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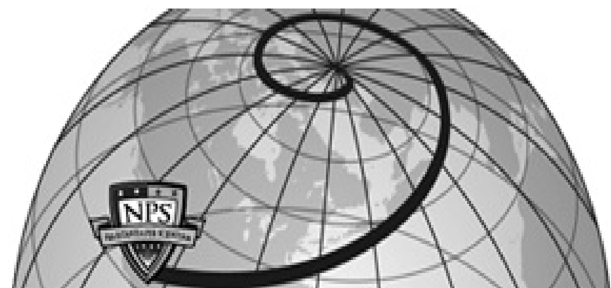

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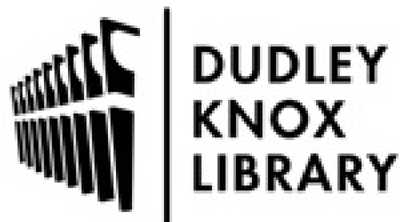

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MONTEREY, CALIFORNIA

THESIS

THE PRACTICE OF SPECIAL OPERATIONS: AN ANALYSIS OF SOF ETHICS

by

Bart Kennedy

December 2019

Thesis Advisor: Bradley J. Strawser
Second Reader: Siamak T. Naficy

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U.S. Special Operations Forces (SOF) are under scrutiny for ethical misdeeds. Are there philosophical insights that can illuminate some of the challenges that SOF is facing? In this work, we determine if SOF is a practice as set forth by Alasdair MacIntyre. A practice is a robust field of human endeavor that develops internal tradition and contains an internal and external dialogue. It constitutes a field of potential excellence. Inherent within the concept of a practice is the idea of an internal critical dialogue and the development of traditions and narratives. For MacIntyre, the concept of a practice is fundamental to understanding the virtues, and by extension, human flourishing in a modern context. Understanding the goods and excellence inherent to a practice informs moral reasoning as it is relevant to the practice. We explore how the idea of practice in MacIntyre's theory can help in understanding military ethics in a SOF context. If SOF meet the requirements of a practice, what are the conclusions that can be drawn in terms of understanding SOF professional ethics? And what aspects of the traditions and narratives of U.S. SOF foster or inhibit flourishing? An examination of the narrative and traditions of SOF reveals that underlying ideas about what it means to be a member of the SOF community—which is founded on ideals of selecting, assessing, and sustaining a certain kind of person—are at the heart of the ethical challenges.

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THE PRACTICE OF SPECIAL OPERATIONS: AN ANALYSIS OF SOF ETHICS

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Submitted in partial fulfillment of the
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ABSTRACT

U.S. Special Operations Forces (SOF) are under scrutiny for ethical misdeeds. Are there philosophical insights that can illuminate some of the challenges that SOF is facing? In this work, we determine if SOF is a practice as set forth by Alasdair MacIntyre. A practice is a robust field of human endeavor that develops internal tradition and contains an internal and external dialogue. It constitutes a field of potential excellence. Inherent within the concept of a practice is the idea of an internal critical dialogue and the development of traditions and narratives. For MacIntyre, the concept of a practice is fundamental to understanding the virtues, and by extension, human flourishing in a modern context. Understanding the goods and excellence inherent to a practice informs moral reasoning as it is relevant to the practice. We explore how the idea of practice in MacIntyre's theory can help in understanding military ethics in a SOF context. If SOF meet the requirements of a practice, what are the conclusions that can be drawn in terms of understanding SOF professional ethics? And what aspects of the traditions and narratives of U.S. SOF foster or inhibit flourishing? An examination of the narrative and traditions of SOF reveals that underlying ideas about what it means to be a member of the SOF community—which is founded on ideals of selecting, assessing, and sustaining a certain kind of person—are at the heart of the ethical challenges.

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LIST OF ACRONYMS AND ABBREVIATIONS

CIA	Central Intelligence Agency
CT	Counterterrorism
MACV-SOG	Military Assistance Command Vietnam –Studies and Observation Group
OSS	Office of Strategic Services
SEAL	U.S. Navy Sea Air and Land Teams
SOCOM	United States Special Operations Command
SOF	Special Operations Forces

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I. INTRODUCTION

Two members of what is purportedly the most elite United States Navy SEAL unit are arrested for murdering a fellow service member, Army Green Beret Logan Melgar, allegedly because he had the audacity to report their lapses in operational security and their theft of funds.[1] The same unit receives headlines for exceeding rules of engagement and alleged war crimes.[2] A Special Forces officer is charged with murder for a killing that he admitted on cable television, but he denies any wrongdoing.[3] Special operators are, according to the headlines, behaving badly.

There is a litany of newsworthy recent events that serve as a counterbalance to the adulation and prominence that United States military special operations forces (SOF) have enjoyed. The aforementioned scandals are only a small sample of accusations that have made the news in the last year and going back further would also be fertile ground to find accusations of special operators committing theft, murder, fraud, and more.

Recent concern over SOF behavior piqued the interest of Congress, who charged the Department of Defense with reviewing all ethics and professionalism programs in use within United States Special Operation Command (SOCOM). SOCOM was given a fixed time period to show what programs are in place, how they reinforce ethical behavior, and what shortfalls or gaps there may be.[4]

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[1] Kevin Maurer and Spencer Ackerman, "Navy SEALs, Marines Charged With Green Beret Logan Melgar's Murder," The Daily Beast, November 15, 2018, https://www.thedailybeast.com/seals-marines-charged-with-green-beret-logan-melgars-murder.

[2] Mark Mazzetti, Nicholas Kulish, Christopher Drew, Serge F. Kovaleski, Sean D. Naylor and John Ismay, "SEAL Team 6: A Secret History of Quiet Killings and Blurred Lines," *New York Times*, June 6, 2015, https://www.nytimes.com/2015/06/07/world/asia/the-secret-history-of-seal-team-6.html.

[3] Dan Lamothe, "Former Special Forces Soldier, Once Lauded as a Hero, Faces Murder Charge," *Washington Post*, December 13, 2018, https://www.washingtonpost.com/world/national-security/former-special-forces-soldier-once-lauded-as-a-hero-faces-murder-charge/2018/12/13/bb4a11ee-ff10-11e8-ad40-cdfd0e0dd65a_story.html; "How We Fight: A Fox News Special Report with Bret Baier," Fox News, filmed October 2016, Youtube Video, 34:28, https://www.youtube.com/watch?v=vvqQxqX-CPY.

[4] HR 5515, 115th Cong., 2nd sess., (2018), https://www.congress.gov/115/bills/hr5515/BILLS-115hr5515enr.pdf.

It was in this environment that the commander of SOCOM, General Tony Thomas, sent an email with attached memorandum to the entire SOCOM organization.[5] Thomas highlighted several touchstones of U.S. SOF culture: Trust, the Team, and the Individual. In his view, a disordering of values wherein some members of the community placed themselves or their immediate comrades ahead of the larger community (both SOCOM and the United States itself) had corroded the trust that the nation placed in SOCOM. "Left unchecked," he said, "a disordered value system threatens to erode the trust of our fellow comrades, our senior leaders, and ultimately the American people."

The report that SOCOM submitted to Congress stated that SOCOM found no problems that could be considered endemic to the SOF community, but that there were areas that could be improved. One possible course of action offered was providing unit psychologists a moral disengagement questionnaire that could potentially highlight members of the force who are at greater risk for unethical choices.[6] While the longer-term dialogue between Congress and SOCOM has yet to play out, there are still larger questions of ethics to consider in light of this discussion.

What SOCOM's answer to Congress does not dispute is that U.S. SOF are clearly experiencing ethical challenges on a significant scale. As General Thomas noted in his email, "no component or command has escaped this trend and all of us will feel the disproportionate and negative impacts of these incidents on our mission and our people." The scale of the challenge is such that his successor, General Richard Clarke, also initiated an ethics review: "Recent incidents have called our culture and ethics into question and threaten the trust placed in us,"[7] he said. The commander of Naval Special Warfare, in

[5] General Tony Thomas, email message to the author, December 12, 2018.

[6] Luiz Martinez, "Pentagon Review Calls For Changes in Special Operations Ethics Training," ABC News, March 7, 2019, https://abcnews.go.com/Politics/pentagon-review-calls-special-operations-ethics-training/story?id=61531219.

[7] General Richard Clarke, email message to the author, August 9, 2019.

charge of all Navy special operations, Admiral Collin Green, put it succinctly: "we have a problem."[8]

Numerous professional and governmental ethical guidelines exist but the question remains on a fundamental level: how do we understand special operations forces ethics? Does the fact that Congress views this as a unique challenge that faces SOCOM and not the military writ large inform us about special ethical challenges that are unique to SOF? Is there something in SOF itself that leads to these problems?

SOF provides an interesting ethical case due to the high bar of entry to, and the discrete (as well as discreet) nature of the organization, to say nothing of the incredibly high stakes, both physically and morally, involved in military operations. Special operations, it will be seen, are generally believed to be strategically significant and often of high risk to national prestige. Special operations forces are supposed to be imbued with high levels of autonomy and trust.

Colloquially, there is a belief that special operations forces occupy a moral "gray area." One unidentified retired SOF operator is quoted as saying that SOF's "ethics are to lie, rob, and kill." [9] Another serving SOF operator says that "the very nature of our unit's work requires a unique approach to ethics beyond conventional military paradigms [or that] we are compelled to work deep in the grey areas of the constraints of many conventional ethical considerations." [10] In the first case, SOF has no guiding ethics to speak of beyond pure utility. On this view, in SOF's case, all *jus in bello* restrictions are lifted. In the second quote, SOF is special not only in a military sense but additionally beyond "conventional" ethical paradigms. Both are difficult ethical positions to hold: either the moral reality that the United States adheres to in regard to jus in bello considerations are ignored in the case of SOF, or there are "conventional" military ethics as distinct from "special" ethics which

---

[8] "'We Have a Problem': Letter from Naval Special Warfare Command CO to Force," *USNI News*, August 1, 2019, https://news.usni.org/2019/08/01/we-have-a-problem-letter-from-naval-special-warfare-command-co-to-force

[9] Deane-Peter Baker, "Special Operations Forces and Ethics: A Preliminary Assessment of the Leadership Challenge," in *Military Ethics and Leadership*, ed. Peter H.J. Olsthoorn (Leiden: Brill, 2017), 287–304.

[10] Ibid.

apply to SOF. If the first position were true, then Congress seems to have little standing to complain about SOF ethical problems, as it would be hypocrisy of the highest order to demand a disregard for all normal ethical convention on the battlefield and simultaneously an accounting for it. In the second position, it would be difficult to define what those special ethics might be and when a service member is under "SOF ethics" and when they are under "conventional ethics." But the second position seems to be the more common one, that SOF goes beyond the conventional ethical military norms and therefore enters a "grey area" of constraints.

One of the clearest examples of this idea that there is a different standard of behavior for SOF is the frequent use of the "Two Armies" quote by Jean Lartéguy. In his novel *The Centurions*, Lartéguy covers the experience of elite French units in Indochina and Algeria.[11] In both the novel and the real experience of the French, elite units bore a disproportionate burden of the fighting and the casualties.[12] One of his primary characters, a grizzled paratrooper colonel, returns home to the Pyrenees and argues with an old veteran of Verdun. The parachutist, a veteran of the "new" kind of war remarks:

> I'd like France to have two armies: one for display, with lovely guns, tanks, little soldiers, fanfares, staffs, distinguished and doddering generals, and dear little regimental officers who would be deeply concerned over their general's bowel movements or their colonel's piles: an army that would be shown for a modest fee on every fairground in the country. The other would be the real one, composed entirely of young enthusiasts in camouflage battledress, who would not be put on display but from whom impossible efforts would be demanded and to whom all sorts of tricks would be taught. That's the army in which I should like to fight.[13]

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[11] Jean Lartéguy, *The Centurions*. (New York: Penguin, 2015), 306.

[12] Gil Merom. "The Social Origins of the French Capitulation in Algeria," *Armed Forces & Society* 30, no. 4 (July 2004): 601–28.

[13] Lartéguy, *The Centurions*, 306.

This quote shows up frequently in U.S. SOF contexts.[14] While it may simply be a kind of chest-thumping belief in the superiority of elite units versus their "display" counterparts, there is also a belief that special operations are exempt from normal military ethical constraints or are even *obliged* to violate norms. The end of this manner of thinking can be seen both in the fictional and historical results of the French experience in Algeria, where a modern Western nation experienced a coup attempt, followed by a terrorist organization made of largely of special operations veterans.[15]

So how can ethics be understood, then, in the context of special operations. Is the colloquial or folk belief true, that SOF operates outside convention not just militarily but also ethically? This belief, although persistent, should be dismissed. *Jus in bello* considerations are morally binding, otherwise we have no grounds to speak of military ethics.[16]

It is also possible there is no issue at all. Other military units have problems, and so do corporations, churches, and other parts of the government. Fraud, abuse, theft, these are not uncommon human behaviors. Perhaps these are just a few bad eggs, and the prominence of SOF in media has brought them to disproportionate light? This is a possible rebuttal, and one that will bear returning to.

What about the idea that SOF stretches the ethical ideas that we rely on? The idea of the SOF operator, alone and unafraid in a dangerous place, seems to lend credence to this idea. Maybe it is too much to ask to expect ethical behavior in dark and stressful places. There is a common idea that special operations operate militarily in a "gray area," without

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[14] Robert D. Kaplan. "Rereading Vietnam," *The Atlantic*, August 24, 2007, https://www.theatlantic.com/magazine/archive/2007/08/rereading-vietnam/306169/; Daniel P. Bolger, "Two Armies," *Parameters*. Vol 19 (1989): 24–34. Bolger does not write exclusively regarding special operations, but what he refers to as "expeditionary forces." The takeaway is still much the same, that there is a separate military that does "real" fighting and should be subject to special rules, or, significantly, a willingness to break the rules.

[15] Alistair Horne, *A Savage War of Peace: Algeria, 1954–1962* (New York: New York Review Books, 2006)

[16] An initial treatment of SOF operational ethics is given in Baker, "Special Operations Forces and Ethics: A Preliminary Assessment of the Leadership Challenge." It was also examined by a member of the Green Beret community in Peter J. Dillon, "Ethical Decision Making on the Battlefield: An Analysis of Training For U.S. Army Special Forces," (master's thesis, Command And General Staff College, 1992) https://apps.dtic.mil/dtic/tr/fulltext/u2/a255150.pdf

clear front lines or sometimes even clear conflicts.[17] Perhaps also they can be or should be expected to work, even to thrive, in a kind of moral gray area, where the rules are bent, fudged, or even ignored. War by its nature creates situations which challenge the demands of justice and morality, so perhaps the supposedly ambiguous nature of conflict that SOF thrives in creates an even more challenging series of ethical situations. This idea demands a response. The idea of a moral "grey area" seems to speak of the challenges to day to day moral expectation that are faced when in a challenging scenario, such as combat. The pervasive use of SOF both inside and outside of combat would lead to a greater frequency of these challenging scenarios. Analogously, doctors face a variety of scenarios which challenge colloquial understandings of morality, due to exposure to them.

The very nature of special operations seems to lead us into a useful avenue to ethical understanding. SOF is, by nature, an elite organization, depending on a few highly trained and specialized personnel. It is not only discreet and secretive, but it is also discrete: we can define what it is and what it is not.

To understand SOF ethics, we must first define what special operations are. Looking at some definitions of special operations will allow for a narrower focus on what specific military organizations and activities are under consideration. Various perspectives on what constitutes "special" operations forces exist, and it will require defining and some determination of what is generally meant by "special operations forces." There is ample literature on what special operations forces are, what they do, and why they exist, from a variety of perspectives. A few of the seminal works in the canon will provide sufficient framework to understand what SOF is, and to provide a narrow enough understanding of the kind of forces that could possibly be considered a unique and distinct organization.

While many nations have special operations forces, and some of them are quite similar to the units and organizations that exist in the United States, this investigation only

[17] David Barno and Nora Bensahel, "Fighting and Winning in 'The Grey Zone,'" *War On The Rocks*, May 19, 2015, https://warontherocks.com/2015/05/fighting-and-winning-in-the-gray-zone/; U.S. Congress, Senate, Armed Services Committee, *National Defense Authorization Act For Fiscal Year 2018: Report* (to Accompany S. 1519), 115th Cong., 1st sess., 2018, S. Rep. 115–125, Sec. 1201, https://www.congress.gov/congressional-report/115th-congress/senate-report/125/1.

considers American special operations forces and their ethical challenges. MacIntyre's concept of practices supports this narrow focus without risking significant philosophical challenges. Other nations certainly have special operations forces, which in some cases are mirrored from the U.S. (or in certain cases the U.S. forces are based off of theirs) or are markedly different in organization or employment. As it will be seen, however, if commonalities are significant enough between organizations, the analysis could be useful in understanding non-US special operations forces.

Once a workable definition of how we can understand special operations forces has been established, Alasdair MacIntyre's work on practices and traditions is an avenue to investigate the ways in which, what could be called for lack of a better term, "SOF ethics" can be understood. Understanding the nature of practices and how they form, develop, and change will allow us to look at SOF through a particular philosophical lens. The idea of SOF as a practice, and whether it meets the requirements of a practice, will form the crux of the investigation, and allow for an understanding of the traditions and narrative that are inherent to and largely constitutive of special operations. It is the internal debate over what it means to be a member of the SOF community, what it means to be a good special operator, that gets to the heart of the matter.

Looking at the historical development of a particular kind of ethical investigation from Aristotle to MacIntyre will provide the necessary background and frame the discussion of human activities. Once the idea of a practice has been formed, this will then permit the analysis of SOF as a practice and understanding the traditions of special operations. Analyzing these traditions and the nature of SOF as a practice will provide a means to understand the moral challenges that SOF faces, both particularly and generally, and how to understand ethical shortfalls within SOF. The analysis will also allow for responses to probable or existing objections. An examination of SOF as a practice will permit interrogation of the tradition and an examination of how SOF ethical shortfalls are inherent to certain aspects of the practice as understood from within the tradition.

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II. WHAT IS SOF?

Americans have long had a fascination with their elite forces. SOF experience serves as the stock background of action heroes (or villains) on film.[18] Pundits comment on television with no background other than having served as a special operator within the military. SOF's admirers include not just the public, as even a former President is on record as enamored with special operations.[19] The mythologizing of special operations is fueled by secrecy surrounding them, as well as the general and increasing unfamiliarity of Americans with the military. And yet for the most part the structure and history of special operations forces are largely unknown to the average American. In order to understand philosophically the questions surrounding SOF ethical challenges we must first understand what SOF is.

Answering the question "what are special operations forces" can be a tautological exercise. Special operations forces are elements that conduct special operations, or special operations are operations conducted by special operations forces. While this analysis only considers United States special operations forces, the variety of extant special operations units worldwide speaks to the constructed nature of SOF. Yet surveying the literature on special operations forces does provide a picture of what is meant when discussing SOF. To begin, it is worth discussing the history and development of special operations forces in the United States, as well as some of the theorizing that surrounds what SOF is.

The history of SOF in America can extend, according to one's definition, to the American Revolution or earlier.[20] The form of contemporary American SOF developed during World War 2 with the experience of the OSS and other special organizations formed

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[18] In the 1970s and 80s it was Green Berets, as in *Lethal Weapon* and *Rambo*. In the 2010s it is typically a background as a Navy SEAL.

[19] Bob Woodward, "Why Did Violence Plummet? It Wasn't Just the Surge," *Washington Post*, September 8, 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/09/07/AR2008090701847.html.

[20] Thomas K. Adams, U.S. *Special Operations Forces In Action* (London: Frank Cass, 2001), 27.

during that conflict.[21] The totality of that conflict meant that there was a wide array of experimentation, not just in technology but also in military organization and methods of operation.

During the war, this openness to experimentation, particularly in relatively peripheral theaters of action like China-Burma-India or in support of major offensives like the invasion of continental Europe, meant that a wide assortment of units was formed to respond to diverse needs. The Jedburghs, the First Special Service Force, the Marine Raiders, Navy Underwater Demolition Team “frogmen,” Army Air Force “Carpetbagger” clandestine infiltration units, and the 5307 Composite Unit (Merrill’s Marauders) were all attempts to answer some pressing operational question somewhere in the world. This needs-based attitude, as well as the trend of training whole units and employing them without a replacement personnel pipeline, meant that many of these units were stood down during the war at the situation changed or they were depleted by combat. Additionally, in almost all cases, they were responsible to the theater commander.[22]

There was a notable exception to this *ad hoc* trend of building units and employing them for a specific task or theater. The United States’ generalist special operations organization during WW2 was the Office of Strategic Services, or OSS. Formed under the leadership of the maverick New York lawyer and World War I Medal of Honor recipient William Donovan, the OSS had a broad mandate and operated in every theater of the war. Combining military and paramilitary functions, the OSS ultimately served as the predecessor organization for the Central Intelligence Agency as well as for most U.S. special operations forces in the military.[23]

The OSS was notionally a civilian agency, although Donovan held military rank and it was primarily staffed by military members of the services. Most appropriately, it can

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[21] Eliot A. Cohen, *Commandos and Politicians : Elite Military Units in Modern Democracies*. Harvard Studies in International Affairs ; No. 40. Cambridge, MA: Center for International Affairs, Harvard University, 1978.; Susan L. Marquis, *Unconventional Warfare: Rebuiling U.S. Special Operations Forces*. (Washington, DC: Brookings Institution Press, 1997).

[22] Adams, U.S. *Special Operations Forces In Action,* 30–39.

[23] Adams, U.S. *Special Operations Forces In Action,* 33–47.; Beavan, *Operation Jedburg*h, 23–25.

be described as a paramilitary organization that conducted both purely military operations such as raids to destroy bridges or airfields, as well as human intelligence collection operations. After initially being given broad authorities by Franklin Roosevelt[24] to conduct virtually all non-military operations, some of Donovan's responsibilities were taken away and reorganized and the OSS was tasked with "special operations." These consisted of espionage, guerrilla warfare (particularly in coordination with existing resistance groups), and deniable or "black" propaganda.[25] Aggressive recruiting, particularly among recent immigrant populations and the Ivy League, brought a wide swath of Americans into the service of the OSS. With the variety of Americans that were serving due to high rates of voluntary enlistment as well as the draft, the OSS could draw on a uniquely diverse population to meet the requirements of special missions.[26] The OSS achieved numerous successes during the war and developed novel techniques for special operations, as well as personnel selection and a reputation as iconoclasts and cowboys.

With the end of WW2, the OSS developed in two directions. OSS veterans formed the nucleus of the CIA, and also Army Special Forces. Army Special Forces,[27] or "the Green Berets," were formed out of the European OSS experience of leading guerrilla forces and were designed to fight in Europe by staying behind enemy lines in the event of a Soviet invasion and organizing resistance forces.[28] Later, their specialized skills and experiences made them the force of choice for use in numerous operations, notably Vietnam.

In the 1960s, as "wars of liberation" became prevalent, the United States under John F. Kennedy became embroiled in number of conflicts. Kennedy was enamored with special operations forces, particularly Army Special Forces. He encouraged other branches of service to develop their own special operations capabilities in order to fulfill his

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[24] A personal friend of William Donovan.

[25] Adams, U.S. *Special Operations Forces In Action*, 34–37.

[26] Colin Beavan, *Operation Jedburgh* (New York: Penguin, 2006) 35–65.

[27] "Special Forces" in American military parlance refers to United States Army Special Forces units. This can often be confusing since "special forces" is commonly used to refer to any number of elite units as a generic term.

[28] Adams, U.S. *Special Operations Forces In Action*, 54–56.

commitment to "bear any burden" in support of those oppressed worldwide.[29] The increase of forces in Vietnam which first happened under the Kennedy administration was the harbinger of a shift in missions for special operations forces towards "low-intensity conflict" or counterinsurgency missions.

Vietnam saw an abundance of special operations efforts. MACV-SOG,[30] 5th Special Forces Group, the Navy SEALs, Mobile Strike Forces or "Mike" Forces, the Phoenix program, and many others all operated in Vietnam at one point or another. What is likely today the most notable special operations unit in Vietnam, MACV-SOG conducted numerous operations of dubious value such as repetitively sending Vietnamese agents to their deaths in North Vietnam or capturing low-ranking prisoners. They developed some techniques that would endure, such as military freefall parachuting.[31] The most remarkable special operation of Vietnam, however, was the Son Tay Raid.

Son Tay was a prison camp which was chosen as a possible target in order to rescue downed U.S. airmen. A specially selected and trained force from the Army and Air Force prepared for 4 months in secrecy to rescue the POWs. The recruiting process was similar to the OSS: aggressive recruiting for volunteers with the right background, experience, and motivations. While other special operations units in Vietnam varied widely in their recruiting, assessment, and training, the recruiting for Son Tay was deliberate and targeted and continued the tradition began by the OSS.

For the operation, a complex plan was developed that included formation flying that included both helicopters and fixed-wing aircraft, the use of cutting-edge technology like red-dot weapons sights and forward-looking infrared navigation devices, and reconnaissance by drones. Ultimately, Nixon authorized the raid and it went off nearly exactly as planned, with every surprise being dealt with according to the contingencies

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[29] Adams, U.S. *Special Operations Forces In Action*, 63–70.; "Inaugural Address," John F. Kennedy, JFK Presidential Library, Accessed March 28, 2019, https://www.jfklibrary.org/learn/about-jfk/historic-speeches/inaugural-address.

[30] Military Assistance Command, Vietnam, Studies and Observation Group: a cover name for an umbrella organization conducting covert operations.

[31] John L. Plaster, *SOG*. (New York: Simon and Schuster, 1997) 290–312.; Richard H. Schultz Jr., *The Secret War Against Hanoi*. (New York: Harper Collins, 1999) 41–74.

built into their plan. The camp, however, was empty. Many of the lessons of Son Tay would be carried forward into future missions by U.S. special operations, although not always.[32]

In the 1980s, the rise of international terrorism again caused a shift for special operations forces from the Vietnam era mentality into counterterrorism (CT). New, secretive units were created, and even a unit like Special Forces Detachment “A,” a clandestine Special Forces unit that had remained throughout the period focused on the Cold War and conducting operations behind the Iron Curtain, focused on the new CT mission.[33] Similar to Detachment “A,” the new counterterrorism units would be highly secretive and unknown to the general public. They would, in a sense, be more elite than the existing special operations forces. As before, recruiting and developing a certain type of person was at the forefront of the new effort.[34]

It was one of these new counterterrorism units which attempted to rescue the American Embassy hostages held in Iran. In an operation named Eagle Claw, poor planning, botched coordination, a lack of leadership, weather, and confusion on the ground led to a disaster which embarrassed the United States.[35] The problems of Eagle Claw (many of which were lessons that had been already learned at Son Tay) led to reforms within the U.S. military which had lasting impacts on special operations forces and ultimately led to the creation of U.S. Special Operations Command (SOCOM). Since the creation of SOCOM in 1987, special operations have been a permanent fixture of U.S. military operations and U.S. foreign policy, from Desert Storm through Mogadishu, Haiti, Afghanistan, Iraq, and numerous other locations. The killing of Osama bin Laden seems to be in some respects the zenith of prominence for special operations, and the media coverage following the operation only serves to reinforce the permanence of special operations a fixture of U.S. military and foreign policy.

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[32] William McRaven, *Spec Ops*. (New York: Ballantine Books, 1996), 287–329.; Lucien S. Vandenbroucke, *Perilous Options*. (Oxford: Oxford University Press, 1993) 51–71.

[33] Marquis, *Unconventional Warfare*, 61–64.; James Stejskal. *Special Forces Berlin*. (Oxford: Casemate, 2017).

[34] Charlie Beckwith. *Delta Force*. (New York: Dell Publishing, 1985).

[35] Vandenbroucke, *Perilous Options*, 114–151.

In conjunction with the historical development of special operations, there was also a theoretical development of what special operations is or what special operations forces are for. Primarily occupying the realm of military doctrine, most thinking about special operations was directed towards military tasks: dealing with a Soviet invasion, guerrillas, or terrorists.[36] The thinking was typically based in experience: Special Forces was born out of the OSS experience in WW2, Delta Force was born out of the experience of the British Special Air Service, and joint (inter-service) special operations developed from successes and failures in places like Vietnam and Eagle Claw.

Most theorizing in a way that considers a normative idea of special operations: how they *should* be used or what units *should* exist tended to fall into this military/doctrinal vein. Theorizing about special operations tended to come from outside the military and considered political science aspects of special operations. After the development of SOCOM, there was much written about the political and bureaucratic battles that led to the permanent creation of a special operations command in the U.S. military. Additionally, once the experiences of special operations were declassified or written about in firsthand accounts, a body of work began to develop that looked critically at the development and use of special operations forces.

A notable analysis external to the community of special operations forces comes from Eliot Cohen. Writing in the 1970s, he examined commando units (his terminology for special operations forces) and their military and political impact. Surveying the post-WW2 landscape and recognizing that despite their apparent anti-democratic nature that elite units were flourishing, he sought to undertake a systematic analysis. He posited that often most analyses of “elite units” tended towards an emotional critique, such as when elite units are portrayed a victim of the conservative military establishment or as a kind of reaction to modern industrialization.

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[36] See Adams and Vandenbroucke, but also Aaron Bank, *From OSS to Green Berets*. (New York: Pocket, 1987).

Cohen instead looked at specific units[37] in western democracies and came up with three criteria that distinguish elite units: special missions, limited personnel who are highly trained or exceptionally physically tough, and a reputation as elite. The last criterion need not be justified in practice.[38]

These elite units, when placed in a broader historical context, are a continuation of pre-Napoleonic light infantry forces. They are akin to borderers, jaeger infantry, or skirmishers. They stood apart from mass conscript armies and the infantry squares, emphasizing individualized skills, small-unit tactics, mobility, and surprise.

Cohen is less interested, however, in the structure or history of elite units but rather in the political implications and the dynamics surrounding them within democracies. There are three factors that lead to elite units: military utility, irrational factors, and the increased politicization of war following WW2.[39]

Military utility is subdivided into three factors of its own. The first is a specialized function or set of skills. This is insufficient by itself, as pilots or nuclear reactor technicians also require highly specialized training and skills but are not generally provided the moniker of "elite." However, combining specialized skillset with a distinctive mission results in something different and perhaps not achievable by any ordinary "good" unit. Cohen's example is the high degree of shooting accuracy required for rescuing hostages is so specialized that it is not within the capability of a normal infantry unit. The additional effect of a specialized mission is that it creates an internal organizational idea, a self-image which is vital to sustaining elite status.

The second and third aspects of military utility that are used to justify an elite unit are related: a "laboratory function" and a "leader nursery" function. In both cases, the elite unit serves an accelerated incubator of sorts. The elite unit can put both equipment and

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[37] Cohen's examples were U.S. Special Forces, the British Commandos during WW2, the UK Special Air Service, French and Israeli paratroops, the Palmach of the Jewish Palestine era, and Israeli Army Unit 101.

[38] Cohen, *Commandos and Politicians,* 7–8.

[39] Cohen, *Commandos and Politicians*, 29.

personnel through the ringer in such a way as to shortcut normal military processes. Whatever the process involved for acquiring new personnel and equipment, it also reinforces the same self-image: everyone here must be better, and the things we use must be better because we use them. New technology tested or developed in elite units finds its way to the greater military, and experience has shown that service in elite units can advance an officer's career.[40]

The "irrational factors" that are involved in elite unit creation and sustainment revolve around political sponsorship and the heroic image that elite units cultivate. In a modern industrialized military, elite units ostensibly provide an avenue for adventure and prestige, and political sponsors are often keen to capitalize on or are themselves captivated by the romantic image. Elite units can seem a panacea, able to resolve complex problems with a single daring stroke. Cohen cites Churchill, Kennedy, and Moshe Dayan as leaders who were particularly taken with elite units and were motivated by a desire to take action and circumvent their circumstances.[41] For the contemporary United States, the experience after September 11 has shown similar levels of political sponsorship of some elite units. Donald Rumsfeld was particularly interested in SOF's potential for rapid solutions to a complex problem.[42]

SOF as an influential element *within* the U.S. military is a relatively new phenomenon. Part of SOCOM's own narrative is that the military establishment resisted the creation of separate chains of command and resourcing for special operations.[43] While SOF was militarily useful, it created tensions within the military structure which, in some ways, go unresolved. These tensions were also highlighted by Cohen, notably in the talent drain that elite units can cause.

Cohen attributes the political significance of elite units as deriving from the change in politics after 1940. The dispersal of violence through the guerrilla wars and wars of

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[40] Cohen, *Commandos and Politicians*, 31–34.

[41] Cohen, *Commandos and Politicians*, 34–44.

[42] Jennifer D. Kibbe, "The Rise of the Shadow Warriors;" *Foreign Affairs,* March 2004, 102–115.

[43] Marquis, *Unconventional Warfare.*

liberation of the post-war period were different in kind from the colonial wars of the European imperial powers which predominated in the 1800s. The complexity and scope were so greatly increased as to mark a significant change.

This change was from "conventional war," like the kind experienced during WW2, to "popular war," wherein the battle is for control of the popular will. Cohen says that this kind of war is demoralizing to the conscript and the conventional soldier. Yet the threat of conventional war is so severe that nations must still maintain significant conventional forces. Thus, the politician's dilemma of how to fight guerrilla wars while also maintaining the forces necessary to protect national sovereignty, is resolved using elite forces. Further benefits are accrued by elite force usage as well: control over minute details of operations as well as deniability.

Cohen's analysis supports the definition provided by William McRaven, himself a special operator (a Navy SEAL), when he said that "a special operation is conducted by forces specially trained, equipped, and supported for a specific target whose destruction, elimination, or rescue (in the case of hostages) is a political or military imperative."[44] McRaven primarily examined discrete special operations, but also ultimately investigated what the key elements of standing special operations forces are.

These various definitions essentially frame what special operations forces are: elite units, specially trained and organized to accomplish high (political and military) risk operations. Special operations are defined by political and military utility, elite unit prominence, and selectivity.

The history of American SOF bears this definition out. Special Forces was useful military and politically during the Cold War, both in its role vis-à-vis a potential Soviet invasion as well as in Kennedy's strategic embrace of counterinsurgency. The CT units of the 70s and 80s responded to an imminent need on the part of political leaders and were specially organized for that niche role, even if later they became highly valuable to political leaders for the reasons Cohen highlighted. Throughout it all special operations forces have

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[44] McRaven, *Spec Ops,* 2.

invested a great deal of time and effort into the recruitment, selection, and training of personnel, even if the kinds of personnel available to recruit or the desired outcomes are very different over time. Fundamentally, SOF is defined by the selection, training, and continued development and assignment of specialized service members. The kind of people that SOF finds and sustains are the key to the entire enterprise.

III. WHAT IS A PRACTICE?

Just as the work of SOF is to recruit, train, and develop a certain kind of person, the idea of a sustaining a certain kind of person is at the heart of philosophical ethics. MacIntyre's concept of practice is about understanding how our activities are key to our moral development and a window to understanding human ethical development. But before exploring how MacIntyre's concept of practice may fruitfully be applied to the SOF community and an understanding of what we might term "SOF ethics," it is worthwhile to examine some of the underlying philosophical concepts and the history behind them.

Plato initiated the study of virtue when he considered particular virtues, such as piety, or justice.[45] The ideas that people hold pre-philosophically, such as the nature of what is pious or impious, were examined and sometimes the solution was left unresolved. Other times Plato's dialogues are a debate as to whether it is worthwhile or better to virtuous or vicious. It was Plato's pupil Aristotle that undertook the first systematic description and study of the virtues proper.

In the *Nicomachean Ethics*,[46] Aristotle explores what virtues are and how they are lived. He describes the hierarchy of virtues and their relationship to the vices. In doing so he describes how the virtues form the foundation of a life well lived, a moral life. Happiness (*eudaimonia)* is the result of a good life. For Aristotle, happiness is a term with deep moral content, and refers to a state of the soul. Living a life of the virtues is the path to this state. Virtue is not simply a choice or an action, but habitual way of living more (sometimes less) consistently with the nature of what it is to be a human being, and moreover it requires looking on "a complete life."[47]

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[45] Plato, "Euthyphryo," in *Five Dialogues*, trans. G. M. A. Grube. 2nd ed. (Indianapolis: Hackett, 2002); Plato, *Republic*, trans.C.D.C. Reeve. (Indianapolis: Hackett, 2004)

[46] Aristotle, *Nicomachean Ethics*, trans. Terence Irwin. 2nd ed. (Indianapolis: Hackett, 2006) (hereafter, *NE* with Bekker reference.)

[47] NE I.7 1098a19

For Aristotle, they "arise in us neither by nature nor against nature" and "we are by nature able to acquire them, and we are completed through habit."[48] It is structural rather than decisional. The virtues are not things to do, they are extant facets of human living that we can embody to greater or lesser extent. Virtue is a kind of fulfillment or perfection of human nature, akin to any human activity like politics or crafts.[49] At either end of the spectrum from the virtues lies excess or deficiency. And more than a simple checklist, virtue requires a lived experience and understanding for each person. It is, essentially "doing it to the right person, in the right amount, at the right time, for the right end, and in the right way,"[50] a task which Aristotle acknowledges is both challenging and rare.

Future philosophers would, for a long time, act largely as a gloss on Aristotle. Throughout the medieval period, philosophers throughout the Islamic and European world would do further work in ethics while primarily using Aristotle as their interlocutor. The most notable developer of the Aristotelian tradition was Thomas Aquinas, who synthesized Aristotle, Roman, Islamic, Jewish, and Christian philosophizing in a systematic manner and developed a strong theory of rationality and human action. The central moral idea was carried forward from Aristotle, that human flourishing rests on a holistic way of life that rests on the virtues. The tradition developed and expanded but was soon to be supplanted as the mainstream of philosophizing on ethics by other metaethical positions.

With the advent of the modern period, philosophers studying ethics became less interested in the subject who acted but more in the actions themselves Ethics, particularly in the English-speaking world, became a field more interested in choices than with the actors making the choices. With Mill, Kant, and others, ethics became concerned primarily with rules for action. Some philosophers continued to view ethics in terms of the virtues and a comprehensive way of living, but it was not until the 20th century that the study of the virtues became a significant field again within what could be described as mainstream academic metaethics.

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[48] NE II.2 1103a19-35

[49] Crafts, for Aristotle, are technical or creative activities like farming, sailing, construction, etc.

[50] NE II.9 1109a27-29

The English philosopher Elizabeth Anscombe was arguably the first philosopher who brought virtue back to the modern mainstream philosophical consciousness. She argued that without a religious or some other kind of comprehensive grounding, modern ethics relied on a conception of right and wrong based in an "ought" that had no normative basis.[51] With the modern turn towards action guidance as the primary role of ethics, morality had become more like law, where someone should choose to do the right thing because of some possibility of sanction. But modern society lacks sources of normativity, as there was no possibility of enforcement of the law, metaphysically. You "ought" to hit 1 person instead of 5 with the trolley. But why? She thought that the "ought" was unsupported.[52]

Anscombe argued that a return to an earlier system, like in Aristotle, would return some coherence to our understanding of ethics. This would require a move away from focusing on choices and obligations (a law conception) and into a focus on character, flourishing, and goodness. It was a return to the idea that a conception of the virtues provided the most comprehensive understanding of human moral action. The move was back to the actor and to some extent, away from the choices.

This neo-Aristotelian turn in contemporary moral philosophy was most dramatically expounded and developed by Alasdair MacIntyre in his seminal work *After Virtue.*[53] MacIntyre was also concerned with the incoherence of modern moral systems. But as with Anscombe's ought, how do we understand the virtues? Aquinas could find them in both the natural law as well as God's law. Aristotle thought they were self-evident via investigation. As MacIntyre examined the moral and political systems that existed and attempted to understand earlier, pre-modern moral systems, he found that an understanding of the virtues could be found in the idea of a "practice."[54]

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[51] G.E.M Anscombe, "Modern Moral Philosophy," in *Ethics, Religion and Politics.* (Oxford: Blackwell, 1981), 26–42.

[52] Jonathan J. Sanford, *Before Virtue*. (Washington, DC: CUA Press, 2015).

[53] Alasdair MacIntyre, *After Virtue*. 3rd ed. (Notre Dame, IN: Notre Dame, 2007).

[54] Ibid. 187–201.

Aristotle used the idea of certain human activities (which he referred to as "crafts," in Greek, *techne*) as analogies to the moral life for the way in which they help to understand human action and development: the sailing of ships, music, or the conduct of wars.[55] These are human activities that develop over time and have an internal dialogue among those who conduct them. For Aristotle, crafts were concerned with production and not with action (*praxis*), which limited the sphere of craft knowledge. They provided a window into moral reasoning but there were significant differences.[56]

MacIntyre continues this idea but expands it in some key ways with his idea of practice:

> By a "practice" I am going to mean any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended.[57]

Practices, then, are a significant field of human endeavor that can carry a moral weight in themselves through the flourishing they engender. Elsewhere MacIntyre says that "practices are forms of systematic human activity, each with its own goods internal to it."[58] More than the productive activities of Aristotle, practice denotes a richer or at least thicker conception of some human activities. As one example of a distinction between MacIntyre and Aristotle, politics are for MacIntyre a practice, as politics is concerned with the creation and sustainment of human communities and carries with it all the marks of a practice.

MacIntyre addresses two kinds of goods that derive from practices. There are external goods, which can be obvious: employment, accolades, income, etc. For each practice there is additionally a pursuit of excellence within it and a conception of achievement, a set of internal goods. One can be an excellent chess player, or perhaps a

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[55] Though Aristotle thought that they were not moral activities in themselves.

[56] *NE* VI.3, 1140a1-6, trans. Irwin.

[57] MacIntyre, *After Virtue,* 187.

[58] Alasdair MacIntyre, *The Tasks of Philosophy* (Cambridge: Cambridge University Press, 2007), 46.

less excellent player but an extraordinary student of the game.[59] The participation in a practice leads to the personal expansion and development of the practitioners: an architect develops a different sense for looking at the natural world to inspire their designs, or a navigator becomes a keen student of the sea and weather and so a more astute observer of things in life.

It is only within the context of human activities and these structures that we can comprehend human flourishing.[60] We learn what the goods that we should aim at in family, schools, workplaces, and a host of other activities. This happens both as a consequence of participation in some activities as well as through a process of deliberate choice. A man learns the unspoken rules of and is enculturated in the traditions of being a commercial diver by nature of employment as a commercial diver. A child is placed in team sports to learn sportsmanship, teamwork, and how to be a good winner or loser, not merely the structure of team games or for physical fitness. In the first case the process is natural, and in the second it is deliberate. As MacIntyre puts it regarding this process of education:

> A practice involves standards of excellence and obedience to rules as well as the achievement of goods. To enter into a practice is to accept the authority of those standards and the inadequacy of my own performance as judged by them. It is to subject my own attitudes, choices, preferences and tastes to the standards which currently and partially define the practice. Practices of course, as I have just noticed, have a history: games, sciences and all have histories. Thus the standards are not themselves immune from criticism, but nonetheless we cannot be initiated into a practice without accepting the authority of the best standards realized so far.[61]

One's judgment is subjected to the authority of the practice, and not vice versa. MacIntyre goes on to use the example of learning to pitch a baseball. If you do not

[59] This is illustrated in the trope about "those who can't do, teach/coach." There are numerous examples of middling to good athletes whose passion for excellence within their sport allowed them to become exceptional trainers or coaches. Or perhaps less obvious is that sometimes it is fringe "practitioners," individuals who may not be participants in a conventional sense but are highly conversant in the practice who are best able to capture in writing the essence of a sport, such as David Halberstam on baseball.

[60] Alasdair MacIntyre, *Ethics in the Conflicts of Modernity* (Cambridge: Cambridge University Press, 2017), 49.

[61] MacIntyre, *After Virtue*, 190.

understand when the appropriate time for a fastball is, and instead rely on your own judgment, you will neither become a good pitcher, be able to judge who is a good pitcher, or even understand what pitching is. Practices are not subjectivist environments, but rather of rules and authority.

A practice develops within a particular cultural and historical situation. As practices progress, they interact with other similar practices (or the same practice situated in a different culture) and develop. In this sense one can speak of a practice as "transcultural," with practices growing over time and developing an independent history that is in some limited respects independent of the milieu that they first developed in, but always ultimately rooted in it. A practice that is truly flourishing will be able to draw upon a rich history of interaction and development, a kind of autonomy which creates an ability to judge who is and is not a participant in the practice. For example, there are many forms of vernacular architecture, but the long history of interaction, learning, and discovery is inevitably cross-cultural.[62]

A traveling architect arriving in an unfamiliar land would recognize the novelties and the similarities in buildings that he had never seen before, as the practice which he participates in has already shown him the boundaries of physics and typical human needs. These have provided him the basic bounds and guidance for the construction of dwellings, offices, and the like. What he would discover would be the expansion of those boundaries (or contractions) that are caused by particular societal needs, material availability, or geography. To the extent that he has apprehended the internal goods of the practice, he would gain a greater understanding of what he sees. He would, within practical limits, be instantly conversant with a local architect due to their participation in the same practice.[63]

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[62] MacIntyre, *The Tasks of Philosophy,* 47–48. MacIntyre uses the example of painters: first the Italian and Flemish painters interacted, and then much later Western and Eastern painters interacted, creating a complex system of learning and change.

[63] More broadly, being deeply conversant in a practice and encountering an unfamiliar form of it would provide insights that might not be immediately available to the non-expert. For example, a farmer might recognize what kind of pests an otherwise unfamiliar (to him) crop or system of agriculture deals with based on recognizing a new kind of mitigation for those pests.

This is not to say that all practices are universal. For a variety of reasons, some practices will not develop in certain times and places. Sometimes this could be because of the valuation of goods within a certain culture or the lack of relevant resources. A society that has no access to grapes or that views abstinence from alcohol as a good would not develop any practice of winemaking. This is not a matter of relativism but of accessible language, resources, or competition among goods.[64]

Practices develop an intelligible tradition, and a significant part of each tradition is the internal conflict that develops over a practice's own narrative history. "Suppose I am an American," MacIntyre says, "the tradition is one partly constituted by continuous argument over what it means to be an American."[65] A conflict over narrative does not necessarily constitute a crisis, and it is a sign of a lack of vitality if a practice ceases to have internal debate over how the practice develops and what is significant to know within it. These two keys, narratives and traditions, are foundational to practices as well as understanding them.

For MacIntyre, narrative and tradition are rich terms with profound significance. Each person finds themselves at a particular point in history and occupying a set of roles: a member of this family, or of a particular tribe or nation (or both), and as they mature they join a profession and fulfill other roles in the community such as basketball coach or museum docent or band member. All of these roles constitute given features of a person's life that they may or not have chosen. Whether they are involuntary, like being born into a particular family or city or state, or volitional, like choosing to become an electrician or a triathlete, the person enters into a historical situation and participates in it. This constitutes the traditions which are inevitably part of one's life and the moral starting point, the particularities of each person's life. Understanding the flourishing of a person requires understanding the tradition of which they are a part. As MacIntyre puts it, "we all approach our own circumstances as bearers of a particular social identity."[66]

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[64] Ibid, 50.

[65] Ibid. 11.

[66] MacIntyre, After Virtue, 220–221.

The use of the term “tradition” is not used in the sense of a conservative political thinker or as a counterpoint to modernity or any other concept which speaks to a fixed point in time or a prior manner of living or thinking. Rather it signifies “a living tradition” which has a vitality to it and bears practices forward in time through robust argumentation over what goods are pursued by those practices. To take one example, carpentry developed over time as carpenters discovered and refined new methods of joinery and engaged with other cultural instances of carpentry (French with English, Western with Japanese, etc.) which functioned as a kind of internal dialectic on what the goods of woodworking are. And each carpenter, insofar as they pursued the goods of carpentry, were participants in that tradition within a particular social and historical situation, and that participation sustained the practice writ large.

Understanding the virtues is aided by understanding the context within which they are pursued. The intelligibility of this pursuit is sustained by both individuals working towards the goods of that practice as well as the comprehension of the practice and its development over time. Like the cultural context of practice that was discussed earlier, this does not imply a relativism inherent in the virtues, but rather a development of understanding that is aided by a constant internal dialogue within and between practices and practitioners.

SOF, as an organization of specially chosen and sustained practitioners, seems initially to meet some of the hallmarks of practice. With this understanding of practice and how it is constituted by narratives and traditions and dialogue between practitioners, the following chapter seeks to examine the idea of SOF as a practice and whether this can provide insights to the ethical challenges SOF appears to be facing.

IV. SOF AS A PRACTICE

> It belongs to the concept of a practice as I have outlined it - and as we are all familiar with it already in our actual lives, whether we are painters or physicists or quarterbacks or indeed just lovers of good painting or first-rate experiments or a well-thrown pass--that its goods can only be achieved by subordinating ourselves within the practice in our relationship to other practitioners. We have to learn to recognize what is due to whom; we have to be prepared to take whatever self-endangering risks are demanded along the way; and we have to listen carefully to what we are told about our own inadequacies and to reply with the same carefulness for the facts. In other words we have to accept as necessary components of any practice with internal goods and standards of excellence the virtues of justice, courage and honesty.[67]

With a workable definition of SOF is, and having examined the history of virtue and a theory of how virtue is understood through practices which are sustained by traditions, how do we understand SOF ethics and the challenges that are highlighted by the SOCOM letter and the NDAA? If we understand practice, will this help us to understand the challenges? Looking at the traditions and narratives of SOF, two things which are essential to the idea of a practice, highlight tensions and reveals that the idea of the SOF operator as a moral figure is a dialectical matter.

What is important in considering what the idea of practice brings to the understanding of SOF ethics and the challenges that SOF faces is not merely the ability to apply a theoretical framework. Simply understanding that SOF is (or is not, if one objects) a practice does nothing to ameliorate the situation. What it can do, however, is provide a vocabulary and a means to understand what is happening in lived experience. Put another way, "what theory may provide […] is an agenda for practical reflection."[68] So the question at hand is not so much whether SOF is a practice or not. The question is: if SOF is engaged in the work of a practice as described by MacIntyre, then how does knowing that provide greater understanding about SOF ethical challenges?

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[67] MacIntyre, *After Virtue*, 191.

[68] Alasdair MacIntyre, "The Recovery of Moral Agency?" in *Harvard Divinity Bulletin*, April 16, 1999 reprinted in John Wilson ed., *The Best Christian Writing 2000*. (San Francisco: HarperCollins, 2000)

In considering SOF as a practice, it seems that SOF is one of the practices we might consider as a kind of subset of a larger practice. There is painting, and there is portrait painting. There is soldiering, and there is special operations soldiering. What it is to be a SOF soldier (or sailor, airman, etc.) is informed by the larger practice, but there are enough unique hallmarks to set it apart as a distinctive practice. Artillery, submariners, and so forth also seem to have a particular practice within a larger one, to say nothing of the realms of farming, carpentry, or so on.

It is the history SOF that was previously examined which leads to an understanding SOF as a practice with its own narrative and tradition. The SOF narrative is multi-faceted. SOF are elite, anti-doctrinaire, set apart from conventional forces (a term that in this case has both the traditional meaning of "not special" as well as "hidebound"), always in peril of being absorbed by blinkered military leaders, able to accomplish anything.[69] Sometimes SOF is the only force capable of accomplishing the mission and sometimes it is a hindrance because special operators are wild men, out of control. Some of these definitions are doctrinal, and some are colloquial or even mythological to some degree. And yet in understanding SOF, this is part and parcel of understanding the tradition.

To reiterate, "what constitutes a tradition," says MacIntyre, "is a conflict of interpretations of that tradition."[70] In any tradition, membership is partly constituted by understanding the historical conflicting narratives about the tradition. And this dialogue takes place within the larger context of each tradition (political, religious, etc.) as well as between traditions. Like the dialogue between practices previously discussed, traditions *within* a practice can come into conflict. For SOF this constitutes a dialogue with itself and with the larger U.S. military apparatus about what special operations forces mean and what they are for.[71] SOF, after all, is distinctly defined by the people that it sustains.

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[69] See, for example, Marquis, *Unconventional Warfare: Rebuilding U.S. Special Operations Forces,* and Colin S. Gray, "Handfuls of Heroes on Desperate Ventures: When do Special Operations Succeed?" *Parameters* 29, no. 1 (Spring, 1999): 2.

[70] MacIntyre, *The Tasks of Philosophy,* 11.

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SOF bears the hallmarks of a practice. It is a complex social activity, with goods inherent to it. These goods include a distinct idea of personal and organizational excellence as well as a particular sense of duty and mission. These goods are inseparable from the idea of SOF, and it is precisely the attempt to achieve them through personnel, doctrinal, and technical means that makes SOF peculiar. Flourishing in SOF is accomplished by the pursuit of these goals. Consider the example given by the Marine Corps Special Operations Command in their description of special operators:

> Critical Skills Operators are the frontline Marines and Sailors who are complex problem solvers able to operate across the full spectrum of special operations in small teams under ambiguous, sometimes austere, environments while maintaining a high level of mental flexibility and physical endurance. CSOs exemplify the Marine Corps' concepts of distributed operations and the strategic corporal. These warrior-diplomats are able to operate across the spectrum of force. They are experts in utilizing the right force at the right time with the right effect.[72]

This describes a variety of goods embodied in the members of the community, which point to something internalized and significant: an embodiment of goods which the Marine Corps values.

There are a multitude of goods that SOF pursues within the practice. Some seem apparent: excellence in marksmanship, parachuting, hand-to-hand combat, etc. But what about the goods which SOF pursues which are less clearly military? These include fostering a distinctive culture which is set apart from the larger military, or a culture of small, close-knit teams.

These lead a little more clearly to the internal goods of the practice. When we consider the development of the fine attention to detail in planning that is required for rescuing hostages, or the self-discipline engendered by the physical training necessary to be an excellent combat swimmer, we begin to see the internal goods and the flourishing that is there. "Internal goods," says MacIntyre, "are indeed the outcome of competition to excel, but it is characteristic of them that their achievement is a good for the whole

[72] United States Special Operation Command, *SOCOM 2019 Fact Book*, 32.

community who participate in the practice."[73] The development of new techniques of planning and physical fitness and the embodiment of those in particularly excellent members of the community advances the practice by benefitting the whole community. When we consider the flourishing of a special operator, it seems that many of the internal goods that we expect derive from excellence in the external goods, and that is to be expected as a hallmark of a practice.

And these goods are the subject of debate, that debate which MacIntyre says is at the heart of a flourishing practice. Some of these are purely practical and regard primarily the external goods: what is the best way to learn marksmanship or what level of physical fitness is expected or required. These are important to the practice and are analogous to the practice of farming or chess: what is the best time to water the crops or the best employment of the rook. There are, however, debates that go much further. These are the debates about the internal goods and the kind of person the practice should develop and sustain. And this is where we reach the crux of the issue on SOF ethics that is under consideration.

It is the discussion of what it means to be a "good SOF operator," which is at the heart of the SOF practice. Some, primarily the external goods, seem evident: physical hardiness, mental agility, and the obvious traits which are colloquially associated with SOF operators. At the macro level of "US SOF," SOCOM and the military services debate what are the key traits or attributes that are required and spend a great deal of time and effort attempting to select the right individuals for service in SOF units.[74] It is equally true though that at the unit, team, and individual level there is an ongoing process of evaluating who best fits the model of what is a good SOF operator. This can vary from unit to unit, as a good helicopter pilot might look very different than a good Navy SEAL, but the existence of the debate is key. At every level, American special operations forces are evaluating, testing, and making decisions about what kind of operator the practice sustains and develops.

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[73] MacIntyre, *After Virtue*, 190–191.

[74] Beckwith, *Delta Force*, 117–125.; John Faunce, "A History of Assessment and Selection," *Special Warfare* 29, no. 2 (December 2016): 12–18.

The SOCOM letter highlights the idea that some members of the community (or practice, we could say) have a "disordered value system" that "if left unchecked" will erode the confidence of the nation in SOF and lead to reduced mission effectiveness.[75] This raises an obvious objection: perhaps in a group of 70,000 people[76] some will inevitably be bad apples there is no problem to speak of intelligibly.[77] As long as we keep those people in check, remove them from the organization, or they keep their own darker impulses in line with what is expected, there is no issue at all. This is, after all, the implication that the "value system" can be "left unchecked." SOF operators might be viewed in a rarified light by the public or at least portrayed that way by those who would seek to leverage the secrecy surrounding SOF to profit, but in the end they are human beings, prone to make mistakes, take advantage when they are able, and generally slouch towards vice.

This is a serious rebuttal to the idea that there can reside within the traditions of SOF itself narratives and ideas which can potentially lead to the moral failings that so concerned the U.S. Congress. On this accusation, SOF is a large organization and an individual selected and trained my one day choose self-interest, despite all training and psychological examination.

In order to answer this objection, and understand that there is a current within the tradition that does not simply leave disordered values unchecked, but rather seeks to endorse disordered values as part and parcel of being a SOF operator, it is necessary to further consider the idea of "the good SOF operator." This requires examining the narratives of SOF, which exist to a large extent in first- and third-person accounts of either individual operators and their exploits or in those of specific units or battles.

A brief survey should suffice to highlight commonly held ideas about what it means to be a SOF operator in terms of the internal goods of the practice. As shown, a special operator is expected to be highly adaptable, physically fit, mentally agile, and proficient in a wide variety of military skills. Additionally, there are common expectations that often

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[75] General Tony Thomas, email message to the author, December 12, 2018.

[76] United States Special Operation Command, *SOCOM 2019 Fact Book*, 12.

[77] I would like to thank Paul Bloomfield for his input on this discussion.

arise at the lower unit level that operators are always willing and able to flaunt military rules, ambivalent towards authority, and unfailingly loyal to peers and the unit.[78] These traits begin to reveal the tension that resides in the practice. SOF is expected to be extraordinarily trustworthy but at the same time the expectation is that the SOF operator might be a wild man.

The counterargument, which may well be true, is that a good SOF operator can draw a line between off-duty shenanigans and an extreme mission focus. Any understanding of virtue reliant on a holistic anthropology would reject this argument out of hand, but additionally the record seems to indicate that the line may not be as firm as expected. Moreover, it would be precisely failures to keep the line of separation intact which would indicate the problem in the first place: a tradition of vicious behavior off-duty or a similar certain idea of what it means to be a good operator would encourage those who are unable to keep the divide, and therefore weaken the organization when their habits bleed over. Those who fail, would in effect be those who could not keep their disordered value system in check. But the failure would exist not just for the individual, but for the practice which fostered that habit. These are competing narratives: as long as you perform then whatever else you do is irrelevant versus the concept that there is a standard and a set of values that special operators uphold. With the history of SOF demonstrating such a strong emphasis on the selection and development of certain types of persons, it seems discordant to say that such failings would be acceptable.

It is worthwhile to consider two cases and how they reflect certain traditions of what it means to be a SOF operator. They are, fittingly, narratives of a particular genre of special operations media. Both released in 2014, the first is the depiction of the career of Jim Gant, an Army Green Beret, in the book "American Spartan," and the second is the depiction of Chris Kyle, an Navy SEAL, in the film "American Sniper."[79] While both

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[78] The presence of websites like oafnation.com and numerous pulp biographies of special operators will attest to these ideas.

[79] Ann Tyson. *American Spartan: The Promise, the Mission, and the Betrayal of Special Forces Major Jim Gant*. (New York: William Morrow, 2014), Kindle; *American Sniper.* Directed by Clint Eastwood (Burbank, CA: Warner Brothers, 2014).

accounts are admittedly hagiographical (the Gant book was written by his wife) and present their subject matter in a rarified light, that is not a rebuttal of the argument that they are emblematic of a certain idea of special operators but rather reinforces the point: these are recurring narratives of what it means to be a SOF operator and they have ethical implications for the practice.

In “American Spartan,” Major Jim Gant is presented, as the title implies, as a modern-day Spartan. Gant adopted a personal warrior code based on a mixture of Afghan ideals and his interpretation of a Spartan warrior ethos. The book opens with him celebrating the death of Osama bin Laden by cutting his hand ritually in front of his unit and his Afghan partners. The idea of the SOF operator as modern-day Spartan and mythical hero-warrior is key to Gant’s self-presentation as well as the book itself, which presents the idea that hide-bound bureaucrats and “conventional” soldiers betrayed Gant, who was simply conducting the most effective, mission-oriented way of war. In the midst of his war, he was also drinking heavily. While some may disagree with the contemporary rules concerning alcohol in a combat theater, there is likely little disagreement that going “on night raids after drinking,” or consuming “as much as a fifth of hard liquor a day” constitutes mission focus or a high level of readiness.[80] More than just a “warts-and-all” approach, this is the kind of narrative that creates a hard separation between the SOF operator who is rule-flaunter (not just rule-bender or breaker) and supreme warrior, and those who are inferior. The violations of law or military authority are excusable and the price of doing business, no matter how egregious.[81] Gant was ultimately reprimanded by military superiors, and the book creates a narrative and legacy for him that presents him as a mystical figure, the Green Beret *par excellence*.

A different narrative is presented in “American Sniper.” In it, Chris Kyle is portrayed as a legendary sniper, even referred to by the Marines he protects as “Legend.” Kyle is presented as a born warrior, an archetype of the SOF warrior as a special breed.

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[80] Tyson, *American Spartan*, 49.

[81] One of Gant’s proteges in the book is Matthew Golsteyn, who is mentioned in the introduction as the Green Beret who admitted to a killing in violation of the rules of engagement (for which he is pending court martial at the time of writing) on cable television.

This idea is encapsulated in the scene where Kyle's father explains that the world consists of sheep, wolves, and sheepdogs. Most people are sheep and incapable of violence and blissfully ignorant. Some people are sociopathic wolves. A few though are sheepdogs, violent but able to direct it at good ends and protect the sheep. The sheep, however, dislike the sheepdogs. This idea is drawn directly from the work of Dave Grossman, who has written several books on the psychology of violence.[82] Setting aside the accuracy of the depiction of society or the understanding of social violence by the average human being, the "sheepdog" idea reinforces the idea that some people are specially endowed with martial capacity or set apart from "normal" society. SOF, the idea goes, is populated by these special people. They are beyond judgment.[83]

The movie reinforces this idea throughout, Chris Kyle is a special person who is uniquely able to kill as a sniper. The depiction of SOF throughout is juxtaposed to the depiction of the Marines. SOF, in the form of the SEALs, is more morally ambiguous and deals with more complex situations. They are also supermen, able to rise above the fear and inadequacies of regular infantrymen. In doing so they exhibit a kind of tragic nobility.

This tragic sense is exhibited both in Kyle's post-traumatic stress which builds throughout the film, but also in the character of Marc Lee, also based on a real person. Marc Lee's character struggles with the ambiguity of their situation and his inability to make sense of the violence in Anbar province. The conflict between Lee and Kyle is resolved when Lee is killed. The takeaway is that Lee died because he experienced internal conflict, whereas Kyle survived because he either had no such misgivings or he set them aside for the business at hand. SOF are so beyond judgment that the ambiguity of self-reflection also inappropriate.

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[82] David A. Grossman and Loren W. Christensen. *On Combat*. (Belleville, IL: PPCT Research Publications, 2007), 180–184.

[83] Grossman thinks that this is a capacity that is self-developed: you can choose to be a sheep, a sheepdog, or a wolf. However, on his account, choosing to be a sheepdog sets someone apart as a special class.

This too is a kind of archetype for the SOF practitioner. The good SOF practitioner does not deal with the morality of the issue at hand, he simply deals with the mission. His activities are beyond question because he is a kind of chosen soldier.[84]

Ultimately both *American Spartan* and *American Sniper* show a sliver of the internal and external dialogue of the practice. It is images of SOF such as these that are leveraged, utilized, and sometimes encouraged by the military for recruitment. These are also the kinds of stories that draw individuals into the SOF orbit and sustain those who are members of the practice. Other images of SOF are developed and sustained internal to the practice, but those too are in dialogue with the more visible media depictions and influenced by them.

While these narratives may or may not be the ethical shortfalls that so concerned the U.S. Congress, they highlight that what it means to be a good SOF operator goes beyond a standard idea or a template which individuals may fail to meet or violate, but rather there are complex narratives and histories about what it means to be an American SOF operator and these are what inform the behavior and morality of the SOF operator. Any discrete ethical training is at best a competing narrative within the practice, and likely to be far less influential than the day to day presence of respected and influential members of the community (from the team level all the way up to influential members of the full SOCOM community), and the enduring narratives that exist as oral and written history within the practice of SOF.

Any discussion of SOF ethics must begin with the practitioners and the ways in which they understand their own traditions and narratives. American SOF trades in numerous ideas about what it means to be an operator and these, as well as the stories of past glories and heroes, are what form the ethical standards and ideas of the SOF practice. Whatever problems SOF faces can be traced to individuals, that is certainly accurate in the SOCOM assessment, but it goes beyond merely an individual with a disordered value system. An individual's disordered value system might become a narrative of a legendary

[84] The title, in fact, of a book by a former SEAL about the training of U.S. Army Special Forces: Dick Couch. *Chosen Soldier: The Making of a Special Forces Warrior*. (New York: Three Rivers Press, 2007).

SOF operator who is presented, either formally or informally, to new recruits as an archetypal figure, or may be the author of a book which is admiringly passed around a team room, or simply a figure recollected at the bar with fondness for his exploits.

An individual's moral development, their flourishing, is a continuous process informed by their actions on and off duty. What a SEAL discovers about himself and what he does his first time going to war will be informed by his training, his personal traits, and then in turn those things will be changed by his experiences. The line between deployed and home station behavior are nonexistent.

This is certainly another objection available: can SOF or the military inculcate moral capacities into persons that they do not bring into the military? Flannery O'Connor said that "the man in the violent situation reveals those qualities least dispensable in his personality,"[85] and MacIntyre himself has said that "an inability to handle the moral problems of war will always be a sign of a general moral incapacity."[86] So perhaps the problem is societal, and SOF merely reveals the underlying deficiencies in character that exist by biology, upbringing, education, or societal influence. This is, undoubtedly, at minimum a partial answer. To be consistent in an understanding of narratives and traditions, it is necessary to acknowledge that the military, SOF, and further on down to the individual operator are also situated in a variety of contexts which also provide complicated narratives, all of which have influence. An operator who comes from a background as a refugee is going to have a decidedly different narrative before he ever enters training in the military or SOF from one who grows up as a middle-class child in the American South, and these will in turn influence them as they develop into members of the SOF community. Neither will necessarily be more beneficial to them in the external goods of the practice, but they will always be present as they develop and participate in the practice.

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[85] Flannery O'Connor, *A Good Man Is Hard To Find*, edited by Frederick Asals. (New Brunswick: Rutgers University Press, 1993), 59.

[86] Alasdair MacIntyre, "The Wrong Questions to Ask About War," review of *The Ethics of War,* by Barrie Paskins and Michael Dockrill, *The Hastings Center Report*, 10, no. 6., December 1980, 40.

And yet MacIntyre also provides us a means of understanding the significance of entering into a practice like SOF is, and the degree of formation that exists within it, even if not fully acknowledged as such within the community. One might make the argument that SOF is not in the business of moral instruction, or that those questions are secondary at best to the questions of mission accomplishment.

On the contrary, it is not possible engage in a practice, a complex social activity involving the training and development of human persons towards clearly defined ends, without some degree of moral formation. The simplest tasks that are taken for granted in the training and development of SOF operators are tasks of moral instruction. "Practical moral instruction is incidental to instruction in the tasks of many types of practice," and SOF is no exception.[87] Training a new member of the community on close quarters battle (room clearing), for instance, is largely a matter of learning fundamental tenets of movement and target discrimination. But these are not simply technical or tactical ideas: the way in which you enter a room balances risks to the team with the ability to identify as rapidly as possible who is to be killed in the room. These are moral decisions of deep import. The earlier question, can SOF develop moral capacities in members, could be phrased this way: can they develop habits in people, potentially well into their adult life? It seems that by and large the military services are precisely in the business of developing habits in their members.

Additionally, the argument in favor of efficacy or mission accomplishment against any kind of attempt at a moral outcome ignores other aspects of formation directed towards internal goods that is already ongoing. The U.S. SOF apparatus focuses on a variety of missions, some of which are of paramount importance but rarely executed as compared to the routine training with foreign partners or the recent combat operations which have required a great deal of SOF investment. Two missions that the SOCOM Commander noted in 2015 of being the greatest importance are hostage rescue and the countering of weapons of mass destruction.[88] Setting aside the political and strategic significance of these

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[87] MacIntyre, "The Recovery of Moral Agency," 124.

[88] United States Special Operation Command, *SOCOM 2035 Commander's Strategic Guidance*, 9.

missions, a great deal of investment is made in these capabilities. SOCOM is maintaining a large apparatus in order to create a certain kind of person: a special operator or supporting enabler who is able to execute a particularly dangerous and significant mission. This is not simply a matter or efficiency but of development of external and internal goods necessary for a mission that may never come.

U.S. military special operations are engaged in the work of a practice. It is the constant interaction with peers, superiors, subordinates[89] which leads to the development of the practice and the concept of what the goods of SOF are. Any concern about SOF misbehavior should be directed towards the ways in which the traditions reinforce unethical behavior or narratives are fostered which can have long-term impacts on the understanding of what it means to be a good SOF operator. It is largely insignificant that practitioners have any degree of self-consciousness as being engaged in the work of a practice or the philosophical underpinnings, but rather a focus on narratives and robust criticism of the ways in which individuals and organizations foster them that damages the community is important.

The accumulated traditions and narratives of the practice, what we might describe as SOF culture, should be the target of examination and reform. This is a high bar to meet, as these things are, as seen in the examples of practices, the immediate result of a long process that continues to move along. Conscious engagement in the dialogue of practice is not an imposition, however, but it simply sustaining a practice and ensuring continued survival and vitality.

[89] SOF is generally notable for being less rank-conscious than other units, which reinforces this free exchange of practitioners, even among different ranks, or between officers and enlisted personnel.

V. THE STORIES WE TELL

"So our first task, it seems, is to supervise the storytellers: if they make up a good story, we must accept it; if not, we must reject it.... Many of the stories they tell now, however, must be thrown out."[90]

Understanding SOF, practices, and SOF as a practice is not an answer to the question of "what ails SOF?" This investigation is illuminative or descriptive: it provides a vocabulary and a means to understand an ongoing historical process and a living and complex social organization and practice. Inevitably, one can point to societal ills or the psychological burdens of long wars or numerous other factors as influential or perhaps primary in leading to the scandals of today. These may be entirely accurate criticisms, but it is worth noting that similar scandals within SOF predate the high operational tempo of the last 20 years.[91]

SOF bears within itself a tapestry of narratives. Each new operator finds themselves a part of the SOF story, and places themselves, perhaps unconsciously but frequently with intent, as a part of a series of narratives: I am a member of this team, with photos on the wall telling the stories of those who came before me and senior members of the team regaling me with tales of past glories on and off the battlefield; I am a member of a larger unit with a history that stretches back to Vietnam or further; I am a member of United States Special Operations, an organization with a storied past and global renown. All of these barely cover the complexity of the narratives in which an operator situates themselves.

The way an individual understands his or her place in SOF is founded in these narratives. The way they understand their role, and the performance of that role, extends beyond the professional aspects of being a proficient helicopter pilot or an excellent sniper.

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[90] Plato, *Republic*, trans. C.D.C. Reeve (Indianapolis: Hackett, 2004) 377b-c.

[91] Robert F. Howe. "Navy Retiree, Arms Maker Indicted," *Washington Post*, July 14, 1989, https://www.washingtonpost.com/archive/politics/1989/07/14/navy-retiree-arms-maker-indicted/e175edc4-e44d-4f4c-ba0f-750f393a9e87/. For one example, the case of Richard Marcinko.

It extends into the ways in which they interact with superiors, subordinates, their families, other members of the military, and the public.

For some, the way that they understand these roles will not be primarily as SOF operator. But for others, the way that they, for example, interact with non-SOF military members will be founded in their understanding of the way that a SOF operator "should" behave towards non-SOF. This will be learned in training via the instructors they have and how they inculcate new members, or by witnessing the respect or condescension shown to non-SOF by their first teammates, or by emulating other SOF operators they respect. They will be performing what they have learned and come to believe is their expected role as a SOF operator.

It is deep-seated and long-held narratives about what it means to be a SOF operator that develop service members and lead to the prominent ethical violations that make the news. It is the internal attitudes towards actions that do not make the news or even rise to the level of punitive action that develop narratives about behavior and concepts of loyalty.

It is the stories that we tell and listen to and repeat, the narratives we sustain, that develop the practice. Each operator, situated within a narrative, is participating in the moral education that is inherent to SOF. The story of each operator plays out in conjunction with the story that they tell and are told about what it means to be a Green Beret or a Navy SEAL. What it means to bend or break military rules, what it means to be "special," how they conduct themselves on and off the battlefield. And the ways in which each operator participates in sustaining narratives is significant to their moral development and the development of the practice.

In 1993, U.S. special operations forces participated in the bloodiest battle since the Vietnam war. During the Battle of Mogadishu, a U.S. special operations helicopter was shot down, and 2 special operators came to their aid in a desperate attempt to save the survivors of the crash. For these actions, MSG Gary Gordon and SFC Randall Shughart were awarded the Medal of Honor posthumously. One of the helicopter pilots, Chief Warrant Officer Michael Durant, survived the battle due to their actions.

A year later, while recuperating, Michael Durant was invited to Gary Gordon's small hometown in Maine for a ceremony to remember and honor Gordon. To prepare his remarks, he visited the local library. He pulled a book on the Medal of Honor from the shelf and was impressed by the stories of heroism and courage. When he reached the end of the book, he pulled the old-style library card from the jacket. The last person to check out the book from the library was a 13-year-old teenager named Gary Gordon.[92]

[92] Michael Durant, *In the Company of Heroes* (New York: New American Library, 2004), Kindle Edition, 364.

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