

# **Teaching Military Ethics: An Overview**

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## Pedagogy Overview

Students often come to the study of military ethics with a mixture of ethical beliefs. Many times these beliefs are inconsistent and contradict central tenets of the military profession. I have often given students who argue in their papers that right and wrong are relative to the individual or culture, only to have them claim that doing so is unfair. It then becomes my task to point out to them that logically I had no choice in the matter. Either they are right, and I had to give them an “F” because the military profession (my culture) and I do not value that response or they are wrong and deserved it.

This then is their first lesson about ethics: there are objective, though sometimes very complex, ethical truths that must be learned if they are going to reason well about ethical matters. This lesson naturally leads into a number of other questions about ethics, which when answered in some detail, form a more or less complete overview of the field of ethics.

The first questions that follow from this lesson are philosophical in nature and deal with issues of moral metaphysics and epistemology. Once students see that there must be at least some objective moral truths, then the next question is how do I know them?

1. Meta-ethical: Is there such a thing as morality? Are right and wrong invented (relative) or discovered (objective)?
2. Epistemological: How do I sort between sound ethical beliefs and unsound ones? How can I know what kinds of acts are obligatory, permissible, prohibited, or supererogatory? Are ethical truths discovered through religion, reason, or both? Are they products of social and cultural conventions? Is right and wrong best determined by examining the character traits of a “good” person (virtue ethics), how well it maximizes some non-moral good or minimizes some non-moral harm (consequentialist ethics), or by how well it conforms to a rule or principle (deontological ethics)?

Once these questions are answered, students should then have a solid foundation and framework for examining for applying their understanding of ethics to the military profession. This then leads them to the following questions:

1. *Jus ad bellum*: Is the use of military force ever permissible? If so, under what conditions is it permissible? Prohibited? Obligatory?
2. *Jus in bello*: Are there any restrictions for using deadly force in war? What about operations other than war (OOTW)? If so, what are they? Should, and if so, how, does the nature of the operation affect these restrictions?
3. Obedience: Should I obey an order I know is immoral or illegal? What should I do if I am uncertain? How can I recognize immoral or illegal orders? How do I know what my duties are?
4. Leadership: How do I know what kind of orders to give? What obligations do I owe to my soldiers? What do they owe to me, to the unit, or to the nation? How do I decide when the obligations compete? How can I learn to become the best kind of leader?

In addition to these questions, teachers of military ethics must figure out what is the best way to help students learn to respond to these questions. Teachers of military ethics tend to draw on a variety of sources including case studies, literature, religious and philosophical works (including works on moral theory as well as the Just War Tradition), military manuals, as well as role models. Given that each one of these sources has something valuable to contribute to teaching military ethics and also given that time is limited, what is the best way to use these resources?

Answering these questions form a comprehensive, though certainly not exhaustive, introduction to military ethics. As should be painfully obvious, answering these questions will raise many more!

## Pedagogy Lesson Plans

### Theory:

Teaching theory is one of the most difficult, yet important, things a teacher of military ethics can do. In addition to being an important part of any educational program, the ability to think about ethics in a theoretical manner enables students to better sort out good ethical arguments from bad ones and gives them a better foundation for constructing arguments for their own.

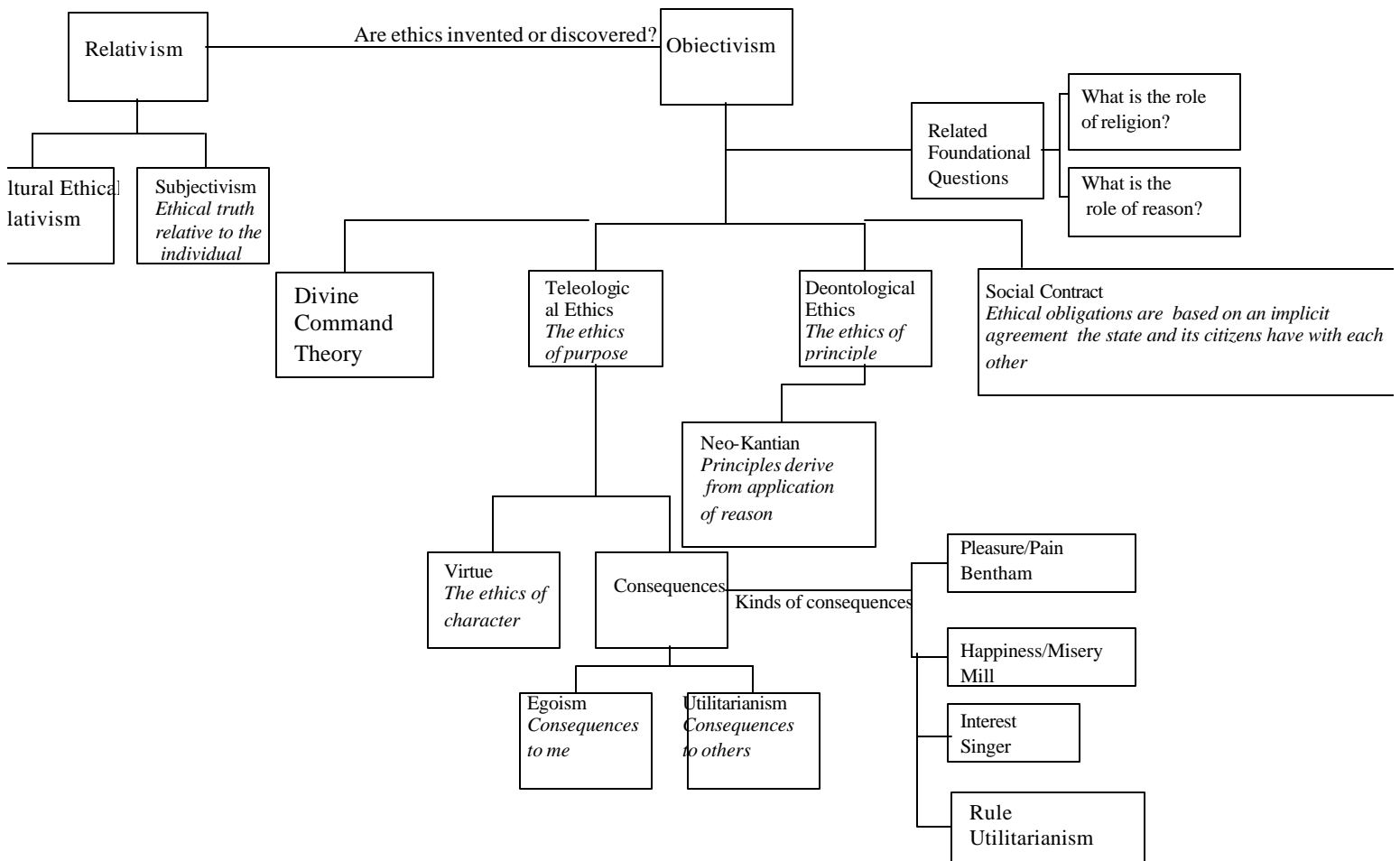
The point of most moral theories is to sort out what kinds of acts are obligatory, prohibited, permissible, and supererogatory. Some theories determine this by virtue of the consequence of the act, some by how well the act conforms to a rule about the act, and some by whether the person doing the act possesses the right kind of character.

Most ethics courses teach the following theories: religious based ethics (like Divine Command Theory), principle based ethics (sometimes referred to as deontological ethics), utilitarian ethics, and virtue ethics. There are of course others and they can all help the teacher provide the student with valuable insights into ethical reasoning. It should also be noted, that theory is important even if you are teaching ethics from an exclusively theological standpoint. There are, for example, Christian deontological ethics, utilitarian ethics, and virtue ethics.

One of the major pitfalls in teaching theory is avoiding the “smorgasbord” approach. Many teachers teach the theories in sequence and in isolation, that is when they teach students why they should accept the theory, then teach them why they shouldn’t accept the theory. What results usually from this approach is that students think either one theory is as good as another one or that none of them are good for anything. This misses the point of teaching theory.

The point of teaching theory is to teach students how to think theoretically. It does so by introducing the students to the “terrain” of ethics and how to navigate this terrain. But just as in complex, arduous terrain one must rely on a number of techniques in order to get where one wants to go, the same is true in ethics. Thus teachers must also take care when presenting the shortcomings involved with any particular theory, to avoid giving the student the impression that theoretical reasoning is pointless. While there may not be any agreement or subjective certainty about which theory is the best, this does not entail that there are no right answers to ethical questions. Nor does this entail that theories they study do not offer valuable insights into ethical reasoning. Good ethical reasoning requires one to consider moral principles, moral consequences, as well as good character. While there is no one agreed upon way to balance these considerations by understanding the pitfalls as well as the insights offered by theories about virtues, principles, and consequences one is in a better position to reason about what kinds of acts are obligatory, prohibited, permissible, and supererogatory.

The following diagram is designed to show how the different theories relate to each other and provide a guideline for the development of lesson plans aimed at teaching these theories.



This diagram is not meant to exhaust all the different ways there are to talk about ethics. But it is intended to offer a logical progression for discussing ethical theories. Such an approach begins with foundational questions and their corresponding theories, such as cultural ethical relativism, objectivism, and divine command theories. This generally leads to discussions about objective ethical theories such as those articulated by Bentham and Mill for utilitarianism, Immanuel Kant for deontological theories, and Plato, Aristotle, McIntyre for Virtue Ethics.

What follows is a brief discussion of these theories.<sup>1</sup> This discussion is intended to highlight the kinds of things it is necessary to discuss when teaching ethical theory, but it is not intended to be exhaustive. There are a number of books listed in the bibliography list which go into much greater detail and which can explain or amplify the points made below.

<sup>1</sup> This discussion relies heavily on the “The Grey Book.” This booklet was prepared by a number of professors and instructors at the United States Military Academy in 1997.

## RELATIVISM AND OBJECTIVISM

**Introduction:** Relativism and objectivism are opposing concepts. While one (relativism) states that morality depends on culture or context, the other (objectivism) holds that some moral principles have universal validity. All moral theories are either objective or relative.

### **Ethical Relativism:**

**History:** In an ancient writing, the Greek historian, Herodotus (485-430 B.C.E.) tells of the Persian King Darius who assembled some Greeks and asked them how much money they would take to eat the bodies of their fathers when they died. They replied that no sum would tempt them to do such a terrible deed. Darius then sent for the Callatians, who eat their fathers, and he asked them what they would take to burn the bodies of their fathers. The Callatians were horrified at the thought and told him to stop this kind of talk. So Herodotus concluded that custom controls our moral choices.

Cultures disagree about the moral acceptability of many issues ranging from sexual customs to burial rites. But cataloguing these differences in practice amounts only to the general observation that different cultures do different things; we call such an observation cultural relativism, and cultural relativism makes no moral claims. Ethical relativism, however, extends the observation that people in different places do different things to the more philosophical claim that morality is itself entirely dependent on culture.

**Philosophical Definition:** Ethical relativism says moral right and wrong vary from society to society; there are no absolute, universal moral standards which apply to all people across time and place.

### **Main Ideas:**

Right and wrong are culturally defined.

There is no universal standard for moral right and wrong.

What is "right" in one group may be "wrong" in another, and the one group cannot justifiably criticize the moral practices of the other.

**Discussion: Discussion:** Ethical relativism begins with cultural relativism, with the observation that moral practices differ from culture to culture. Our culture holds that stealing is morally wrong, for example, but the Dobu tribe of New Guinea holds that it is morally permissible. Ethical relativism then goes one step further. It holds that not only does the judgment of moral right and wrong vary from society to society, but also that the very nature of right and wrong varies from society to society. Accordingly, it claims that whether or not it is right for an individual to act in a certain way depends on, or is relative to, the society to which a person belongs.

Ethical relativists claim we cannot judge another culture's morality as right or wrong because the morality of culture X may be the immorality of culture Y, and because of this relativity, moral judgments across cultures are impossible. Those accepting ethical relativism say that morality is an entirely artificial arrangement; one may be right or wrong within a culture but no acts are intrinsically wrong in themselves. Thus abortion may be morally prohibited in Ireland, but morally permissible in England. Since what makes abortion right or wrong in this case is the

consent of the members of that particular society, there is no basis for one society to criticize the other.

**Criticism:** There are a number of important criticisms of ethical relativism. Here are a few:

1. If culture is the source of morality, then anyone who goes against a society's norms are morally wrong. This would make certain kinds of social reform impossible and render people such as Martin Luther King, Gandhi as well as many others morally wrong. In the context of Ethical Relativism, a reformer may point out that the members of a society are not living in accordance with their own accepted moral goals, but he or she could never question the moral goals themselves.
2. Most proponents of ethical relativism argue that it promotes tolerance. But there is no reason they can give that intolerance is somehow wrong. If a particular society values intolerance there is no reason an ethical relativist that this is wrong. All cultural values are equally correct.
3. Cultural Ethical Relativism also depends the ability to clearly define one's culture. Many of us find ourselves members of more than one group that may have competing moral norms. Is your culture where you come from or where you are living? Many people with religious beliefs, for example, have moral norms that compete with the ones of the larger culture. For example, Catholics are opposed to abortion, but most Americans are not. Which belief should a person who is Catholic and American hold? Cultural Ethical Relativism cannot tell us since each culture's beliefs are just as good as another's.

### **Ethical Objectivism:**

In contrast to ethical relativism, ethical objectivism holds that there are some universally valid moral principles.

**Philosophical Definition:** Ethical Objectivism is the view that the claims of ethics are objectively true; they are not relative to either cultures or persons such that I can have my morality while you have your morality. Some moral principles apply to all persons in all times and places. This does necessarily mean that there is not a contextual aspect to moral decision making. For example, soldiers have different obligations in war than civilians do. But this variation in moral obligations does not have to do with what one believes about morality. All soldiers in war will have exactly the same obligations.

### **Main Ideas:**

There is at least a small set of universally valid moral principles.

Some moral judgments and values are correct regardless of what people believe and practice.

The purpose of moral study is to discover, articulate, and apply these correct moral principles.

**Discussion:** One form of ethical objectivism argues that all people share a common set of deep needs and interests. Morality is a function of these human needs and interests such that moral principles meeting the essential needs and promoting the significant interests are objectively valid. Another prominent form of ethical objectivism claims that certain moral principles are the

unalterable commands of a divine being; philosophers refer to this idea as the Divine Command Theory.

When considering whether there might be a set of principles forming a universal moral code, it is important to note that most moral objectivists limit the universally valid moral principles to a core or minimal morality. There is no one agreed upon list of the principles that make up this core morality, but frequent examples include prohibitions such as don't rape, don't deprive another of his freedom without good cause, and don't kill innocent people.

**Criticism:** If one rejects ethical relativism, then it seems that one must conclude that ethical objectivism is true. But by itself this does not give us much. This only logically requires that one accept that there is at least one objective ethical truth. It does not even require that one know what that truth is. This position is known as moral skepticism. Also, ultimately, someone can coherently reject that any moral claims are true. This position is known as moral nihilism.

## **RELIGION AND ETHICS**

**Introduction:** The five great religions of the world each espouse an ethical outlook, if not explicit rules for behavior. Each of these established religions connects the moral life of its adherents to a web of beliefs that make up a religious system. For most, claiming to be believers means accepting the moral truths of the system because they are aspects of its creed and teachings.

### **Judaism and Christianity**

**History:** Judeo-Christian history begins around 3000 (B.C.) when Abraham was the patriarch of the Semitic confederation of tribes now known as Jews. Abraham and the subsequent patriarchs led their people through periods of peaceful coexistence and periods of conflict with other peoples in the ancient Near East. Under the Egyptians at their height during the second millennium BC, they lived in a state of slavery. Around the year 1200, they left Egypt under Moses and established themselves in the area of modern Israel as a group of tribes often affiliated with or under the political domination of others, including the Philistines. Beginning in 1028, the tribes united under leadership of a series of Hebrew kings until 750 B.C. After that time the Assyrians, the Babylonians, the Medes and Persians, the Macedonians, the Western and Eastern Romans, and finally the Turks ruled over their lands. All of these conquerors contributed something to the Judeo-Christian ideology.

The core of Judaism is the belief that God gave his laws to Moses on Mount Sinai. With Jesus' teaching and Paul's missionary work, Christianity departed from the Judaic tradition and added a thick layer of new beliefs and practices to it. The Roman soldiers who happened to be Christians spread its early cults to the outer perimeters of the empire during the pax Romana, a period of more than 200 years after the reign of Augustus, and finally, Christianity became the Roman state religion. As a result, the Judeo-Christian tradition is so embedded in subsequent occidental history that it would be impossible to calculate its influence.

### **Main Ethical Ideas:**

That which is hurtful to you, you should never inflict on another.

Obey God's laws, which are found in scriptures.

Forgive the failures of others.

Failing to do right is a denial of our own nature and God's plan.

For Christians, love your neighbor as yourself.

For Christians, acknowledge your corrupted and imperfect carnal nature, the human bent to sin.

### **Discussion:**

#### **Judeo-Christian Tradition**

The Judeo-Christian ethical outlook stems mostly from the books of Genesis, Exodus, and the Psalms of the Old Testament and from Jesus' teachings in the Sermon on the Mount and the parable of the good Samaritan in the New Testament. Violating God's theological and moral laws, one's ethical duties, is a sin. The Ten Commandments spell out many of these duties. From these commandments, one may get the idea that the Judeo-Christian moral tradition is principally duty-based.

Christianity, however, aspires to focus less on memorizing the specific prohibitions in the Bible and more on living well in the sense of acting as Jesus would act. His moral view of universal love for mankind reflects God's unconditional love. His stories, like that of the Samaritan, told Christians what people should be, not what rules they should follow.

In this sense the ethic resembles the aretaic (virtue based) ethics of the Greeks. That is not surprising since Jesus and Paul lived under the cultural legacy of the Seleucid dynasty that included Greek philosophical ideas brought to that area by Alexander and his successors 330 years earlier. Happiness comes from living a life close to God, acting as Jesus would act, even to the extent of showing moral concern for one's enemies. Self-restraint and respect for yourself and others are the watchwords of Judeo-Christian ethics.

#### **Islam**

**History:** Islam blossomed out of the Arabian Peninsula in the seventh century AD. In the year 611, Mohammed, who was in the habit of retiring to a cave for solitude and contemplation, had a vision in which the angel Gabriel came to him. Gabriel delivered a command that Mohammed should lead his people to worship God as Allah.

In Mohammed's efforts at bringing people to Allah, he told his followers that not only defensive wars are justifiable, but also that aggressive wars could be morally acceptable in cases of fighting for Allah. Subsequently, Moslem holy wars, or jihad, spread Islam over a tremendous part of the known world in less than a century. Only the Byzantines in the East and Charles Martel, regent of the Frankish kingdom in the West, kept it from eliminating Christianity in Europe.

But Mohammed's teaching also said that Moslems ought to be friendly and accommodating to conquered peoples. In the golden age of Arabic culture that followed the wave of conquests, most Moslems were Persian, Turk, or Berber. Only a small percentage were the original conquering Arabs. During the Crusades, when invading Christians commonly raped, robbed, and massacred the Islamic population, the Moslem armies routinely conducted their side of the war in a chivalrous manner, taking prisoners avoiding slaughter, and generally showing

restraint. At its height a thousand years ago, Islam was the glory of civilization. We owe to its glory nearly all of our links to the classical world.

### **Main Ethical Ideas:**

Accept the teachings of the Old Testament.

Acknowledge the sacredness of all people who are equal in Allah.

Keep your promises and take care to fulfil! all contracts.

Respect others in their person and in their property.

Always return a kindness, however insignificant.

**Discussion:** Islam shares much of the moral tradition of the Old and New Testaments, with its peculiarly Islamic moral content coming from Mohammed's thinking on being faithful in promises and contracts, being respectful of other's lives and property, and being mindful of the manner in which one acts toward others. Reciprocity counts. A Moslem proverb states that if a people truly love Allah, then what they want for themselves they also want for their neighbors. Perhaps Westerners find it difficult to reconcile the equanimity and tolerance of the Islamic faith with the actions of Moslem dictators and terrorists of today. Obviously many Christians of the past and of today do not follow the tolerant morality of Jesus, and similarly, one should expect to see Islamic individuals and governments behave in ways that are at odds with Mohammed's moral teaching. Religious hierarchies often distort the original moral message of their religions through their intolerance of others. Sometimes this happens because of desires for political power, and sometimes it happens because people lose touch with the ethical dimension of their religion by claiming infallible knowledge about what their God really wants. History shows that religions tend to degenerate into political establishments with elaborate bureaucratic practices that would be unrecognizable to the founders. In the case of Islamic political extremists, the fact that their behavior does not reflect the ideas in their religion is no excuse for prejudice against the Moslems.

### **Hinduism**

**History:** The Hindu religion is many thousands of years old, and probably antedates even Judaism (3000 B.C. or earlier). The ideas and doctrines of Hinduism evolved over the centuries in India as people strove to answer life's difficult questions. People in ancient India, as with people everywhere, worried about morality, about human existence, and about their place in the universe. About 3200 years ago, unknown persons codified rules for Hindu worship in the Brahmanas. Indians living over 3000 years ago wrote down their speculations about life's mysteries in verses called the Vedas. The Vedas are among the oldest scriptures of the Hindu religion. Answers to the questions about how best to live their lives came from hermits who taught and recorded their ideas in the Upanishads around 2800 years ago. Most of the sacred scripture of Hinduism was written down so long ago that the origins are lost.

### **Main Ethical Ideas:**

Live the right kind of life for your caste; feel good about living a righteous life.

All life, everything is unitary, bound together in an all-encompassing oneness.

Don't ever be selfish; rise above it.

Never worry about consequences; adherence to the rules will lead to a higher existence.

Always strive to be better.

**Discussion:** Living the right kind of moral life is one of the aims of Hindu religious thought. The wisdom to achieve that end is the major goal of Hindu thought. The religion revolves around teachers and sages who live ascetic lives and teach the meaning of life to those who ask. Happiness can only come from knowing yourself and from the resulting feeling of being at peace with yourself. For Hindus, you must know yourself in terms of three different levels (or parts of the personality): your unwillingness to change, your capacity to be agitated by external things, and your ability to remain undisturbed by external things. The aim of Hinduism is to eliminate the first two parts of the personality and to come to know the internal self, the Atman. The Atman is the unchanging aspect of what you are, perhaps best described in Western terms as the soul. Teachers can only hint at how to gain the wisdom to establish your connection with the true internal self.

The morality of Brahmanic Hinduism requires one to act in accord with duties set out for one's class, or caste, in life. Adherence to the code of actions spelled out for each caste leads to the attainment of a good life. Hinduism stresses the unity of the universe, and so acting rightly--according to the rules--means having a good effect on all existence. A voiding self-interests is the key to a moral life, regardless of caste.

Consequences mean nothing in determining the right course of behavior; only doing what is right matters. Consequences, according to the Hindu practice, will take care of themselves in the unfolding of the universe. The important moral goal in Hindu life is to feel good about the way one lives life, and one accomplishes this by obeying the rules, not by anticipating a gain from having lived it that way.

Moral expectations as duties are complex and specific in the Hindu religion and depend upon certain life "segments". The segments, from lowest to highest, are student, householder, retired person, and spiritual seeker. Members of all but the lowest caste are expected to follow the codes of rules for each of these stages in life.

## **Buddhism**

**History:** During the sixth century B.C.E., many Indians were becoming disillusioned with the way Hindu priests in their hierarchies exploited their positions to manipulate people and property for personal gain. Many people also found little comfort in a doctrine that doomed them to innumerable repeated reincarnations. A prince named Siddhartha Gautama (Buddha) lived during this degenerate phase of Hinduism. Gautama's father had protected him from the misery and suffering common in the world outside his palace. When Gautama finally encountered the evils that others suffered, he responded with an empathy for the common people that drove him from his family. He spent years trying to understand why the world was full of pain and evil. Finally, after focused meditation, Gautama became the "awakened one," or the Buddha. Gautama called his prescription for happiness the Middle Path. His insights into what makes life miserable for most people, and how to overcome that suffering, became the foundation of a new religion that spread through much of Asia.

### **Main Ethical Ideas:**

All life, everything, is interdependent and connected.

Be moderate and kind.

Be philosophically inquiring.

Eliminate excessive desire.

Find truth in ordinary experience.

Follow the four Noble Truths, especially the eightfold way (see discussion).

**Discussion:** Moral thought in Buddhism stems from the idea that all life is interdependent. Everything in the universe exists in a web-like relation with everything else, so that a tug on any part, no matter how insignificant, has reverberations everywhere. Buddhism, therefore, stresses a life of moderation and kindness and encourages a philosophical questioning of thoughts and impressions. By desiring too much, Buddha thought, people brought unhappiness into their lives and, thereby, into those of others and even into subsequent existence. By eliminating excessive desire, selfish expectations, and harmful habits, people can become happy.

Buddhism stresses finding moral truth and happiness through raw experience, not through the calculating processes of rules, theories, and analysis about how one ought to live or what one ought to do. All such discourse can only serve as pointers to the way one should seek to live.

The Four Noble Truths are the principles of Buddhism. The first of these truths is that all existence entails suffering. Life requires the experience of sickness, pain, and emotional distress. The Second Noble Truth is that our suffering begins with unhealthy hopes and desires. Our excessive desires enslave us and prevent our becoming happy. The Third Noble Truth is that suffering ends when we stop having excessive desires. Stopping these desires means focusing on real needs rather than on things that satisfy our vanity and bloated appetites. The Fourth Noble Truth is called the "Holy Eightfold Path." Buddha taught eight steps to achieve happiness: having the right viewpoint (understanding where our unhappiness comes from), having the right aspiration (desiring only good things), using the right speech (not to take pleasure in abusive or unproductive talk), having the right behavior (acting from love rather than from having negative duties), engaging in the right livelihood (not supporting yourself through dishonorable activity), committing the right effort (finding your natural cadence in life), having the right mindfulness (not allowing your imagination to kindle excessive and harmful desires), and, finally, engaging in the right contemplation (learning to focus on the Middle Path).

### **Criticism of Religious based Ethics, *The Problem of Euthyphro*:**

Even if one accepts that the metaphysical beliefs of a particular religion are true, there are still some difficulties in extending those beliefs into the field of ethics. One of the most important critiques in this regard was articulated by Plato in his dialogue, *The Euthyphro*. In it he asks two questions about religious based ethics a) is something good because God commanded it to be so or b) did God command it because it is good (intrinsically so)?

Either choice says Plato leads us to an impious conclusion. If the good is good merely because God commanded it, then the good is arbitrary. God could command lying to be good and

truth telling evil. In fact, God could command us to tell the truth, but in fact be lying about it. Clearly, this is an impious belief for most of the world's religions. Furthermore, this makes morality seem like might makes right. Indeed, what would the difference be between the commands of God and the commands of the devil? If you say you can tell, then you are using an independent means by which you can tell right and wrong. Otherwise, it would be right simply because God is the stronger.

One may respond to this by saying that we must only obey the commands of a loving God. It claims that something is right if and only if a loving God permits or requires it and something is wrong iff a loving God forbids it. A loving God would never require or permit rape, torture etc. One problem with this approach is that it seems to presuppose prior knowledge of what's right and wrong. Suppose someone claims that a loving God has commanded that men be slaves to women and that women will perform human (male) sacrifices every Sunday. Most of us would deny that a loving God would ever permit this. But what makes us so certain that this is true? Because we believe these actions are immoral. So we are using our intuitions about morality to discern whether a command is God's or not and not God's commands to discern what morality is.

Thus many accept the latter position, that God commands us to do things because they are good. Some will argue that this will lead us to conclude that the good is independent of God and thus in some sense morally superior, at least in the sense that God had to rely on something external to him to know what is good. This too is an impious belief. However, this objection is not without an answer.

If God is a person, then He is more than just will, he is also emotion, intellect and possibly other elements that make up His essence. God sees the good in the volitional aspects of his essence. We might say his intellect perceives the good, and his will wills it to be good. Now, if the moral law was God's essence, God is not looking outside, but inside. Thus it might be that the good is good in itself, but because God perceives it by looking inside Himself, He is not relying on sources greater than Himself. In this way God can cause something to be a moral law because it is intrinsically good, but not appeal to anything outside Himself, much less greater.

But this does allow us to conclude that it is possible to at least partially know the good (and thus be responsible for acting on it) independent of any particular belief in God. If this were not true, it would be impossible to have ethical discussions with non-believers and thus it would not be possible to teach military ethics in any secular society.

## **DEONTOLOGICAL ETHICS**

**Introduction:** Deontological ethics grounds morality in the performance of duty. Good persons, it is said, are persons who fulfill their obligations, and the preeminent obligation is to do those things which reason tells us to do regardless of the consequences to others or ourselves. Duty in this sense consists of a single broad and overreaching duty grounded in the law-like nature of rationality. This duty guides all human actions and should not be confused with the familiar and everyday duties we assume as, say, a soldier or a police officer. The most famous proponent of deontological ethics was the German philosopher Immanuel Kant (1724- 1804).

**History:** Kant developed this moral theory partly in response to the intellectual development of the Renaissance which placed an increasing emphasis on reason at the expense of Catholic Doctrine. Up to and through the Middle Ages people had been quite satisfied with the idea that there was a commonly understood good for man toward which all people of character aimed their

effort, but the increasing rigor of Renaissance thinking made it difficult to articulate and defend the common good in a way that satisfied philosophical demands.

What had seemed solid and certain now seemed loose and dubious. Kant attempted to place ethics on a solid metaphysical foundation not depending on religion. This became the project of his life, and he wrote a long and difficult book in metaphysics titled *Critique of Pure Reason* followed by a book on ethics titled the *Groundwork of the Metaphysics of Morals*. In this work he sought to establish our duty to follow the commands of reason. Kant's work is widely thought to be among the best pieces of moral philosophy.

**Philosophical Definition:** Deontological ethics include any moral theory according to which certain acts must be done or not done, regardless of the consequences. Deontological ethics depends on the intention to follow reason over desire.

**Main Ideas:**

Certain acts are right in themselves, and we have a duty to do those right acts regardless of the consequences, good or ill.

Deontological ethics, or duty-based ethics, focus on how we should assess the agent performing an action rather than on assessing the action itself. Thus, it is agents who are moral or immoral and actions are good or bad insofar as they are actions performed by agents acting morally or immorally

The moral life consists in our duty to discipline the will to obey the self-given commands of reason, not the prompting of desire. Though the commands are self-given, they are universal due to the universal nature of rationality.

Moral judgment is possible because people have free will and can choose whether or not to follow reason's course.

**Discussion:** Kant and others recognized that people across cultures and times just do not agree on important moral practices--conventions regarding sex and marriage, religion, private property, and so on. They thought that this high level of disagreement made it impossible to articulate a comprehensive good or purpose, so they set out to establish a more philosophically rigorous moral system. To do so they based morality on reason, which they claimed to be objective and universal. Two plus two just is four: and they tried to extend this same kind of formulation to morality, with duty as its ground a good act just is an act performed by a person who followed an intention to obey reason when they conflict with desire.

For Kant and the deontologists who followed him, our duty to obey the commands of reason applies to all people in all times. Kant called his specific law of reason the *Categorical Imperative*, and he developed three formulations of this single imperative.

The first formulation stated that a proposed action must conform to universal reason in a way that does not treat my case as special just because it is my case.

The second formulation, *Humanity as an End*, enjoins us to "treat humanity as an end" and never as a means only. The idea here is that since we rightly regard ourselves as autonomous rational beings who have full freedom of action, we must also treat others with this same regard. Thus, we can never manipulate and deceive people in order to satisfy this or that desire.

Manipulation takes away people's abilities to judge the cases for themselves using the same rationality present in all of us.

The third form, Kingdom of Ends, highlights the universal nature of rationality by pointing out that respect for my own rationality requires that I respect the rationality of others because reason is universal, not individual and private.

Kant thought people's sentiments, both good sentiments and bad sentiments, had no role in morality. A person's duty to tell the truth derives from the nature of rationality and not from feeling that one does or does not want to deceive another. Kant was perhaps the first philosopher to emphasize the importance of the will in moral psychology. He claimed that the will is the only legitimate object of moral judgment. In Kantian terms a will is good when it always submits to the commands of reason.

A famous example concerns the lying promise. In this example Kant invites us to consider a case where a person in need of money asks himself whether he can tell a lie by promising to repay the lender even though he has no ability to do so. This person wants that money. All sentiment, all desire, is entirely on the side of getting the money. Now, according to Kant's model, to judge the case we ask how would it be if all people in need of money secured a loan by means of the lying-promise. The answer, of course, is that the very institution of money-lending would be undermined. If every person seeking to borrow made such a promise, very soon no one would be willing to lend money. Kant's example illustrates the role of reason. Anyone can see that the lying promise is itself contradictory in that no one could consistently wish that the lying promise be made into a universal law of nature applying to all people in need of money.

Kant argued that these three forms were alternative ways of stating the single Categorical Imperative, but this is a controversial point.

**Criticism:** A frequent problem in deontological ethics is the case of conflicting duties. How do I know whether I really must keep my promise to help my friend move his new piano or stay home with my newly sick daughter who needs my attention? And if I can know which of these duties is primary, then aren't I appealing to some notion of the good that transcends or is higher than duty to judge the case? The gist of this objection is that duty ethics makes the moral life seem simpler than it is. People decide on cases of conflict after weighing many points, and the points they consider seem to be as much matters of emotion and intuition as they are of reason. The duty advocate has to show how reason alone can consistently arbitrate cases involving a conflict of duty without appeal to consequences.

Perhaps a more powerful criticism is the claim that reason is not as universal as deontologists think it is. The critics point out how very difficult it is to determine the rational stance one ought to take toward, say, homosexuality. If morality were as susceptible to reason as advocates of deontological ethics claim, then duty-based ethics could articulate a universally valid standard regarding homosexual practice. Unfortunately many moral issues are too complex to admit obviously right answers based on specific rules or a single law of reason. This difficulty undermines the inherent appeal of duty-based ethics that is supposed to make moral choice if not obvious, at least possible.

## TELEOLOGICAL ETHICS

### **Virtue Ethics**

**Introduction:** Virtue ethics is sometimes called virtue-based or agent-based ethics and in the West typically reflects the work of Aristotle, especially his *Nicomachean Ethics*. In the Eastern moral tradition, the philosophers Confucius and Mencius articulated a virtue ethic markedly similar to Aristotle's.

A virtue ethicist tends to ask, "What should I be?" or "How should I live?" and not to ask, "What should I do?" The focus of virtue ethics is on developing the character of the agent over a whole life and not on the individual actions of the person.

**History:** Virtue ethics dominated the moral life of classical civilization. Plato and Aristotle have left the most comprehensive and widely read versions of virtue ethics in the West, but the Confucian version dominates in China and Japan. The major Christian theologians followed Aristotle in developing Christian ethics. For centuries the discussion of virtue centered on pagan values like the so-called cardinal virtues of temperance, justice, courage, and (practical) wisdom. To these four Greek virtues the Christian thinker Saint Thomas Aquinas added the theological virtues of faith, hope, and charity.

A central theme in the discussion about virtue has been an idea called the unity of the virtues. The notion here is that a truly just person must also be courageous, temperate, and wise. This supposed unity, an idea attributed to Aristotle, says that in the end a person possessing one virtue must necessarily possess them all.

**Philosophical Definition:** The theory of ethics that takes the notion of virtue, an attribute of the agent's character, as the focal point of moral judgment. A key ingredient in the development of character is rationality, for it is reason that enables moral and intellectual development and, thus, happiness or contentment. The virtues themselves are defined as dispositions or traits of character that are to be admired.

### **Main Ideas:**

The human being is a rational animal; its rational capacity distinguishes human beings from other beings. Just as we might say that the function of an acorn is to be an oak tree, the function of human beings is to be rational. Function refers to the ultimate aim, end, or purpose.

Functioning well leads to happiness, and since reasoning is the human function, reasoning well leads to human happiness; we must employ reason to live the "good life", the life of virtue.

Virtue consists in hitting just the right balance between extreme dispositions. For example, courage lies between the excess of foolhardiness on the one hand and the deficiency of cowardice on the other hand. At first this balance comes from training and habit, but later in life it comes from reasoned choice and the steady inclination to choose the best course of action.

Virtues can be moral or nonmoral. Nonmoral virtues are those virtues that help or enable us to hold moral virtues. For instance, physical fitness is a nonmoral virtue, but physical fitness helps us to be strong minded about moral choices.

**Discussion:** Virtue ethics tend to deny the importance or even the existence of general moral rules. Aristotle thought that matters of right and wrong could not be captured by rules because the moral life depends on situational subtlety and nuance beyond their reach. This feature of virtue ethics causes its proponents to claim that it is truer to human nature than other moral theories because it focuses on the development of stable dispositions and the achievement of long-term goals at the expense of moral decision-making based on rules which are sometimes difficult to understand and even harder to apply in an almost infinitely variable range of situations.

Consider the prohibition against lying. The rule works rather well in most cases, but it causes us to make odd exemptions. When visiting in someone's home and eating a bad meal, we sometimes say that we enjoyed the meal, a lie, and thus we have broken a moral rule. Virtue ethics would enjoin us not to worry about rules, but let our actions reflect our character. If our character is virtuous, our actions will be just. Virtuous character carries meaning in community with other people and reflects our cooperation, communication, and dispositions with respect to others; the virtuous person may reason that justice requires us to respect the kind intentions of our host more than it requires telling the truth about the meal. In any case, the virtuous person's action will depend on perceptions of the total circumstance, not moral rules or mere protocol. In habituating ourselves to actions consistent with virtue, we aim at doing the most reasonable thing as a member of society.

The standard required for success in the life of virtue is quite high; rather than enjoining people to abstain from wrong based on a set of rules, virtue ethics requires pursuit of moral excellence over the whole of a life. Aristotle believed that humans had an ultimate purpose. He referred to this idea as the *telos*, which means end or purpose. In English we call this ultimate end or purpose the good. Aristotle thought all humans desired to achieve a kind of state variously translated as happiness, contentment, and well-being as the ultimate end of life. By happiness he did not mean the sort of thing Hollywood movies often portray, nothing that could be satisfied by more money, new relations, or another career; instead, he meant the kind of satisfaction won over a long life through a tempering of desire by the steady application of a disciplined intellect in search of truth and beauty. He called this special kind of happiness *eudaimonia*.

Aristotle believed communities could identify and articulate a common vision of this *telos* or good, and the project of the individual life was one of developing the virtues. This vision of a good life is sometimes called the art of living well, the practical business of first conceiving and then implementing an intelligent life always pursuing good. Marks of this life include a commitment to good thinking, an appreciation of all things beautiful, a proper commitment to society manifested in the attempt to bring about common goals, and a keen sense of both personal and public justice to oneself and others.

**Criticism:** There are several objections to virtue ethics; perhaps the most powerful is the contention that virtue ethics is irrelevant to modern life because it depends on a view of human flourishing, a commonly understood human purpose, that some think no longer possible; and, indeed, the contemporary emphasis on tolerance and multiculturalism embraces the idea that there is no one right way to live. Critics declare that virtue ethics is antiquated and obsolete because it cannot say, for all people in all times, what the good life is.

### **Consequentialist Ethics:**

**Introduction:** Broadly construed, the term consequentialism refers to any system of morality focused on the consequences of actions. The term caught on because many philosophers were intrigued by utilitarianism. The theory tapped a deep moral intuition. When people face a moral

choice, they just naturally pay careful attention to the consequences which follow. In the case of utilitarianism, those consequences are defined in terms of greater or less happiness. However, some philosophers, regarding happiness as only one among several appropriate goals or consequences of moral action, returned to centuries-old theories and retroactively classified them as "consequentialist." The best known consequentialist theories are hedonism, egoism and, of course, utilitarianism.

**History:** Hedonism and egoism are early forms of consequentialism. Ancient peoples regarded pleasure as the natural object of human action. Hedonism begins at least as early as Democritus in the fifth century B.C.E. and extends through both Plato and Aristotle to Epicurus. Hedonism differs from egoism in that where hedonism focuses on pleasure, egoism focuses on any interest, long-term or short-term, whether directly connected with pleasure or not. An early proponent of egoism was Glaucon in Plato's Republic. The dialogue opens with a discussion of the fabled Lydian shepherd named Gyges who finds a ring with the power to make its wearer invisible. Gyges uses the ring to kill the king and take over the kingdom. The "Ring of Gyges" illustrates the claim that people seek their own self-interest given the chance to do so without fear of retaliation.

Jeremy Bentham (1748-1832) developed the utilitarian moral theory because he became disillusioned with the state of English law. He wanted to reduce the misery he observed in English society. From pursuing this objective he developed a moral system having aggregate or total happiness as its aim. Though Bentham first published the idea, its most famous advocate was John Stuart Mill, who wrote a book simply titled *Utilitarianism*.

**Philosophical Definition:** Consequentialism is the view that actions are morally right or wrong solely in virtue of their consequences measured in terms of some specified good or goods such as pleasure, self-interests, and happiness.

## **Ethical Hedonism**

### **Main Ideas**

Pleasure is the goal of morality.

Pleasure is good; therefore, it is the proper object of human action.

Pleasure may be construed in many ways--physical pleasure, intellectual pleasure, or physical and intellectual pleasure in combination.

Hedonists seek their own pleasure, not the pleasure of everyone.

**Discussion:** Ethical hedonism should not be confused with psychological hedonism. The latter, non-moral theory simply makes the descriptive claim that pleasure is the only possible object of human pursuit. The ethical theory of hedonism makes the prescriptive claim that pleasure ought to be the object of human pursuit. Ethical hedonism assumes that people could, if they chose, perversely seek objects contrary to their pleasure. Hedonism tells its adherents to guide their conduct by the pursuit of pleasure.

Many people think hedonism refers only to pleasures of the body, but though Epicurus loved wine, he drank it only once a year. For the rest of the year he focused on the mental pleasures of remembrance on the one hand and expectation on the other hand, some hedonists

devoted themselves almost exclusively to intellectual pursuits; they thought the pleasure of poetry, for example, far exceeded bodily pleasure. This type of hedonism is sometimes called enlightened hedonism.

Another version recommends that we choose only those pleasures likely to produce long-term satisfaction. In hedonism, reason's job is to perform the bidding of desire by calculating the most pleasurable life. Though there are different kinds of hedonism, all hedonists agree that pleasure is the aim.

## **Ethical Egoism**

### **Main Ethical Ideas**

Self-interests are the goal of the moral life.

The moral life is the life that promotes the good for me.

We have no intrinsic moral duties to others.

**Discussion:** There are both descriptive and prescriptive versions of egoism that parallel those of hedonism. Our discussion concerns ethical egoism, the claim that people ought to adopt the moral rule of pursuing their own self-interests. Egoism's focus is on the more broadly conceived consequence of self-interests which may be a physical pleasure, a hoped for payoff from heavy investment in the soybean futures market, a more flexible work hour program, or any other object the self has an interest in. Its credo is "take care of number one."

Ayn Rand is perhaps the most famous modern thinker associated with egoism. She believed that a proper concern for one's own interests is the essence of the moral life and the only means to achieve our very highest potential. Enlightened egoists recognize that sacrificing some short-term interests will be to their best long-term advantage, and they claim that egoism, like capitalism in economics, is more efficient than competing systems.

## **Utilitarianism**

### **Main Ethical Ideas**

Pleasure, happiness, interest, or some other non-moral good of all subjects, is the goal of morality

Morality should promote utility which is the property in any object that produces benefit, pleasure, or advantage while reducing harm, pain, or disadvantage.

Morality should produce the greatest happiness (for example), and the happiness of one counts no more than the happiness of another.

**Discussion:** Utilitarianism is the most prominent form of consequentialism and has a wide influence in current debate about social policy and justice. Both Bentham and Mill intended for the moral principle of utility to guide social policy and law with the clear aim of arranging society so there would be the best possible chance of achieving happiness for all persons. Utilitarianism is sometimes rejected as a moral theory but hailed as a sound principle for economists and legislators.

Utilitarianism, like all consequentialist theories, looks forward and guides action on the basis of what will happen where duty-based theory (and others, too) looks backward and wants to know, for example, whether a promise was kept regardless of the possibility that breaking a promise might tend to produce more happiness in a certain case. This forward looking feature of consequentialism separates acts from the consequences that follow and gives rise to the slogan: "The end justifies the means."

**Criticism:** The forward-looking feature of consequentialist ethics causes many observers to say that it offers a thin version of morality because the insistence on results ignores other important features of the moral life. The separation of the act from the character of the agent gets the focus in the wrong place. According to some, it's not acts that are right or wrong; it's people who are good or bad. And, even if we concede the importance of consequences, which ones do we consider? Only the first and direct consequence, or do we also have to calculate the indirect results for weeks, months, generations yet to come? Worse still, how do we decide in cases whose outcome is uncertain? Is it right or wrong to force a son off the family budget because he's now in his third year of college with no declared major or program? The need to fend for himself might inspire a new discipline, or it might create resentments and obstacles the family would never overcome.

Perhaps the most damaging criticism concerns the means-to-end relation of consequentialist ethics. A famous example used most often in regard to utilitarianism illustrates the point. Imagine that you are a hospital administrator fully committed to achieving the greatest good in carrying out your professional obligations. In various wards of the hospital there are two patients needing kidneys, one needing an appendix, another needing a lung, and still another needing a heart. Without organ transplants, all of these patients will either die or have a very seriously diminished life prospect. Last night a healthy young male was put in a coma by massive head trauma from a car wreck.

Numerous tests and all the experience of the hospital staff tells you this young man's coma is permanent, and you have discovered that he has no immediate family. Moreover, the fellow was an isolated, chronic misfit constantly causing trouble for others. Now, can you direct that his organs be removed and given to the other patients? Some claim that consequentialist thinking, even long-term and enlightened consequentialist thinking, says yes.

To respond to some of these objections, many thinkers argue for a "rule utilitarianism," which holds that what is right is to conform to the set of rules that maximizes happiness or minimizes misery. The problem with this approach is that it is inconsistent and must become either a deontological system or transform itself into act-utilitarianism. Imagine that following the set of general rules of a rule-utilitarian system yields 100 hedons (Philosophers speak for "happy points"). We can always find a case where breaking the general rule would result in additional hedons without decreasing the sum of the whole. So, for example, I could have the rule, "Never Lie," but I can imagine breaking it to spare someone's feelings. So, I either must argue why this is a good rule independent of its consequences (deontology) or argue that producing the greater happiness is the right thing to do (act-utilitarianism).

## **SOCIAL CONTRACT THEORY**

**Introduction:** Social contract theory is the view that the foundations of morality lie in uniform social agreements that serve the best interests of those who make the agreement. Essentially it holds that all rational agents will agree on some set of rules in order to preserve the kind of society that affords them protection they would not have in the "state of nature." In the context of

military ethics, social contract theory is important in establishing obligations states have to their citizens as well as to other states.

**History:** While Social Contract Theory is most often associated with writers like Thomas Hobbes and John Locke, it in fact has a long history in political philosophy. In Book 2 of Plato's dialog *The Republic*, Plato's character Glaucon makes the claim that every person recognizes that it is to his or her benefit to act unjustly even though it is bad for each of us to suffer injustice. To demonstrate his point, Glaucon recounts the story of a poor shepherd named Gyges who finds a ring of invisibility. Invulnerable to any harm caused by others, Glaucon has no good reasons behave in accordance with any rules and is free to lie, cheat, steal, and kill in order to advance his interests.

Hobbes, writing in the 16<sup>th</sup> Century argued that in absence of society people exist in a state of nature in which life is nasty, solitary, brutish, and short. While it is moral for people to pursue their own self-interest, giving up some interests in exchange for the protection that a society affords best does this. In fact, failing to do so is irrational. Locke later argued that is only rational, he argues, then for individuals

John Locke later argued that moral obligations do exist in a state of nature beyond that of simply pursuing self-interest. The nature of these of these obligations lies in divinely commanded natural law. A social contract is only necessary when citizens form a government to prevent people from violating the natural la.

Jean-Jacques Rousseau argued that the state of nature is not a state of war, but a state of individual freedom where creativity flourishes. Since a fully mature person is a social person, a social contract is established to regulate social interaction. This contract between citizens establishes an absolute democracy which is ruled by the general will, or what is best for all people.

Interest in social contract theory declined in the 19th century with the rise of utilitarianism, the theory that actions are right when they produce more benefit than disbenefit for society. Contemporary versions of social contract theory attempt to show that our basic rights and liberties are founded on mutually beneficial agreements which are made between members of society.

John Rawls argues in *A Theory of Justice* (1971) that in an original position, a group of rational and impartial people will establish a mutually beneficial principle of justice as the foundation for regulating all rights, duties, power, and wealth.

**Discussion:** Social contract theory offers for many people a compelling account of objectively true moral norms based individual self-interest. It allows us to reconcile to normally competing facets of the moral life: our desire to fulfill our interests and our acknowledgement that it may not always be permissible to do so. Essentially it claims that in a state of nature, people are free to pursue their own interests. But when everyone does this without considering interests of others, life is miserable. In such a state it is impossible to establish the social institutions necessary to lift man out of a lifestyle dedicated solely to daily survival. While many philosophers disagree regarding whether a state of nature ever existed or if it was indeed as "nasty, solitary, brutish, and short" as Hobbes portrayed it, they still the implicit agreements between a state and its citizens as generating important obligations for both.

In the context of military ethics, these obligations include the obligation of the state to protect its citizens and the obligations of its citizens to abide by the laws of the state, including laws drafting individuals to participate in its defense. Additionally, there is a great deal of argument regarding whether nations exist in a state of nature, and are thus only obligated to pursue their own national interests or do not and thus have obligations to other nations.

**Criticism:** There are a number of criticisms of Social Contract Theory. Some critics wonder if humans are as self-interested as Hobbes imagines. Many people have interests that focus on social, religious, or political communities rather than individual benefit. Also, it is not clear that in the state of nature, people would be rationally motivated to harm others to achieve individual benefit rather than cooperate. In fact, many game theorists argue that what is ultimately rational is to cooperate with others since over the long run this is more likely to lead to the greatest individual as well as corporate benefit. Furthermore, social contract theory does not specify which or how much of their self-interest individuals must surrender. As long as the society that results from the contract is superior to the state of nature the individual is obligated to live in accordance with its rules, no matter how draconian they are. Additionally, the moral rules arrived at are only rules of prudence for people motivated by concerns of self-interest. Thus it is not really a moral theory at all since it simply shows how to maximize self-interest rather than genuinely showing when individual's must subordinate those interests to the interests of others. Finally, it is not clear why we should consistently follow a moral rule (such as a prohibition against stealing) if we can benefit from occasionally violating the rule without being caught. In fact, since people are motivated only by self-interest, they would have strong reasons to occasionally violate rules when that served their interests. Social contract theory, then, only obligates people to follow moral rules only to the extent necessary to keep society together. This makes it a relatively weak moral normative theory.

## **JUST WAR THEORY**

**Introduction:** Just War Theory refers to moral constraints on warfare. There are two parts to Just War Theory (or JWT): *jus ad bellum* and *jus in bello*. *Jus ad bellum*, "justice of war," assesses the reasons given for the choice to go to war in a particular context while *jus in bello*, "justice in war," assesses the means a nation or individuals employ when fighting.

**History:** JWT represents the thoughts of several philosophers. Augustine, a Roman Catholic Bishop in the fifth century offered the first theory of a just war because he worried whether Christians could fight in defense of the Roman Empire. Although Christian moral thinking is the foundation for JWT, chivalry and international law were instrumental in refining the tradition. Chivalry refers to the codes and customs of medieval knighthood, and JWT draws on a central precept of chivalry: always protect noncombatants. Knights were not allowed to fight anyone except other knights.

All other persons enjoyed protected status as noncombatants for two reasons: first, knights were the only people allowed to carry arms, making it impossible for a knight to have a fair fight with anyone except another knight; and, second, the interests of all were generally served by protecting the knight's providers who farmed the land and managed the estate.

International law, the last influence on JWT, often receives attention in current debate and news reports because most of the international community has accepted the Hague (1907) and Geneva (1949) Conventions. But international law regarding warfare did not begin with these conventions. It grew instead out of the Middle Ages when both secular and religious leaders sought to diminish the increasing misery and damage caused by war. International law now

attempts to limit both the reasons for fighting and the means employed by the opponents. The US Army's Field Manual 27-10, The Law of Land Warfare, instructs American soldiers to follow the law regulating warfare, and Department of the Army Pamphlet 27-1, Treaties Governing Warfare, supplements FM 27-10 with the text of the important treaties and agreements to which the United States is party. Furthermore, Just War Theory attempts to resolve the tension between winning and fighting morally well by balancing the utilitarian considerations of military necessity with certain deontic considerations, such as one should never harm innocents and sometimes one is obligated to defend innocents.

**Discussion:** The following section lists and briefly presents tenets, or principles, of JWT.

- I. *Jus ad bellum* assesses the reasons for war and establishes the set of criteria we use for determining whether or not a particular war is legitimate.
  - A. Just cause. In order to justify fighting, a country must be able to show that it has a morally legitimate reason for doing so. To show just cause, a nation ordinarily claims one of three reasons for going to war:
    1. Self-defense. This is the clearest reason of the three. The law recognizes the school-yard principle which says when attacked, you have the right to fight back.
    2. Defense of another country. Nations have the right to aid other nations in their legitimate self-defense, and in the case of countries bound by treaty or alliance, mutual aid is obligatory.
    3. Intervention. This is the most difficult of the three reasons to define. Most JWT advocates believe that one country can militarily intervene into the affairs of another country in order to stop or prevent a grave injustice, a pervasive horror which shocks the conscience of civil people, a horror like genocide.
  - B. Just intentions. Just intentions demand that war should always aim for peace and that any war must be limited to its stated aim. For instance, if a nation's reason for warring is to help one nation defend itself against attack by another, the nation's goal must be to achieve that defense, but only that defense, and not to satisfy other political, territorial, or commercial desires. George H. W. Bush intended to liberate Kuwait, not to conquer Iraq. Though this requirement is included in many lists of criteria for a just war, it is one of the more controversial. It is hard to say which person's intentions count; in the case of the United States, one may legitimately ask whose intent matters most, the President's, the representatives and Senators who support the war or Congress collectively? How does one determine the intent of a group of people? Because of the subjective and non-verifiable nature of intent, it is difficult to apply to actual situations.
  - C. Legitimate authority. A legitimate authority must declare war. By the terms of the Constitution, only the Congress in the United States, for example, can commit the nation to war.
  - D. Last resort. Before warring, a state must have exhausted all other means of settling the dispute because war is the most costly and least desirable form of arbitration, a last resort.

- E. Reasonable costs. JWT advocates often argue that before a country goes to war, even if the above criteria are all met, the country must weigh the human and material costs of fighting against the costs of allowing the present injustice to stand. If the costs of fighting far outweigh the costs of putting up with the injustice, then the country ought to suffer the injustice.
- II. *Jus in bello*, the second component of JWT, assesses the means employed in war and limits the misery and the damage caused by war without unnecessarily tying the hands of the combatants. Important ideas to discuss are discrimination, proportionality, risk, and the doctrine of double effect.
- A. Discrimination. Combatants must discriminate between legitimate and illegitimate weapons, and between legitimate and illegitimate targets.
1. Weapons. Inflicting unnecessary harm on enemy soldiers serves no legitimate purpose. JWT prohibits actions and weapons that cause unnecessary suffering. Closing with and destroying the enemy does not entail killing the enemy slowly and painfully. Thus, a weapon that does nothing to enhance our ability to kill or wound the enemy, yet greatly increases his suffering, is an illegitimate weapon.
  2. Targets. Targets can be either property or people.
    - a. *Property:* The law forbids the destruction of property having no bearing on success in war. Thus, works of art such as statues, fountains, paintings, and monuments are never legitimate targets; they can be neither seized nor destroyed. It is also wrong to attack property recognized as a safe-haven for noncombatants such as churches, schools, hospitals, and cultural institutions.
    - b. *People.* People who should never be directly attacked are referred to as "noncombatants." Children and prisoners of war, for example, clearly fall into the category of noncombatants, and they should never be directly attacked. Healthy uniformed soldiers fighting on the battlefield are clearly combatants, and they can always be attacked. Some people seem to fall in a middle ground. Munitions workers, for example, are civilians not directly involved in the fighting, but they are directly contributing to the war effort. A widely accepted rule says that any activity logically inseparable from war-fighting places its participants, to some degree, in a combatant status. Munitions work is logically inseparable from war-fighting; farming is logically separable from war-fighting.
- B. Proportionality: Proportionality is the requirement that all soldiers have to do more good than harm when engaged in military operations. If destroying a military target involves killing noncombatants and destroying their property, the good gained from destroying this target must be greater than the harm done. For example, destroying an entire city of 500,000 people in order to destroy a small ammunition factory would violate this rule. Destroying a major railway station even though some civilian workers or nearby housing might be damaged probably does not.
- C. Risk: Given the logic of warfare, it is always in soldiers' interest to place as much force as is morally and legally permissible on any particular objective in order to preserve their lives. This means when commanders and their soldiers determine what

is necessary, they are always asking themselves how much force is allowable, not how little is possible. What is necessary when resolving the tension between due care and due risk is minimizing risk, not force. The most force allowable then becomes the *necessary* force since it is what is necessary to preserve soldiers' lives without violating the law or morality of war.

Soldiers, however, may not completely minimize their risk if by doing so they increase the risk to noncombatants. By virtue of their role, soldiers agree to accept risks that noncombatants do not, regardless of their nationality. However, even this obligation is limited. If it were not, then it would be possible for the enemy to use civilians as shields and render it impossible to prosecute the war in a moral fashion. Thus, soldiers are not obligated to take so much risk that the mission will fail, nor are they obligated to take so much risk it is certain their unit will not be able to continue the war effort.

Since the amount of risk soldiers are obligated to take is limited, it is then permissible for them to engage in courses of action in which civilians may knowingly, though unintentionally be harmed. This last distinction is important and is what separates acts of terror from legitimate uses of force in war. But even this has its limits and these limits are captured by the doctrine of double effect, one of the more restrictive features of the Just War Tradition.

- D. The Doctrine of Double Effect: The doctrine of double effect was first formulated by St. Thomas Aquinas as a response to St. Augustine's moral prohibition against self-defense. Augustine held that self-defense was inherently selfish and that acts motivated by selfishness were not morally justifiable since selfishness is not morally justifiable. This doctrine results from the recognition that in pursuit of a moral good, like self-defense, there may be unintended, but foreseeable, moral harms. Thus, according to this doctrine, it is permissible to perform a good act that has bad consequences, if certain other conditions hold. Those conditions are: 1) the bad effect is proportional to the desired military objective 2) the bad effect is unintended, 3) the bad effect is not a direct means to the good effect and 4) soldiers are obligated to take actions to minimize the foreseeable bad effects resulting from any course of action, even if it means accepting an increased risk to soldiers.

### III. Alternatives and Criticisms of Just War Theory

#### A. Pacifism

1. **Pacifism**: There are essentially two kinds of pacifism: absolute and non-absolute. Absolute pacifists do not accept Just War Theory because they do not accept the use of deadly force in any circumstance. One criticism of this position is that to hold it consistently one cannot accept that police are permitted to use deadly force in order to apprehend a violent criminal. One still may consistently hold this view, however, as long as one is willing to live with the injustice committed by people who are willing to use force for evil ends.

Non-absolute pacifists may accept the use of force in certain circumstances, for instance they may accept that police forces may use deadly force to prevent injustice. They may criticize Just War Theory, however, on

the basis that there is no way to wage modern war without causing civilian deaths. They will reject that it can make moral sense to defend justice by committing injustice. This view has the same problem as absolute pacifism in that one must commit to living with injustice if the only way to stop is by using force. Nonetheless, many pacifists of both varieties may consistently hold their views and commit themselves to nonviolent means to right wrongs. They point to people like Gandhi and Martin Luther King as examples of how pacifists can reject violence but not accept injustice.

There is a tension between the negative duty to not intentionally harm innocent people, on the one hand, and the positive obligation to defend innocent people on the other hand. Pacifists will claim that the negative duty is absolute. Non-pacifists must, at minimum, claim that the negative is not absolute and can be overridden by the positive duty.

B. Realism: There are two kinds of realism: political and military. They correspond to the two components of JWT: *jus ad bellum* and *jus in bello*.

1. A **political realist** believes that nations do not have any moral obligations to other nations. Nations do, on the other hand, have obligations to their citizens. Thus it would make no sense to say that a nation is morally prohibited from declaring war on another nation, as long as it is acting in its own self-interest.

This idea is most famously argued in the United States by Hans Morgenthau, who argued that the statesman's highest duty is to ensure national survival. When national survival is really at stake, this may in fact be the correct. But in the world of international politics, survival is often conflated with being stronger than the opponent is—even if it is only a potential opponent. Thus anything that gives the nation an advantage is therefore necessary to survival and thus supercedes any obligation there might be between nations. This is how words like “national survival” come to really mean “national security” which come to mean “national interest.”

2. A **military realist**, who may or may not be a political realist, believes that there are no moral restrictions regarding what soldiers may do in war. In general, a military realist concludes that the resort to force constitutes a rejection of the rule of law and there are no limits on what might be done to those who start wars in order to restore law and order. The following constitute three separate arguments to support some form of military realism:

a. War is evil, so morality has no meaning.

Criticism: *Before you accept this position, consider if someone robs a bank, do we not also find that they are more blameworthy if they gratuitously torture the innocent bystanders?*

b. War is evil, therefore anything I do to end it quickly is good, even if it means harming innocents. This is essentially a utilitarian argument that rests on the justification that since “war is hell” ending it quickly, by whatever means, is morally justifiable. Furthermore,

those who start a war have committed an evil. It is therefore proper to make war as horrible as possible on them in order to end it quickly and dissuade anyone else from starting one in the future. If the cause is just, according to these kind of military realists, then the soldier cannot be blamed for *any* of the death and destruction he spreads around him. This position claims that when we judge the acts of war, we can only judge the decision to fight or not to fight. How one fights is not at issue, as long as that first decision, “should we fight” is morally sound.

*Criticism: Before you accept this position, consider would we say it is ok to experiment on people in order to find a cure for AIDS without their consent? What if the drugs had a potentially dangerous side effect? Are scientist permitted to do anything in order to achieve a good? If the answer is no, then it would make sense to reexamine the War is Hell argument. Furthermore, this kind of Military Realism ignores some of the fundamental tenets of Just War Theory, namely that many of the people harmed in war, even those from the aggressing state, are innocent of the crime of war. Punishing the innocent or causing their lives to be more hellish than is necessary contradict two moral truths that form part of the foundation for many Just War Theories: one should not harm innocents intentionally and sometimes obligation to protect innocent people.*

- c. Two Moral Truths: Some people, however, see these moral truths as justifying a kind of military realism. They will argue that since soldiers are also innocent of the crime of war, the moral obligation on the part of commanders to protect members of their state, including soldiers, is more important than obligation to not harm innocents. There are more extreme versions. This last consideration leads many military realists to also claim that not only do we harm soldiers, but military necessity allows to override the legal provisions against intentionally killing non-combatants.

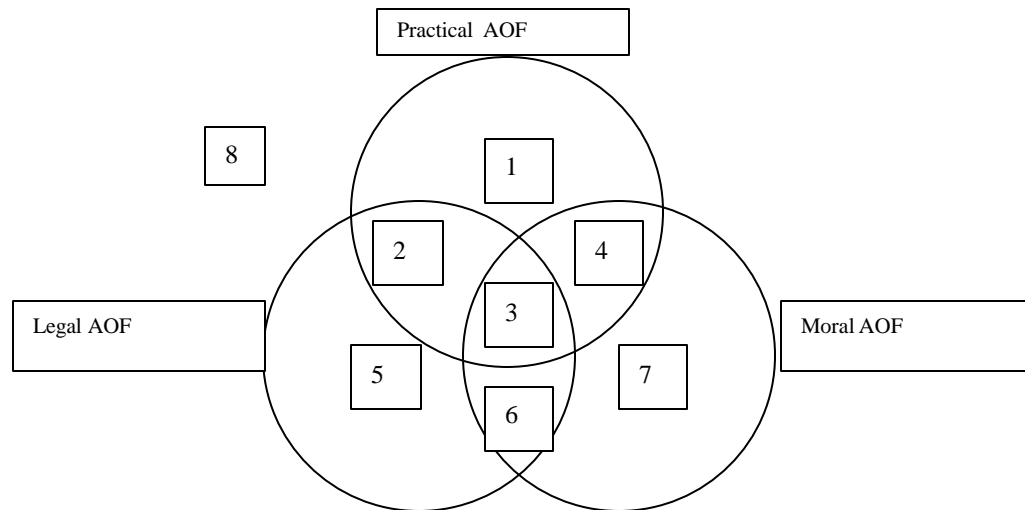
*Criticism: Before you accept this position, consider, would we think it would be ok for me to protect my child that I throw someone else’s child in front of him? What about a foreign child? What about an enemy child?*

## Teaching Application:

Teaching the application of military ethics is often experienced as teaching how to sort between competing practical, legal, and moral obligations. The following Venn diagram describes in a comprehensive manner how these different kinds of obligations relate to each other. As such, it represents the range of judgments we can make regarding military force. After a sound grounding in the theory behind ethical reasoning, teachers can then help students learn to apply it by working through the different regions. By using examples and case studies, students can work through the different regions and learn to sort through the different kinds of judgments they and their subordinates *can* make in order better to learn how to arrive at the judgments they *should* make.

The purpose of the law and morality of war is to prevent war and when that fails, limit the misery caused by war. Many see the law and morality of war as restraining the amount of force that can practically be applied in any given situation. While this is certainly the most natural way to understand these concepts, it is not always the most accurate. The relationship between the practical, legal and moral applications of force is much more complex than that. It is possible, for example, to have an application of force that is moral and practical, but not legal. It is also possible for the greatest amount force legally and morally permissible to also be impractical. The following diagram illustrates the various categories of the application of force generated by the complex interaction of practical, legal, and moral concerns.

In this diagram, the lower left-hand circle represents, for any given situation, the greatest amount of force a soldier may legally apply. The lower right hand circle represents the greatest amount of force a soldier may morally apply and the upper circle represents the greatest amount of force a soldier may practically apply.<sup>2</sup> In this way, the diagram sums up the various judgments we can make regarding the application of force.



<sup>2</sup> Practical judgments regarding the application of force are themselves complex. Soldiers must consider not only the effects of the available weapons on the enemy soldiers and civilians, but on friendly soldiers and civilians as well. Additionally, when making practical judgments, soldiers must also consider logistic as well as myriad other prudential factors as well. Thus practical judgments may represent the greatest amount of force available, but this is not necessarily so.

\*AOF= Application of Force (diagram can't be seen in normal layout view. Go to page layout view to see it)

**Region One:** *Some practical applications of force are neither legal nor moral.* This region represents the amount of force that a soldier can practically employ, but should not because of legal and moral considerations. The events of My Lai serve as an obvious and extreme example. However, many would argue that strategic bombing of civilian targets that have no military significance whatsoever also falls into this category.

**Region Two:** *Some practical applications of force are legal, but not moral.* This region represents the amount of force that is both practical and legally permissible, but not morally permissible. A good illustration of this would be Sherman's drive to Atlanta. At the time, there was no law prohibiting the intentional and wanton destruction of civilian property and lives, but I would argue that these actions *were* immoral.<sup>3</sup>

**Region Three:** *Some practical applications of force are both legal and moral.* This region represents that amount of force that is practical and legally and morally permissible. This is where soldiers, sailors, airmen, and marines should endeavor to be at all times. Fortunately, as the paper suggests, there are also numerous examples in this category. The COA the soldiers of 3-5 CAV chose (COA 3) falls into this category. The issue for military leaders is to ensure that this is not accidental but is rather the result of intelligent, reflective leadership that ensures that soldiers, sailors, airmen, and marines understand the law and morality of war and can apply it.

**Region Four:** *Some practical applications of force are moral, but not legal.* This region represents the amount of force that is practical and morally permissible, but legally prohibited. Walzer describes such situations in his discussions of supreme emergency in *Just and Unjust Wars* Ch 16. Under the doctrine of supreme emergency, it is sometimes morally permissible to set aside the laws of war when the threat of defeat is both imminent and the defeat itself represents slavery or genocide, or some other catastrophe of similar magnitude, for the defeated. Thus it was morally permissible under this doctrine for the British to bomb civilian targets during WWII prior to 1942, when they were the only nation resisting the Nazis because a Nazi victory would in fact result in slavery and genocide for millions. But it would not have been permissible for the Argentineans to have strategically bombed civilian targets in London or the Falklands during the war in the Falkland Islands since their defeat did not represent slavery, genocide, or some other like consequence.

**Region Five:** *Some applications of force are legal but are neither practical nor moral.* This region represents a condition where the law of war does not prohibit a course of action, it is just the case that it is not practical for the belligerent party in question to carry it out. Certain uses of tactical nuclear weapons would fall into this category. Such weapons are not outlawed, but given the likelihood that their use could lead to a nuclear holocaust, their use is not practical. Furthermore, since a nuclear holocaust is immoral, any action directly leading to it would also be immoral.<sup>4</sup>

**Region Six:** *Some applications of force are legal and moral, but not practical.* If we accept the doctrine of invincible ignorance<sup>5</sup> and agree that soldiers are not morally responsible for the wars

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<sup>3</sup> For a more detailed discussion see Walzer, 32-33.

<sup>4</sup> See Christopher, 224-234.

<sup>5</sup> This is the doctrine that holds that soldiers of any side are not guilty of the crime of war, but can only be held morally and legally responsible for their actions in war. See Walzer, chapters 3 and 8 for a more detailed discussion.

they fight, then this would describe many situations the German Army found itself in after the Stalingrad and D-Day. There were many instances where they would have morally and legally permitted to use more force than they could at the time. From a moral perspective, I should note that this category is problematic since according to Kant **ought** implies **can**. But recall that practical considerations take into account many factors, not just what *can* be done. For example, it may not have been practical for Hitler to order the German Army to hold Stalingrad at all costs or to launch the offensive in the Ardennes in 1944, but it is obvious it could be done. The interesting thing about these cases is that they represent instances where practical considerations, not legal and moral ones, limit the amount of force soldiers should apply.

**Region Seven:** *Some applications of force are moral, but neither legal nor practical.* This region represents the amount of force that would be permitted by the doctrine of supreme emergency, but which would not be available. Had the British not been able to bomb German civilians prior to 1942, England would have found herself in this unfortunate position.

**Region Eight:** *Some applications of force are neither practical, legal, nor moral.* On the surface this category would hardly seem worth mentioning since it seems to represent a null set. However, rather than being empty, this category can be, and has been, filled with many weapons development projects. The development of biological weapons is one example that comes to mind. Such weapons are neither moral nor legal, and given the adverse effects they can have on friendly forces and civilian populations, as well enemy ones, they are also not practical. This is the category that those who are charged with developing the weapons systems of the future should avoid.

While this has been meant to be a fairly comprehensive list of the different categories of the application of force, it is by no means a complete discussion. Much more can be said about the examples used to illustrate each category as well as the categories themselves. Nonetheless, I hope this discussion illustrates *how* these categories can be applied to aid the decision making process military people must go through when deciding, in any given situation, how much force they *should* use.

## Developing a Syllabus

Probably the most important and most difficult part of teaching military ethics is developing a syllabus. This is because there is a lot to learn and usually not much time to learn it in. Becoming proficient in military ethics involves developing good reasoning skills as well as assimilating a vast body of knowledge regarding theory and practical application. There just is not enough time to do it all.

### I. Requirements and grading distribution:

Like many subjects, military ethics is not about learning facts but about becoming proficient at a certain kind of activity. The best way to develop this in cadets is to get them to think through the relevant issues for themselves by balancing in-class and out-of-class writing assignments which require students to apply what they have learned about theory, critical reasoning, and the military art in a coherent and thoughtful manner.

In my classes, I required cadets to keep a daily journal in which they would record what they learned from that day's reading assignment. I used short quizzes to test cadets' critical reasoning abilities as well as to ensure they assimilated important facts and ideas that are necessary to understanding what would follow. I scheduled three in-class essays to test cadets abilities to apply what they learned to the problems of military ethics. The out-of-class essay allowed cadets to choose a particular problem they were interested in apply all the knowledge and skills they had learned in a coherent and concise manner. The following is a sample of how I balanced these requirements throughout the course.

Requirement	Percentage
Out-of-class essay	15%
In-class essays (3)	10% ea
Homework Journal	10%
Quizzes	10%
Mid-Term	15%
Final Exam	20%

### II. Course Textbooks:

Course textbooks must be carefully chosen to balance the requirements of teaching critical reasoning, moral theory, and their application to the military art without overwhelming the cadet. They also must be selected with the idea in mind that the purpose of this course is to educate the cadet and part of any good education is exposing students to the major ideas as well as classical texts of moral philosophy.

There are a number of choices to make when selecting texts, and below I highlight a few of them:

1. Theory: A general textbook on moral theory with an accompanying reader or an anthology of the classical works.
2. Critical Reasoning: A separate textbook in critical reasoning, or simply teach it as it comes up in other readings and the cadets writings.

3. Applications to Military Ethics: A textbook, like *The Ethics of War and Peace* by Paul Christopher, one of the classic texts like *Just and Unjust Wars* by Michael Walzer, a collection of articles on the subject, or some combination of all three.

The bibliography at the end is intended to provide some ideas of what is out there for teachers of military ethics.

**III. Course Objectives.** Each objective has associated competencies and assessments to ensure cadets progress toward Academy outcome goals and course objectives. The format for the course objectives listed below makes explicit what each student should seek to accomplish and the assessment tools used to measure success.

*FORMAT:*

- *Objective. What cadets should accomplish.*
  - *Competence. What cadets who successfully complete the course can do.*
    - *Assessment. How competence is measured.*
- **Objective 1.** Develop an appreciation for philosophic inquiry as an important element of a liberal arts education that entails lifelong learning in the search for wisdom.
  - Cadets demonstrate a curiosity and critical insight while participating in discussions about moral issues and just war theory in particular.
    - Daily discussions. Class participation grade. Two in-class essays and one out-of-class paper.
- **Objective 2.** Sustain and refine writing skills with special emphasis on correctness, clarity and precision of expression.
  - Write critically insightful essays that demonstrate competence in substance, organization, style, and correctness.
    - In-class essays and out-of-class essays. Homework assignments which require written (paragraph format) answers. Final Exam requirement to write a substantial essay about a significant moral issue.

- Objective 3.** Demonstrate critical thinking skills.

  - Identify, analyze, form, present, and critique arguments, to include elementary forms of valid and invalid arguments.
    - Evaluated homework exercises on reasoning. Mid-Term Exam.
- **Objective 4.** Develop facility with the language of moral discourse.
  - Identify major philosophical figures, moral principles, and defining characteristics of major moral theories, including utilitarianism, divine command theory, duty-based ethics, and virtue ethics.
    - Class discussions, essays, quizzes, and a Mid-Term Exam.
- **Objective 5.** Reason well in moral argument.
  - Distinguish between applicable moral theories in the context of real and fictional scenarios depicting moral issues and dilemmas. Offer appropriate strengths and weaknesses as justification for applying moral theory to resolve moral conflicts.
    - Class discussions, essays, Mid-Term, Final Exam. Evaluated homework exercises.
- **Objective 6.** Apply moral theory to the subject of war and the profession of arms.
  - Discuss moral reasoning to address the exigencies of war, to include appropriate defenses and justification for actions and what constitutes immoral and criminal activity in war.
    - Class discussions, quizzes, essays, Final Exam.
- **Objective 7.** Understand the relationship between personal, USMA, and Army values.
  - Know the Army values and their relationship to the Constitution, Cadet Honor Code, and commissioning oath.
    - Class discussions, quizzes, essays, and Final Exam.

#### **IV. Daily Syllabus :**

When constructing a set of lesson plans, one must choose between teaching it in blocks, for example critical reasoning, followed by theory, followed by military applications or a more integrated approach which teaches all three at roughly the same time.

The following is a sample syllabus that employs an integrated approach:

1	19 January	Course Introduction	
2	21 January	Introduction to Arguments. Read <i>ER</i> , CH 1-3	Complete exercises 17-22 (pg. 16); 14, 15, 18-20 (pp. 31-32); 16, 19-21 (pp. 53-54); 4, 7, 11, 12, 15 (pg. 55).
3	25 January	Argument Forms. Read <i>ER</i> CH 4-5	CH 4: Set A, 4-5 (pp. 59-60); Set B, 1-6 (p. 65); Set C, 5-6 (pp. 66-67); Set D, 1 and 2 (p. 69); Set E, 2,7 (pp. 70-71); CH 5: Set B, 13, 15, 17, (p. 92-94).
4	27 January	Causal Analysis, Analogy, and Models. Read <i>ER</i> CH 6-7	CH 6: Set B, 1,3,10 (p. 109); Set C, 2 (p.110); Set E, 2, 6, 8 (pp. 111-112). CH 7: Set A, 2-4 (pp. 120-121); Set B, 2 (pp. 122-123). <i>Note: No class this day. You will have an exercise to complete in addition to the homework above.</i>
5	31 January	Introduction to Ethics Read <i>HSL</i> CH 1	Answer, in paragraph format, questions 2 and 4.
6	2 February	Introduction to JWT Read <i>EWP</i> CH 1	Answer, in paragraph format, questions 1, 2 and 4.
7	4 February	What Can I be Sure of? Read Descartes, <i>Meditations 1-3</i> (Reader, pp 4-10) or <a href="http://www.utm.edu/research/iep/text/descart/des-med.htm">http://www.utm.edu/research/iep/text/descart/des-med.htm</a> )	Summarize Meditations 1 & 2
8	8 February	Reasonable Beliefs. Read <i>ER</i> , CH 11	Set A; Set B 2, 4, 8, 13, 14; Set C2, 5, 8,
9	10 February	Fallacies. Read <i>ER</i> CH 8	Set A 1, 3, 6, 7, 9; Set B 1, 3-5, 7; Set C 2, 4-6, 7, 8; Set D 1-3, 4, 9, 13, 15, 16, 43, 45.
10	14 February	Relativism vs Objectivism. Read <i>HSL</i> CH 3 and Rachels, <i>The Challenge of Cultural Relativism</i> pp. 50-55 in the <i>Reader</i> .	Answer, in paragraph format, questions 1, 5, 8, and 11 on pp. 83-84.
11	16 February	Ethics and Religion. Read <i>HSL</i> CH 2; <i>Euthyphro</i> pp. 56-63 in the <i>Reader</i> .	Answer, in paragraph format, questions 4, 5, and 6 on pg. 57.

12	18 February	Drop: Compensation for Mid-Term.	
13	23 February	Christianity and Just War Tradition. Read <i>EWP</i> CH 2; Skim CH 3	Answer, in paragraph format, questions 2 and 5 on pg. 27 and questions 3 and 5 on pg. 43.
14	25 February	IC #1	
15	29 February	Just War Tradition Secularized. Read <i>EWP</i> CH 4 and 6	Answer, in paragraph format, questions 1 and 2 on p. 60 and question 2 p. 99.
16	2 March	Pacifism and Realism. Read <i>War and Murder</i> , pp. 214-218 AND <i>War and Moral Nihilism</i> , pp. 220-222 in the <i>Reader</i> .	Summarize, in paragraph format, what you learned from reading both articles.
17	4 March (Sat)	Self-interest. Read <i>HSL</i> CH 4	Answer, in paragraph format, 1,2,5, and 7 on p. 105-106.
18	7 March	Utilitarianism. Read <i>HSL</i> CH 5 and <i>Utilitarianism</i> pp. 117-121 in the <i>Reader</i> .	Answer, in paragraph format, questions 2, 4, and 9 on p. 133.
19	9 March	Utilitarianism Read <i>Rule-Utilitarianism and Eleven Objections to Utilitarianism</i> pp. 122-139 in the <i>Reader</i> .	Summarize, in paragraph format, what you learned from reading both articles.
20	13 March	Military Necessity. Read <i>EWP</i> CH 10.	Answer, in paragraph format, questions 3, 5-7 on p. 175.
	14 March	Mid Term Make-Ahead	
21	15 March	The Enemy. Read <i>EWP</i> CH 8	Answer, in paragraph format, questions 1 and 4 on p. 124.
	16 March	Mid-Term	
22	17 March	Categoricals. ER, CH 5.	Set B all even numbers.
23	27 March	Deontology. Read Kant excerpt on public folder	Summarize the excerpt in paragraph format.
	TBD	Course-Wide Lecture	
	28 March	Mid-Term Make-up	
24	29 March	Ethics and People. Study <i>HSL</i> CH 6	Answer, in paragraph format, questions 1, 3, 5, 6, and 8 on p.158.
25	31 March	Deontology. Read <i>The Right and the Good</i> , pp. 158-166 in the <i>Reader</i> .	Write a summary of Ross's argument.
26	3 April	<i>Jus in bello</i> . <i>War and Massacre</i> , pp. 209-213 in the <i>Reader</i> .	Write a summary of Nagel's argument.
27	5 April	<i>Jus in bello</i> .	Venn Diagram Exercise
28	7 April	IC #2	
29	11 April	Virtue Ethics. Read <i>Nicomachean Ethics</i> , pp. 81-86 and <i>HSL</i> CH 7	Summarize Aristotle's argument.

30	13 April	Virtue Ethics. Read <i>Virtue and the Moral Life</i> pp. 87-89	Summarize what you learned while reading this article.
31	17 April	Virtue Ethics	Answer questions 1, 3, and 5 in HSL, p. 188.
32	19 April	Responsibility for War Crimes. Read <i>EWP</i> CH 9	Answer, in paragraph format, questions 2, 4, and 5 on p. 150.
33	21 April	Reprisals. Read <i>EWP</i> , CH 11	Answer, in paragraph format, questions 1, 2 and 4 on p. 187-188.
34	25 April	Weapons of mass destruction . Read <i>EWP</i> , CH 14	Answer, in paragraph format, questions 2, 3, 4 and 7 on p. 234-235.
35	27 April	IC #3	
36	1 May	Justice. Read <i>The Republic</i> , pp. 178-190 in the <i>Reader</i> .	
37	3 May	Justice. Read <i>A Theory of Justice</i> , pp. 198-203 in the <i>Reader</i> .	
38	5 May	Humanitarian Intervention. Study <i>EWP</i> CH 12	
39	9 May	Feminist Ethics. Read <i>HSL</i> CH 8	Answer, in paragraph format, questions 1, 3, 5, and 11 on page 188.
40	11 May	Unjust Wars and Professional Obligations. Study <i>EWP</i> CH 13	Summary
		Term End Exam	

This sample demonstrates a more sequential approach:

1	18 JAN	Course Introduction Read <i>HSL</i> , Ch 1	Complete Ethics Questionnaire
2	20 JAN	Introduction to Arguments Read <i>ER</i> , CH 1-3	CH 1: Complete exercises 17-19 (p. 17); CH 2: 3, 20 (pp. 31-32); CH 3: 21-22 (pp. 46); 11, 12 (p. 58).
3	24 JAN	Argument Forms. <i>ER</i> , CH 4-5	CH 4: Set A, 4-5 (pp. 67); Set B, 1-6 (p. 72); Set C, 5-6 (p. 74); Set D, 1 and 2 (p. 77); Set E, 2, 7 (p. 78); CH 5: Set B, 13, 15, 17 (p. 102)
4	26 JAN	Causal Analysis, Analogy, and Models Read <i>ER</i> CH 6-7	CH 6: Set B, 1, 3, 10, (p. 119-20); Set C, 2 (p. 120); Set E, 2, 6, and 8 (pp. 121-2); CH 7: Set A, 2-4 (p. 132); Set B, 2 (p. 133).
5	28 JAN	<i>Compensation Time for Course-Wide Lecture</i> Read <i>ER</i> , CH 8-9, Fallacies and Reasonable Beliefs	CH 8: Set A, 2, 4, 5, 7, and 9 (p. 143); Set B, 2-5 (p. 149); Set C, 1, 3, and 5 (p. 156); Set D, 1, 4, 6, 17, 19, 35, 40, 41, 42, 45 (pp. 157-63); CH 9: Set A, 1, 9, 14, 15 (p. 173); Set B, 8-9, 14-15 (p. 174); set C, 8-9 (pp. 175).
6	1 FEB	Definition, Vagueness, and Ambiguity Read <i>ER</i> CH 10 and 11	CH 10: Set A 1-2, 7, 12 (p. 185); Set D, 1-2 (p. 189); CH 11: Set A, 1, 6, 9 (p. 203); Set B, 5, 8, 15 (pp. 204-5); Set C – find an example of a published biased claim and bring to class
7	3 FEB	Epistemology Study Meditations 1-3, by Descartes, <a href="http://www.utm.edu/research/iep/text/descart/des-med.htm">http://www.utm.edu/research/iep/text/descart/des-med.htm</a>	
8	7 FEB	Ethics and Religion Read <i>HSL</i> CH 2 Study <i>Reader</i> , "Euthyphro," by Plato (or at <a href="ftp://metalab.unc.edu/pub/docs/books/gutenberg/etext99/uthph10.txt">ftp://metalab.unc.edu/pub/docs/books/gutenberg/etext99/uthph10.txt</a> )	Complete in paragraph format question 3 on p. 57. Be prepare to discuss all questions in class
9	9 FEB	Relativism Read <i>HSL</i> CH 3	Complete in paragraph format questions 4 and 5

		<b>Study Reader, The Challenge of Cultural Relativism, by Rachels</b>	on pp. 83-84. B/P to discuss all questions in class
<b>10</b>	<b>11 FEB</b>	<b>Objectivism</b> <b>Study PF, "A Defense of Ethical Objectivism," by Louis Pojman</b>	<b>Answer the following question: what do you think is the most important point Pojman makes? Do you agree or disagree? Explain.</b>
<b>11</b>	<b>15 FEB</b>	Self-Interest Read <i>HSL</i> CH 4	Answer in paragraph format questions 5 and 6 on p. 105. B/P to discuss all questions in class.
<b>12</b>	17 FEB	Utilitarianism Read <i>HSL</i> 5 Study <i>Reader</i> , "Utilitarianism," by J.S. Mill	Answer in paragraph format questions 3 and 9 on p. 133. B/P to discuss all questions in class
13	22 FEB	Utilitarianism Study <i>Reader</i> : "Rule Utilitarianism," by John Hospers	Answer the following question: Does Hospers help utilitarianism? Explain.
14	24 FEB	Utilitarianism Study <i>Reader</i> : "Eleven Objections to Utilitarianism," by Sterling Harwood	Answer the following question: What is Harwood's strongest claim against utilitarianism? Is he successful? Explain.
15	28 FEB	Deontology Read <i>HSL</i> CH 6 Study <i>PF</i> Excerpt from <i>Groundwork</i> , by Immanuel Kant	Explain each of the three formulations of the Categorical Imperative in a separate paragraph.
16	1 MAR	Deontology Study <i>Reader</i> , "Kantian Ethics," by Fred Feldman	Answer the following question: What is Feldman's strongest claim against Kant's deontology? Is he successful? Explain.
17	3 MAR	Deontology.	<b>Answer the following question: Is it always wrong to intentionally harm an innocent person? Explain.</b>
18	6 MAR	<b>In-Class Essay #1 (IC1)</b>	
19	<b>8 MAR</b>	Virtue Ethics Read <i>HSL</i> CH 7 Study <i>Reader</i> , excerpt from <i>Nicomachean Ethics</i> , by Aristotle.	Answer the following question: How does one become virtuous? Explain.
20	10 MAR	Virtue Ethics Study <i>PF</i> , "Moral Minimalism and the Development of Moral Character," by	Answer the following question: Do you agree or disagree with Norton?

		David L. Norton	Explain.
21	14 MAR	<b>Just War Theory: Killing People</b> Study <b>PF</b> "The Wrongness of Killing," by Richard Norman	Answer the following question: Which justification for killing people do you find the most compelling? Explain.
22	16 MAR	<i>Compensation Time for Mid-Term Exam</i>	
	16 MAR 1245	Mid-Term Exam (Primary)	Deans' Hour
23	28 MAR	<b>Just War Theory: Killing People</b> Study <b>PF</b> "Killing and Letting Die," by Richard Norman	
	28 MAR	<b>Mid-Term Exam (Make-Up)</b>	<b>Dean's Hour</b>
24	30 MAR	<b>Just War Theory: Killing People</b> Study <b>PF</b> "Killing and Letting Die," by Richard Norman	
25	1 APR	Just War Theory: Introduction to Just War Theory Read <b>EWP</b> : Preface, Introduction, and chapter 1 Study <b>PF</b> "The Rules of War" (pp. 34-46), by Michael Walzer	
26	4 APR	Just War Theory: Jus ad Bellum Read: <b>Reader</b> "War and Moral Nihilism," by Richard Wasserstrom Study <b>PF</b> "Law and Order in International Society (pp. 51-63)," by Walzer	
	4 APR	<b>Course-wide Lecture</b> Dr. Michael Ignatieff, 1245, South Auditorium	<b>Be seated NLT 1240</b>
27	6 APR	Just War Theory: Pre-emptive Strikes Study <b>PF</b> , "Anticipations," by Walzer	
28	10 APR	Just War Theory: Interventions Read <b>EWP</b> CH 12 Study <b>PF</b> , "Interventions," by Walzer	
29	12 APR	<b>In-Class Essay #2 (ICE2)</b>	
30	14 APR	Just War Theory: Jus in Bello/Introduction Study <b>PF</b> , "War's Means and the Importance of Fighting Well," by Walzer	
31	18 APR	Just War Theory: Jus in Bello/Military Necessity Study <b>EWP</b> , CH 10.	

32	20 APR	Just War Theory: Jus in Bello/Military Necessity Study <b>PF</b> , "Noncombatant Immunity and Military Necessity," by Walzer Optional reading: "Killing the Innocent," by Richard Norman	
33	24 APR	Just War Theory: Jus in Bello/Sieges and Blockades Study <b>PF</b> , "War Against Civilians: Sieges and Blockades," by Walzer	
34	26 APR	Just War Theory: Jus in Bello/Reprisals Read <b>EWP</b> CH 11 Study <b>PF</b> , "Reprisals," by Walzer	<b>Outline of Out-of Class Essay due</b>
35	28 APR	<b>In-Class Essay #3 (ICE3)</b>	
36	2 MAY	Just War Theory: Jus in Bello/Weapons of Mass Destruction Read <b>EWP</b> , CH 14 Study <b>PF</b> "Nuclear Deterrence," by Walzer	
37	4 MAY	Just War Theory: Jus in Bello/Weapons of Mass Destruction Study <b>Reader</b> , "Supreme Emergency," by Walzer	
38	8 MAY	Just War Theory: Jus in Bello/Political Leaders and Citizens Read <b>EWP</b> CH 13 Study <b>PF</b> "The Crime of Aggression: Political Leaders and Citizens," by Walzer	<b>Out-of-Class Essay due</b>
39	10 MAY	Just War Theory: Jus in Bello/War Crimes Read: <b>EWP</b> CH 9 Study: <b>PF</b> "War Crimes: Soldiers and Their Officers," by Walzer	
40	12 MAY	Review	

## **Bibliography:**

Theory:

The Classics:

- a. *Utilitarianism* and *On Liberty*, John Stuart Mill. Most of modern ethics is characterized as either utilitarian or Kantian, or a mixture of both. While John Stuart Mill is not the founder of Utilitarianism (his Godfather Jeremy Bentham usually gets credit for that), his work is probably the most important work in this approach to ethics.
- b. *The Groundwork of the Metaphysics of Morals* and *The Metaphysics of Morals*. As stated above, modern ethics has been heavily influenced by the writings of Kant. While this is NOT light reading, it is worthwhile if you want to understand *a lot* about ethics. It would be good to find a good commentary to read in addition to it—many editions have commentaries included.
- c. *Nicomachean Ethics*, Aristotle. This is the foundational work of virtue which has influenced Christian ethics for thousands of years and which is now seeing a resurgence in modern ethics due to the work of philosophers like Elizabeth Anscombe and Alasdair MacIntyre. A good follow up is *After Virtue* by MacIntyre.
- d. *Summa Contra Gentiles* and *The City of God*. Augustine. These are foundational works in ethics that have profoundly influenced Christian as well as secular thought, particularly in regard to military ethics.
- e. *On the Genealogy of Morals* and *Beyond Good and Evil* Friedrich Nietzsche. These works had an incredibly profound influence on the development of post-modern ethics. Some excerpts from it are important to understand what lies behind post-modern ethics.

Teaching Ethics (Introductions) (these books synthesize the insights of a variety of moral philosophers in order to introduce the subject of ethics):

- a. *Classics of Moral and Political Theory*, Morgan. Excellent anthology that includes all the major works as well as number of modern ones. It is organized along topical lines which help students see the applicability of what they are reading to the problems they are facing.
- b. *Discovering Right and Wrong*, by Louis Pojman. There are a number of good introductory ethics books out there, and you won't go wrong with many of them. We like this one because it does a great job laying out the major concerns and approaches in ethics in a very accessible way. A great book for people who want to make up their own mind about some tough issues. It also comes with a companion reader with a number of classical works if you want to delve more deeply.
- c. *The Ethics of War and Peace: An Introduction to Legal and Moral Issues* by Paul Christopher. Paul Christopher is a retired Colonel who once taught at West Point. His book provides a very accessible historical and philosophical overview of the major issues and arguments in military ethics. While it is not a Christian book it does a great job discussing the contribution Christian thinkers have made to the Just War Tradition.

- d. *Virtue and Vice in Everyday Life*, Christine Hoff Sommers, ed. This is a compilation of the major classical works in moral philosophy and many of the works are edited for ease of understanding. This is a comprehensive, but accessible way to get introduced to the classical literature in moral philosophy. I've read lots of anthologies, and this one is my favorite.
- e. *Readings in Christian Ethics vols I and II*. David K. Clark and Robert V. Rakestraw This is an incredibly rich introduction into the theoretical and applied aspects of Christian ethics.

Logic (teaching ethical reasoning requires that teachers find a way to instruct and reinforce the rules of good reasoning. Some prefer to do this as part of other components of the curriculum, others prefer to make it a separate part of the course):

- a. *The Elements of Reasoning*, by Conway and Munson.
- b. *Come Let Us Reason*, Norman Geisler and Ronald Brooks. Teaches logic from a Christian perspective.

#### Applications:

#### Military Ethics:

- a. *Just and Unjust Wars*, Michael Walzer. In the words of Dr. Lawrence Hinman, University of San Diego: "A superb book, originally published in 1977, which has set the stage for the discussion of just war theory for the past two decades. It contains a wealth of historical examples as well as theoretical insights."
- b. *Morals Under the Gun: The Cardinal Virtues, Military Ethics, and American Society*. A great and accessible commentary on contemporary issues for military leaders. It is written from a Judeo- Christian perspective.
- c. *Moral Issues in Military Decision-Making* Anthony Hartle. COL Hartle's argument for and description of professional military ethics is a widely cited work that everyone concerned with professional military ethic should be familiar with. I was in a military ethics conference in Norway where a Norwegian Army chaplain argued that every army should adopt COL Hartle's approach.
- f. *A Moral Military* Sidney Axinn. This is an often cited and widely read book on military ethics.
- g. *Morality and Contemporary Warfare*, James Turner Johnson. This is another often cited work that cadets at the military academies are often required to read.
- h. *Obedying Orders : Atrocity, Military Discipline & the Law of War*, Mark J. Osiel. This is an incredibly well researched work on the ethics of disobeying orders. It is worth the cover price just for the bibliography.
- i. *Against the Nations : War and Survival in a Liberal Society*, Stanley Hauerwas. Dr Hauerwas makes an incredibly compelling argument for Christian pacifism. It will challenge any thinking Christian serving in the military.

- j. *Achilles in Vietnam: Combat Trauma and the Undoing of Character*, Jonathan Shay, M.D. Interesting analysis from the point of view of psychiatry on the harm done by not acting ethically.
- k. *The Ethics of Policing*, John Kleinig. The most comprehensive book on police ethics I know of. Great for comparison with military ethics, particularly in light of the increasing number of policing roles soldiers find themselves playing.
- l. *War, Morality, and the Military Profession*. BG Malham Wakin. Great collection of classic essays in military ethics.
- m. *A Modern Symposium on Military Ethics as an Introduction to Philosophy*, Timothy Challans, ed. All the Service Academies have excellent readers in military ethics and are worth getting. This is the only one out, however, that seriously attempts to bring Moral Theory, Logic, and Professional ethics cohere in one volume. Before each section, it offers easily to understand dialogues that illuminate the major lessons in the accompanying readings. It is superior to general ethics introductions only in that it focuses directly on military ethics.
- n. *Killing, Ethics, and War*, by Richard Norman. This is an excellent examination of the moral issues involved in killing during warfare in terms of contemporary moral theory. This presentation of the moral aspects of taking another's life provides an excellent bridge between the study of moral theory and the study of just war theory.

**Some good websites for more info:**

Joint Services Conference on Professional Ethics <http://www.usafa.af.mil/jscope/>  
 Association for Practical and Professional Ethics <http://php.indiana.edu/~appe/home.html>  
 Center for Applied Christian Ethics <http://www.wheaton.edu/cace/>  
 Ethics On the World wide Web [http://commfaculty.fullerton.edu/lester/ethics/ethics\\_list.html](http://commfaculty.fullerton.edu/lester/ethics/ethics_list.html)  
 Markkula Center for Applied Ethics <http://www.scu.edu/SCU/Centers/Ethics/homepage.shtml>  
 Carnegie Group for International Ethics [www.carnegie.com](http://www.carnegie.com)