

On the War Ethics of Unmanned Aerial Vehicle

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Abstract

The application of the armed UAV has been questioned for years. This paper hopes to examine the ethical rationality of using the armed UAV. Before this, we question some blames from the Pacifists, especially the blaming on using UAV in the military attack on terrorists. Ethical questions about the UAV' military actions mainly concentrate in two aspects: the right to life and ethics of science and technology. The former involves the subjects' value sequencing and moral selection problem, which requires discussions under specific situations, otherwise it will make no sense. As for the latter, ethics of technology, defects would be resolved in the development. It's important to not get technological risk and scientific ethics confused, which would make discussions on a wrong way.

Keywords: UAV, ethical rationality, value sequencing, scientific ethics

Since the 21st century, unmanned aerial vehicle (UAV) has stepped into the fast development period. Initially, its applications in military include only target reconnaissance, information gathering, situation warning, communication platform and target indicator, etc. The U.S. government had remained unconvinced on its use for military strike missions. However, after the September 11 attacks, the U.S. government began to reassess the use of the UAV in the military actions because of the involvement of non-state actors in the war, which makes the war expand from the rivalry between states to the rivalry between non-state actors and states. The United States and relevant countries had to adopt new strategies to cope with such a change. Therefore, they expand its applications in military by using UAV to perform military strike missions. The distinguished achievements of UAV in the Iraq war in 2003 and the Libyan war in 2011 showed its remarkable military strike capabilities. Therefore, in order to prevent the further expansion of terrorism and to curb the momentum of its development, it is definitely necessary to expand the application scope of the UAV.

However, it has been controversial since the UAV was used for military strike. Two of the relatively important questionings are as follows: First, in October 2013, two of the U.N. human rights experts put forward an independent report, demanding survey about the charge with violating the right to life by using the UAV for shooting. Christopher Heyns, the special reporter of extrajudicial executions problem in U.N., advanced a report from the perspective of the right to life and international rules, and the paper expounds the use of deadly weapons by UAVs. In Heyns' view, the UAV operators tend to "gamely" operate UAVs, which may lead to involuntary manslaughter.

Second, on the 27th of July, 2015, the physicist Stephen Hawking and Tesla Motors CEO Elon Musk, together with dozens of artificial intelligence and robotics experts, published an open letter, appealing for banning the use of "offensive autonomous weapons". In their point of view, "Autonomous weapons have been described as the third revolution in warfare". In the open letter, they said that UVA and cruise missiles have no difference from artificial intelligence weapons, all of which will open "a global AI arms race." However, we notice that in the open letter they admit objectively that artificial intelligence can make battle zone safer, after all.

Protests are also reported in private sector. At the convention center in Washington D.C., a group of protesters gathering in 2013 unmanned systems exhibition" hall, accused the American UAV of killing innocents in the whole world, and the protesters held up placards with "Stop Killer Drones". There are many protesters like this. They claimed that innocent civilian casualty caused by the UVA is more than 90% according to a report.

Questioning on the application of the armed UAV mainly exists on both the international law level and the ethical level. This paper will pay more attention to the ethical level, and hopes to examine the ethical rationality of using the armed UAV.

1. The Existing Ethical Risks of the Armed UAV

The word "risk" origins from the Latin word "risicare", which means "navigation among the cliffs". Its implication is "there is a possibility of danger". "Risk" originally refers to being in distress or on the rocks in the maritime expedition. Giddens (2013) conducted a systematic investigation into risk. He held that risk is whether some natural, physiological or social phenomena happen or not under certain conditions, and whether or not they cause the loss to the wealth of human society and life safety, and the uncertainty of the damage degree. Ethical risk is one of the basic types of modern risks. Generally, it refers to certain things or phenomena that may lead to the phenomena and problems of ethical conflicts and moral confusion and, in essence, it is the cognitive activity and expression of human's pursuit of "the moral legitimacy" or "legitimacy of existence".

The ethical risk caused by the UAV is generated under the background of modern science. Modern science and technology is loaded with risks, and the risks has become its inherent attribute, so the risks of new technology in the research process, especially in the application process, is easily translated into social risk, such as atomic energy technology and gene technology. The irrational development and application of these technologies will bring social risks, even huge social risks.

Besides, the humanitarian risk is another risk caused by the armed UVA. Whether UVA attacks are acceptable or not is not a problem of law in the strict sense. It is essentially an ethical problem - that is the pursuit of the meaning of life and the values of life. Honestly, death is a normal phenomenon of war; death and war are closely linked. There is no doubt that ethical issues are an important and even the basic considered factor for military actions in civilized society. As the historian Geoffrey Best puts it: "[I]t must never be forgotten that the law of war, wherever it began at all, began mainly as a matter of religion and ethics . . . "It began in ethics", "and it has kept one foot in ethics ever since." In our understanding, the reason we "it has kept one foot in ethics ever since" is that the war is related to life. And up to now, UVA is questioned from the perspective of ethics about mistakenly bombing, casualty ratio, etc. To sum up, problems mainly concentrate on the right to life. Certainly, UVA as a weapon came into being under the call of war, and then was introduced into value judgment, which may be associated with the manifestation of humanism in modern times. It is a kind of ideological progress. However, a premise is ignored that people's behavior in that situation should and can be allowed. Of course the inquiry on the right to life can be justified, but it is imperative to ask whose right to life it is. In general, there are three possibilities of improper violation of life by the subject of the liability: Firstly, possibility of leading to deliberate hurt; Secondly, possibility of leading to hurt with crude and rash; Thirdly, possibility of leading to hurt with negligence. For the UAV, the discussion of the ethical significance of its behavior should be in the war scenario. Otherwise, our comments may be false and meaningless. Such an argument is often confusing. People are not sure about whether that is the case.

2. The Non-Rational Questioning of the Pacifists

Innocent people in the war are innocent anyway, but on the ethical issues of the UVA, the real innocent do not have the chance to voice their opinions. Then who are actually voicing?

For the moment, the biggest opponents of the UAV military strikes are terrorists and some scholars who intentionally or unintentionally support terrorists, but the scholars are endorsing for terrorists, and among them there are even supporters from the national level. Although not in a direct way, their support in money, weapons and many other aspects results in the rampant terrorist activities up to now. Moreover, with the faith of "life first", some moral strivers investigate into military strikes of the UAV. There are some people who can be called alternative skeptics, whose basic idea is "the enemy of my enemy is my friend." They oppose for the sake of opposition because of ideology demarcation. They create chaos despite the facts.

In pacifists' view, one can not use violence against violence and can not use the way of war to deal with international conflicts, and even to Saddam, such a terrorist madman, military strike is not supportive, so some blame Bush for starting the Iraq War. Some Chinese netizens said Saddam Hussein himself is a weapon of mass destruction, so it is. George Orwell said in the last century that pacifists who are against all violence are "dabbler" pacifists. This kind of pacifists' voice in the "rational, neutral and objective" way, which is essentially a kind of hypocrisy and weakness, and maybe we can call it moral anxiety and cognitive dissonance.

The saying of pacifism that "violence can not solve the problem", is actually a view of the terrorists' behavior from the perspective of appeasement thinking. Though it does not directly express the inner tolerant

consciousness, it is made clear that different civilizations and different views are born to be equal, so long as there is a good communication, violence will naturally be eliminated. This view is actually a misinterpretation of tolerance, which confused the relationship between the tolerance and the value. The existence of tolerance is a buffer and a fusion of the cognition of different values, which is based on the premise of value cognition, so in terms of terrorism, appeasement is wrong, and tolerance is also wrong, but in reality there are such pacifists as Gandhi. When a reporter asked him about his view towards the Nazi's movement of killing of Jews, Gandhi seriously advised: Jews can appeal to the international community, or commit suicide. They had to die anyway if they did not commit suicide. At a meeting, a scholar criticized some western politicians for being inflected with "investigation committee syndrome" on the point of the UAV. The obvious example of investigation committee syndrome is the resolution of United Nation towards the problem of North Korea, which has never received any effective execution, "committee" is not but a "rubber stamp". The so-called consensus of the all participants is along with the fact that some "agreed parties" have never planned to perform the resolution, so the hypocrisy and futility of the "commission" are obvious.

Among them, there are also some pacifists wearing seemingly fair masks to stress repeatedly the importance of "life". And they further claim that the fight against terrorism will result in "violence cycle", and have no hesitation to tell people: "eventually it is the ordinary people that endure the suffering" Moreover, some people hold "the enemy of my enemy is my friend", keep the mindset of schadenfreude to terrorist attacks.

In fact, against a series of pacifists' views, the first thing to ask is whose life should be protected who should bear the death? One after another terrorist events launched by IS and Taliban in the Middle East and South Asia are issues to be seriously concerned. The people's life in these areas should be equivalent to the life lost in Brussels and Paris. Striking against IS and Taliban through just military action, especially their militant leaders, is the most effective way to protect civilians. It is actually contempt for civilian life to pay attention to the terrorists' right to life, and thus it is essentially a crime to human beings. IS even kills the Sunni, also followers of Muslim. IS is a batch of people taking cruelty bullying to others for career and dreams. It is neither good nor moral to give them appeasement and tolerance, which is a serious lack in ethics. Among them there are moral strivers, and more others with cognitive dissonance of different degrees. Therefore, it is necessary to sort out human basic ethical conscience and analyze the basic common sense of ethics theoretically. From whatever perspective, the blaming on using UAV in the military attack on terrorists, especially on their militant leaders, should be questioned. First it ignores the fact by meaninglessly exaggerating the truth of accidental bombing and overlooking the actual effect of attack on terrorists. Second it is a false appearance to practise the extreme rational cognition beyond normal value criteria.

3. The Rationality of Military Operation Ethics of UAV

In October 2013 the United Nations Commission on Human Rights issued a report, submitted by one who is responsible for tracking the special investigation extrajudicial executions in the United Nations and Christopher Heyns. He thought that the international community should envisage the influence of the UAV weapons technology on laws, politics, moral and ethics. This is Heyns' personal report, but some media claimed in their report that "it was the United Nations that put forward the question". Although the title said that the United Nations investigators called for the world to set up a committee to study whether unmanned military weapons are moral and legal, the report alleged "the UN identified the question", which is likely to result in readers' misunderstanding. More importantly, it offers an excuse for trollish comments of the so-called pacifist.

A document from China may fully summarize the ethical problems which are caused by the UAV: the biggest problem of UAV lies in the unnecessary civilian casualties and mistaken bombing in the attack. The cited statistics from the "New America Foundation" suggested that American usage of drone attacks in Pakistan between 2004 and 2012 killed 2634 people, including 471 civilians, and this is one. Secondly, the UAV destroyed the enemy at the price of free casualty; Thirdly, the UAV provided video and audio to control military strike, which brought game psychology to manipulators and increased the slaughter mentality, thus reducing the protection of civilian life.

Specifically speaking, ethical questions about the UAV' military actions mainly concentrate in two aspects: the right to life and ethics of science and technology, but it can be summed up as such a problem: the particularity of the conflict between UAV' military actions and humanism, lies in the rationality of applying modern science and technology to weaponry. Attributed to the scientific and technological progress, UAVs come out. UAV' military actions are a kind of "casualty-free war", and thus formed the "casualty aversion". It is because of this feature that some scholars call it as "separation factor". So using armed UAVs has the inborn ethical flaw. As a result, it is necessary to examine the ethical problem of the UAV from the perspective of ethics.

The U.S. Army/Marine Corps Counterinsurgency Field Manual states that "Losing moral legitimacy will lose the war." Civilian casualties caused by attacks are the typical denunciation of the public and pacifists. Others allege from the perspective of the Geneva Convention that casualties attached to attacks can be allowed, but it must be in line with the "principle of proportionality", namely casualties caused by attacks matching with target, which is actually not a problem of ethics, but according to Charles Dunlap, a "problem" of science and technology. The quest in the true sense is the right to life. Some people are confronted with moral dilemmas on the question of UAV because of the core values of moral subjects and the value sequencing, such as the principle of respect for life, independent principle, the principle of nonmaleficence, the principle of justice, and the principle of fairness. The sequencing will change because of preferences and contexts. Especially under the circumstance of frequent interaction and confrontation among different ethical cultures, different moral subjects vary in the choice and sequencing of the value principles. They prioritize differently in the selection and sorting of value principles. For example, most people always giving a priority to the right to life, but some people put love in the first place, while in the view of a Hungarian poet, "Life is valuable certainly, but love values more. For the sake of freedom, we can give up both". Hence, the sparked moral dilemma may lead to the corresponding ethical risks.

Obviously, thinking about ethical issues arises from the subjects' value sequencing and moral selection problem. The ethical risks caused by sorting and decision-making include:

Different value sequencing of the same moral subject in different situations and different fields.

Different value sequencing of different moral subjects and even conflict with each other.

Value sequencing involves not just the consideration of the value principle, such as autonomy, goodness, life, justice, and honesty. What is of greater importance is to consider the moral decisions and basis under specific situations. In terms of the attack behavior of UAV, its attack target is very clear - the terrorists, particularly their militant leaders. Seeing from the results of attack, the drone's attack action is very effective. Value sequencing emphasizes the setup of moral spot, and highlights the moral background of specific events in order to restore suitability and effectiveness of the various values. Fighting terrorists is one of the main moral spots in the modern world. Terrorism wantonly kills people, causes trouble everywhere and shows vicious heinousness almost beyond expression in words. It brings the global risk and crisis, which has become a global historical events and threatens the interests of all humanity. As Becker said: "In this economic globalization era with clear boundary, the risks are inevitably global." In the face of such reality, whose right to life will the so-called pacifism choose in the value sequencing? To select the right to life of terrorists or right to life of the broad masses of ordinary people? Whether the moral cognition premise is intentionally or unintentionally overlooked, it may both become the ignorance of conscience. If the pacifism cognition is taken as the premise totally, the proportion principle of the Geneva Convention may be absurd. When war cannot be avoided, one has to face death. While emphasizing the proportion principle, emphasizing on the right to life without any principle is actually the tolerance of terrorism. Therefore, the query of ethical risk of military behavior of UAVs is missing on the precondition of rationality. On the problem of value sequencing, it is more meaningful to consider whose right to life is of greater importance rather than unnecessarily claiming right to life. In a certain moral identity self-appointed moral rights, the ignorance of the rights and responsibilities are closely related. As for the war on terrorists, it aims to protect the right to life of most people. At this moment, the responsibility has become a universal ethical principle. Remember Holmes' remarks, "if you don't do anything, the enemy will form existence here." When terror becomes a reality, the fight against terrorism has become the duty of human.

Technological progress will bring morphological change in the way of the war so that many people think the weaponry of high-tech era has become an important source of risks in modern society. The existence of UAV, especially the appearance of the UAV to perform the emergent duty, causes fear and panic of many people, especially pacifists, which results in friction between scientific and technological innovation and the ethical and moral cognition and then the criticism of new things, and even a veto. They consider that some new technology will lead to a disorder of social order and mechanism, behavior anomie, psychological imbalance. The previously mentioned Heidegger's "game attitude" is one of the most direct reflections. For UAV, the technical risk is self-evident. From the point of Carl, technical risk mainly comes from the science and technology itself, namely "technology itself is a dangerous process". It can be seen that activities of science and technology are uncertain. That is to say, the reason why people are skeptical of drones' military actions is that they actually are fearful and panic about the uncertainty of science and technology activities. In fact, all the science and technology activities involve the tendency to solve the problem of uncertainty, which tries to pursue a more accurate and scientific results. Unfortunately, when an uncertain event is solved, a new uncertain event will emerge again.

Compared with the past weaponry, UAV has a higher accuracy no matter seen from which aspect. In terms of the

operation rationale, it has the same mode as artillery, missiles and fighter jets. From the perspective of the international convention, it is not illegal to use UAV for military actions. In comparison, because of its higher technical content, UAV has less mistakenly possibility than artillery, old-style missiles and even precision-guided missiles. This is because the drone is more sensible of battlefield. For example, in the "targeted" action of American army, the operating systems of UAV quickly track, filter, lock via satellites, telephones, computers, camera devices on the spot of attack and then implement the remote prompt attack. UAV systems conduct all-weather monitoring on a particular area. They carry out the automatic identification and tracking only against suspects. The behavior allowed by directive is formed by the team's overall activity so the reliability is more credible. In addition, the actual military operations prove the reliability of the drone systems. Compared with the traditional shelling or bombing, they are more accurate. Heidegger's so-called "game mentality" cannot be established. One person may have a "game mentality", but in a team manner it is hard to imagine a military strike action team will be characterized by collective "game mentality" unless the world is crazy. Others questioned, once artificial intelligent weapons with decision-making ability emerge, it will completely challenge the ethics bottom line of human beings. This query cannot withstand scrutiny either, as at least it is morally indefensible at present to have fantasy from the science fiction as the basis of questioning the human behavior.

UAV, as a product of modern science and technology, will go through the path of continuous trial- and error-learning, the continuous development and continuous improvement. UAV is essentially subject to correction, controllability and choosability. Therefore, limitations are inevitable in the process of development. However, what is more important is that its limitations can be overcome. The ethical risk of UAV identified by some people is actually the technical risk, which is to judge the rationality of science and technology by the value rationality mindset. From the rationality of science and technology, UAV technology needs further improvement. But the results are the pursuit and recognition of value rationality, life and goodness. It is actually a kind of wrong thinking to address UAV technical problems at ethical and moral level. For UAV its ethical risks mainly come from the ethical dimensions of how to apply, which involves the attitude and approach of its users. That is to say, who will be the target of military attack? What is the rationality? Certainly, we do not deny that there are such problems as difficulty and uncertainty with the drone attacks, but this cannot serve as an excuse for blaming UAV for its ethical risks.

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