of mankind. Both affections pale before the famed bonding of comrades in arms. No other occupation induces coworker ties of comparable depth and intensity. That bonding is said to motivate more heroic sacrifice than all else. It may as frequently motivate less noble conduct. Patriotism may make for a willingness to serve. The more personal loyalties may make for an unwillingness to refuse service.

There is a profound disgrace in departing from a communal ethos obsessively insistent on obedience, loyalty, team spirit. An officer can expect (mostly if not

exclusively) condemnation from fellow professionals and the nation for refusing to serve when he/she sincerely judges a war wrongful. Of course (it is near tautological), such refusal may be deemed permissible, even obligatory, by those who deem the wrong sufficiently blatant and heinous. That possibility is academic. Governments aren't wont to wage wars they expect to be generally condemned by officers and citizenry. Military professionalism recognizes that, in theory, refusal to participate may be honorable. In practice, only officers of our enemies (Nazi Germany is the paradigm) get condemned. Resignation on grounds of conscience is lawful – in some circumstances. In others, especially in wartime, all exits are blocked. Even when lawful, it is hardly reputable. The toll down that road is stiff. However sincere and agonized, the choice is mostly condemned (loudly or quietly) and rarely admired by professional peers or the press and the folks back home. The catch-22 comes with the details of concrete cases. There the purity of moral judgment is inextricably entwined with political judgments. Thus, the callings of conscience can be silenced by labeling them “political”.

The disrepute of resignation, refusal, civil disobedience, and any noisy or disruptive dissent in the military is rooted in the loyalties sustained by the military ethos. However conscientious, dissent is bound to look like betrayal. And that cannot but rattle the certainty of one's convictions. It all calls for pig-headed courage.

This last remark and others might be read as offering no more than an excuse for participating in shameful warring. Doctrinaire individualists, I take it, recognize loyalty as a justification, not a mere excuse, only insofar as the object of loyalty is deserving; loyalty itself is deemed to have little or no value apart from the value of its object. That is an uncommon, attenuated conception of loyalty. The common conception is that one test

of true loyalty is a willingness to stand by its object despite its wrongdoing – not all wrongdoing, but some nontrivial wrongdoing. Individualists are properly puzzled by this: if neither B nor C has a right to harm D, how could B’s loyalty to C give B a right to aid C’s harming D? Doubtless it doesn’t: rights are matters of justice, and when loyalty conflicts with justice it cannot claim any rights. Loyalty might still have some value, merit some respect, and justify some complicity in some injustice. How that could be has never been explained, but neither has it been shown to be impossible.

Conclusion: Despite the absurdity of combatant moral equality, Walzer might be sufficiently vindicated if military professionalism needs some conception of its moral singularity and some such conception is intelligible. I have suggested that Walzer is right to that extent, but military professionalism cannot well commit to any specific conception, because it is committed to competing imperatives. I close with two final suggestions.

Perhaps the moral circumstance of the uniformed among us, with its political isolation, oaths and loyalties and obligations of obedience, justifies only a moral presumption against condemning their participating in some condemnable wars. This presumption needs no unreasonable assumption that their government always acts rightly or is doing so here and now. The presumption might stand despite the government’s decision being reasonably deemed very bad (yet not horrifically evil) if that decision does not exceed or jeopardize the legitimacy of that decision’s authority. That modest presumption is not easily rebutted in a relatively well-ordered society like the USA.

Further, perhaps something of that presumption might be sustained for a military ruled by a regime with lesser moral legitimacy. I have supposed that if a well-ordered

society properly sponsors and honors totalistic indoctrination of an authoritarian moral code to secure the proficiency of its means of survival, then those subject to that training may justifiably live by that code. So, while we may often properly condemn gross violations of Enlightenment principles in the civilian world of other societies, perhaps we cannot so freely condemn such societies or their governments for sponsoring and honoring the inculcation of the same military mindset. If so, perhaps we best recognize some moral singularity of their military.

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¹ Basic Books, 1977.

² McMahan's individualism is encapsulated in his claim: "A war is nothing more than the constituent acts of those who fight it." (from an unpublished presentation at the 2006 Joint Services Conference on Professional Ethics). The schemata *X's are nothing but (no more than) Y's* is the standard formula of metaphysical *reductionism*, here regarding institutions (and their relations and activities) and elsewhere regarding the objects (relations, activities) of other metaphysical categories, (numbers, minds, matter, meanings, morality, properties, causation, etc.) Reductionist theses say that any truth about X's (nations, wars) can be restated without remainder in truths about Y's (individual persons and their actions). Such grand theses may initially seem truistic, with an appealing sleekness imparted by Occam's razor. Things start getting hairy when reductionists try specifying the substantive import of their thesis. What common beliefs about wars would be false if wars are nothing but those individual acts? Wars are fights between nations, states, corporate entities whose identity does not seem to change just by changing the sets of specific individuals in combat (or holding political office or having citizenship.) Individualists have yet to explain adequately how we can think and talk about wars without referring to entities whose identity does not change with changes in some set of specific individuals.

³This is finely expressed in Col. Daniel Zupan's "The Logic of Community, Ignorance, and the Presumption of Moral Equality: A Soldier's Story." *Journal of Military Ethics* 6, no. 1 (2007): 41-49

⁴ Contrast with the police, a paramilitary defense force against internal aggression. Police are agencies of *law enforcement*. That is a presumptively objective, impersonal good. The enemy within is a criminal whose behavior is presumptively wrongful and must be controlled. Our external enemies are not morally disadvantaged by any such impartial presumption. Further, while police may resort to violence to accomplish their mission, usually they need not and commonly do not use violence – let alone lethal force – or other presumptively condemnable means.

⁵ Whether combat (actual or threatened) occurs in something properly called a "war" or something

“other than war” matters little here. Shifts in the specific warrior skills most needed and honored may influence the flavor of a military’s ethos, but not its core. However, for military and police agencies alike, the equipment and skills acquired for proficiency in their defining mission make them the natural go-to-guys for all kinds of situations remote from that mission, and this inevitable systemic mission creep has its costs, immediate and long term. Bearing arms may be prudent to discourage violence when resolving family disputes and delivering humanitarian aid, but it may also provoke violence or otherwise risk poisoning the atmosphere and making the mission more difficult. In any event, routinizing such missions may strain the personnel’s preferred self-image as warriors or crime-fighters, and tax morale. The consequences for the occupational ethos may be substantial but cannot be explored here.

⁶ Cf. David Rodin's *War and Self-Defense* (Oxford, 2002), which debunks the commonly assumed conjunction in its title.

⁷ The closest civilian counterpart is the work of executioners. The telling contrast is that government executioners in our tradition have commonly preferred anonymity, often wearing masks when they work in public. Our culture has rarely celebrated these workers even when riotously celebrating a hanging or beheading. Our warriors are not to be executioners. Nowadays they are prohibited from killing disabled prisoners. (Nuremburg war criminals had civilian executioners.) An executioner’s proficiency may win admiration from her peers but not public adulation and glory. Killing someone bound and disabled needs minimal skill. Opportunities for displaying courage, heroism or much else beyond conscientiousness and self-mastery or callousness are exceptional, occasioned by some broken routine. Society pays executioners a fair wage, convinced that this work is worth it, that it must be done. Society cannot well call it dishonorable work. But it doesn’t honor it either. Even when deemed needed, it seems ignoble.

⁸ Many dream of the day when the world is rightly ruled by some single legitimate authority whose military polices our Earth and brings to justice any who disturb its peace or threaten its order. Among

its bounty of boons, in this fantasy the moral precariousness of warriors disappears since this military has become a law enforcement agency whose personnel are police. (Cf. note 3 *supra*.) However realistic this possibility, it suggests no solution of the moral worries of current military professionals.

⁹ Throughout I let fly grand historical hypothesis with the unscholarly abandon of other philosophers who presume the propriety of arm chair social science that offers illuminating connections among familiar, apparently scattered facts. In the present instance, I rest with a challenge to those friends of the military skeptical of its moral precariousness to explain the popularity of conceptions of its moral singularity.

¹⁰ There's no end to the conceptual and moral dilemmas here. Walzer claims to believe that the American soldiers' and sailors' right to life was not violated by the Japanese pilots. He supposes they were *wronged* (if at all) only *by* the leaders, not by the pilots, because those pilots were executing the commands of their nation's legitimate authorities. That makes no sense unless those pilots are regarded as nothing more than weapons guidance mechanisms by which their leaders achieved their aims -- but that makes it nonsensical to say that those pilots had a right to kill their targets, or to attribute any rights at all to them. Apparently, Walzer (and McMahan too, but not Schoonhoven) thinks we must think and talk this way to make sense of our war conventions and traditional principles of *jus in bello* presuppose this conception. Actually, our established laws and dominant moral doctrines make perfect sense -- historically, politically, legally, morally and conceptually -- apart from any close variant of Walzer's conception. The whole notion of combatants having a *legal right* to kill (assault, maim, imprison, etc) misconceives international law, for the alleged "right" is devoid of any legal content or consequence. The sole suggestion of such a legal right is the prohibition of the punishment or any abuse of captive combatants. Yet, what has actually motivated and fully justified governments around the world to establish and maintain that prohibition are considerations of national self-interest entirely independent of any idea of combatant moral equality or a right of all combatants to kill one another. Further, all this must also be said regarding those pilots killing 68 American civilians at Pearl Harbor. Some if not all of

those civilians are paradigm cases of noncombatant casualties of aggression legitimated by our war conventions. We prohibit punishing the pilots for those killings just as we prohibit punishing them for killing uniformed personnel, and for much the same reasons of national self-interest. On Walzer's reading (which McMahan accepts) our war rules and *jus in bello* orthodoxy must suppose that the pilots had a legal and moral right to kill those noncombatants (albeit unintentionally) and did not wrong them. Worse yet, those victims cannot even be the "moral equals" of their assailants, for they can have no right to assail their assailants except by forfeiting their "protected" status as noncombatants. These and most all of my criticisms of Walzer are explained more fully in my "Reconnoitering Combatant Moral Equality", *Journal of Military Ethics* 6, no. 1 (2007).

¹¹ Cf. http://www.caii.com/CAIISTaff/Dashboard_GIROAdminCAIISTaff/Dashboard_CAIAdminDatabase/resources/ghai/toolbox6.htm.

¹² For example, a professional ethos is determined importantly by the profession's distinctive skills. Far more than with other crafts, the concept of *warrior skills* is an empty abstraction apart from some specified tool kit. Many medical skills of ancient practitioners are still relevant in high tech health care, but nuclear submarine commanders have little call for expertise at hand-to-hand combat. The means of killing many people is a markedly more odd lot assortment of tools and actions than the means of achieving the goals of other professions like restoring health or imparting knowledge. No private army could be allowed command of any more than a miniature of our military's armamentarium. That massive difference in power sustains markedly different tones of martial spirit.

¹³ Cf. Zupan, *Ibid.*

¹⁴The centrality of the organization in military professionalization gets expressed in the current idiom of our soldiers, who now find it natural to talk of their membership in, not (just) the *military profession* -- aka *the profession of arms* -- but (also or instead) the *Army Profession*. That term *sounds* weird to civilian ears; its meaning is not immediately grasped. Soldiers write essays wondering whether the Army is an organization or a profession. (The question is repeatedly discussed in essays of the USMA

anthology, *The Future of the Army Profession*, ed. Lloyd J. Matthews, McGraw-Hill, 2002.) The answer is that the profession is the organization. No comparable question arises in civilian professions; no sense can be made of the question in that context.

¹⁵ Professionalization has many effects, affecting military personnel differently. The differential impacts just alluded to cut across national militaries and service branches. Other differences are due to a corps' history. Each military's ethos gets its specific content and flavor from its professionalization within a thick historical context. The fine discriminations and valuations needed for applying essential, essentially vague notions like "conduct unbecoming" and "good order and discipline" are not deducible from abstract principles of liberal egalitarianism or professionalization alone. The 18th and 19th century European militaries professionalizing themselves had centuries of traditions as paradigms of aristocratic culture. Their movements needed no devotion to the egalitarian liberalism nurturing civilian professionalization, but only an Enlightenment openness to questioning their traditions. Early American military leadership created a new military world by tweaking the best practices of Europe's aristocratic military heritages. That world has always harbored more traces of aristocracy than any other in America. Our Army officers today may (perhaps not unreasonably) think they've shed more of their aristocratic baggage than their Navy counterparts, but everywhere old habits of thought and feeling perpetuate themselves by their unnoticed influence on the interpretation and application of liberal egalitarian principles in specific cases.

Yet, while the processes and products of professionalization are conditioned by historical circumstances, the world-wide trend toward military professionalization tends to lessen the influence of military legacies and increase the homogeneity of militaries. At the same time, this tendency toward uniformity is countered by professionalism's intellectual predispositions that encourages experimentation, dissent and innovation and discourages rigidity and dogmatism, even in the conception of professionalism. By its own nature professionalism tends not to be a single or unchanging ethos. So, a highly abstract analysis of the logic of professional, such as the present one,

risks oversimplification and falsification.

¹⁶ For what may be the most illuminating, and must be the wittiest, elucidation of the implications of a universalized patriotism or nationalism, cf: Curtis Stalbank, "I'm Prepared To Give My Life For This Or Any Country", *The Onion*, 3/28/07,

http://www.theonion.com/content/opinion/im_prepared_to_give_my_life_for.

¹⁷I have heard it said that the government (or nation) is the military's client, and, by transitivity, the clientele of its members is the state or its citizenry. That sophistry is the joke in approaching a cop and saying: "You're a public servant and I want my shoes shined, so snap to." Military professionals do not have clients. Officers have subordinates but no clients. They are managers of a professionalized government agency. (There is nothing ignoble in this: football Quarterbacks have no clients either.) The government or nation is no more a client of the military than it is a client of the Department of State or Commerce.