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# Why Military Conditioning Violates the Human Dignity of Soldiers

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**Abstract:** This article argues that military conditioning (MC) systematically violates the human dignity of soldiers. The argument relies on an absolute deontologist account of human dignity understood as a claim-right to live in self-respect, which is a right to decide on one's own behalf about, and to be in control of, essential aspects of one's own life. The article claims that MC violates soldiers' dignity so understood because the largely automatic physical killing reflex that MC instills aims to remove their freedom of choice to kill or not to kill, while the MC practices that rationalize the killing of opponents aim to subvert soldiers' moral deliberation in relation to this behavior. MC thus aims to take away soldiers' control over a very essential aspect of human life: the decision whether to *take* life in war. Thereby, MC systematically violates their human dignity. The article concludes with a proposal for an amendment to international law that would allow legal institutions to do more justice to soldiers' dignity.

**Keywords:** Human dignity; military killing conditioning; military ethics; killing in war

## 1 Introduction

War is a human social practice in which states or paramilitary groups apply repeated and systematic violence, destruction, and, especially, human killing to their opponents with the goal of securing or perpetuating political power.<sup>1</sup> The practice of systematically and repeatedly harming and killing other human beings needs to be trained and learned because humans have an innate resistance to killing other humans. Since the end of WWII, the US military has prepared its personnel to engage in this type of killing by means of intense physical and mental military conditioning

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<sup>1</sup> As part of this general political objective, particular groups also pursue economic goals. See e.g., Keen (2000, 2012).

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(MC). Hence, MC is a core element in the effective mobilization of US war resources, and thus for the initiation and effective persecution of war by the US.

MC inculcates an automatic physical response mechanism in soldiers that causes them to immediately fire twice upon perceiving a human-shaped target, while also mentally conditioning them to rationalize and justify this behavior. It thereby aims to bypass the physical aversion humans have to killing and to suppress the moral attitude – and “peacetime” practice – according to which killing others is, in essence, something that one does not do.

The present article explores the moral permissibility of MC from the perspective of an absolute deontologist understanding of human dignity. It concludes that MC is morally wrong because it systematically violates soldiers’ dignity.

The account of dignity applied here draws mainly on the work of Peter Schaber, who understands dignity as a nonwaivable claim-right to live a life in self-respect. This right to self-respect is a right to decide on my own behalf about, and to be in control of, essential aspects of my life (Schaber 2008, 2010, 2018). This article will argue that MC violates soldiers’ right to live in self-respect, and hence their dignity, both because the largely automatic physical killing reflex that MC creates aims to remove their control about whether to kill or not to kill and because the MC practices that rationalize the killing of opponents aim to subvert soldiers’ moral deliberations in relation to this behavior. In this way, MC aims to take away the control soldiers have over a very essential aspect of human life: the decision whether to *take* life in war.

The article proceeds as follows: Section 2 introduces the US military’s MC practices. The focus is on these since the most accessible research on military training techniques in the public domain concerns the United States. While the article’s conclusions do not apply to militaries that do not practice MC, there is reason to believe that MC is employed by the militaries of other states as well. Section 3 offers an overview over the philosophical notion of human dignity as opposed to contingent dignity before presenting Peter Schaber’s conception of human dignity understood as a right to live in self-respect. Section 4 then argues that MC violates soldiers’ dignity understood as such a right. Section 5 provides a critical assessment and defense of the absolute deontological approach to judging the permissibility of MC. Section 6 presents a sketch of a proposition for an amendment to international law, which, if it is understood to have a moral underpinning that reflects Schaber’s understanding of human dignity, would enable legal institutions to do justice to soldiers’ dignity. Section 7 briefly outlines the present argument’s implications for just war theories, which aim to justify battlefield killing. Finally, Section 8 presents some conclusions.

A terminological note before we begin: In the US, the Army has soldiers, the Navy has sailors and marines, and the Air Force has airmen. For the sake of simplicity, the

article will refer to them all collectively as “soldiers,” “recruits,” or “enlistees.” Equally for the sake of simplicity, the article uses the male personal pronoun when referring to soldiers. This does not imply a gender-specific perspective.

## 2 Military Conditioning

In peacetime, large-scale, human, intraspecies killing is mostly absent. Recent research in different disciplines indicates that this is neither a coincidence, nor the result of a fragile institutional balance keeping belligerent human nature in check. Scientific results in archeology (Fry 2013, 6–7), evolutionary biology (Hughbank and Grossman 2013), primatology (Ferguson 2019; Ferguson and Whitehead 2000; Fry 2007; Fry and Souillac 2020; Fry and Szala 2013; Otterbein 1997),<sup>2</sup> anthropology (Hrdy 2009), and peace systems research (Fry et al. 2021) continue to disprove the classic narrative, at least as old as Greek civilization, of human nature as martial, instead arguing that humans have a strong innate resistance to killing other humans (Sahlins 2008).<sup>3</sup> Note that this anthropological statement is not necessary for the article's moral argument, but it helps explain the development of “military conditioning” (MC) practices. The reason is that due to this purported natural inhibition against killing fellow humans, humans do not readily engage in war combat (Kempes, Sterck, and Orobio de Castro 2013). It has been shown that “untrained” soldiers, present and past, do not voluntarily shoot at enemies (Fink 2010; Holmes 1985; Keegan, Holmes, and Gau 1996). In World War II, e.g., it is claimed that only 20 percent of riflemen actually fired (Marshall 1966).<sup>4</sup>

For this reason, society has developed instruments to bypass this resistance to intraspecies killing, and MC can be said to be the most revolutionary. Integrated into US military training following Marshall's findings, it led to a 95 percent firing rate in the Vietnam war.<sup>5</sup> The goal of MC is to lower resistance to killing in order to create military potency through chances of survival of personnel.

MC happens on both the physical and mental levels: Recruits aim at human-shaped targets that fall down when hit, until the mere glimpse of one triggers two immediate gunshots. Innumerable repetitions create an automatic physical response mechanism upon perceiving a human-like target in actual combat (Dobos 2020, ch. 1). Advanced computer simulations and physical mock cities recreate battle situations in detail, and even allow multiple recruits to coordinate more complicated missions.<sup>6</sup>

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<sup>2</sup> For diverging opinions, see Keely (1996).

<sup>3</sup> I am grateful to Professor Douglas Fry for verifying the content of this paragraph.

<sup>4</sup> For an overview of criticisms against Marshall, see Spiller (1988).

<sup>5</sup> For a historical overview of different techniques, see Hughbank and Grossman (2013, 505).

<sup>6</sup> On computer simulations, see Dobos (2020, ch. 1). On mock cities, see Manach and Twilley (2013).

Mental MC covers a variety of methods whose combination aims at desensitizing soldiers against violence in order to rationalize potential physical killing that they are trained to perform. One may even argue that MC thereby vests recruits with a new mental, or even “moral,” identity: First of all, it must be highlighted that recruits are heavily isolated from the outside world, and that the army has a monopoly on everything a recruit needs to survive (Shay 1994, 9, 150–151). In this setting closed from civilian influence, recruits are then exposed to values and practices that are strongly opposed to those of “modern civilized society.” Consider: The army is an environment of organized authority, formal regulations, orders, incentives and punishments, and defined by shared expectations and hierarchical, anti-individualistic, possibly authoritarian and even totalitarian values that are said to reflect the idea that there is a constant danger of war and that humans are naturally martial (Wolfendale 2007). Since these values are very distant from peaceful civilian life, a new language helps recruits to internalize them, e.g., the term “warrior” is used throughout training to evoke a “combatant identity.” It is this identity “indoctrination” that “initiates recruits into desired cultural norms that reinforce qualities such as power, toughness, dominance, aggressiveness, and competitiveness, resulting in an image of a combat, masculine warrior” (Do and Samuels 2021, 27). Further, soldiers are exposed to language that dehumanizes the enemy and at the same time to language that morally neutralizes practices relating to human killing (e.g., “engaging a target” instead of “killing”) (Dobos 2020, 20; Wolfendale 2007). Also, one of the key military values of group loyalty is often artificially enhanced by cruel bonding rituals and, especially, drill (Conroy 2000; Shay 1994; Wolfendale 2007). Other informal socialization practices are also said to cultivate a form of “hyper-masculinity,” an ideal that glorifies power, competition, pain tolerance, and control (Wood and Toppelberg 2017, 624). A further factor can be said to arguably influence soldiers’ minds, not towards killing, but towards accepting to die: The military is the only social institution that expects and enforces obedience unto death (Dobos 2020, 35). The US Uniform Code of Military Justice holds that a soldier who disobeys an order simply because it would jeopardize his life is liable for punishment up to and including execution. Hence, soldiers have no right to self-preserving disobedience, but rather a duty of “sacrificial obedience” (§890 art. 90, §892 art. 92 UCMJ; Dobos 2020, 35.).

It must be noted that mental MC may also be produced through drugs that are sometimes used in follow-up treatments of traumatic experiences, but especially against fatigue and fear in battle (Andreas 2020). Hence, a soldier’s capacity to kill can and may also be partly medically regulated. Besides drugs, the US are investing in projects that aim at creating “new warriors” via technological upgrades (Kelly et al. 2013),<sup>7</sup> e.g., exoskeletons (DARPA NESD; Ackerman 2015), wireless bio-sensory or computer implants (Andreas 2020). Forces receiving those upgrades may become even more resilient in

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<sup>7</sup> See also the US Army’s Futures Command.

battle and, concomitantly, be vested with an even “stronger” warrior identity. It must be stressed that MC may succeed in different degrees of intensity varying among individuals.

### 3 Dignity as a Claim-Right to Live a Life in Self-Respect

The Western world has thought about dignity for many centuries (Debes 2017). Over time, different cultural and philosophical trends have vested the term with varied meanings. What these meanings all have in common is the idea that dignity is a characteristic grounded in a special quality that some, many, or even all human beings possess, and that dignity triggers a particularly exigent duty to respect those in whom it is vested. The meaning of “dignity” and the number of beings to whom it is attributed varies in light of the essence and attributes assigned to this quality. The distinction most informative for the present article is the one between two particular meanings of dignity: *contingent* dignity and *human* dignity. Contingent dignity is a quality that is dependent on conditions external to the human person, e.g., on social, historic, economic, or psychological circumstances. Examples are the understanding of dignity as “honor” or “rank,” derived from an elevated position of a person in the social hierarchy or aesthetic dignity that designates a certain kind of graceful movements or gestures.<sup>8</sup> Honor or grace are not normative concepts in the sense that they do not entail *de facto* rules on how particularly graceful people or people of honor should be treated (Darwall 2017, 187). Human dignity, in contrast, is a quality that applies to all human beings equally, regardless of circumstances, actions, or vicissitudes, due to the simple fact that they are human beings. Therefore, human dignity is universal in scope and egalitarian in distribution. It is also understood to be *inherent*, meaning not to be acquired, lost, or restored, nor does it increase or diminish with any change in well-being, health, or social relations (Darwall 1977; Forst 2011; Kerstein 2013; Schaber 2010; Zylberman 2016). Importantly, human dignity is a normative concept vis-à-vis which we can behave morally right or wrong. This is why, in simple words, human dignity grounds a directed duty to respect those endowed with it – *human dignity* is usually argued to be the answer to the question why people owe respect to one another (Darwall 1977,

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<sup>8</sup> The idea of dignity as a quality connected to social rank is especially reflected in classical Roman thought. Furthermore, see also Hobbes (1909 [1651], X. 18). On a conception of dignity grounded in social status, which, however, is argued to be universal in scope and egalitarian in distribution, in a way similar to Kant's understanding of dignity, see Waldron and Dan-Cohen 2012.

2006; Zylberman 2016).<sup>9</sup> Furthermore, the duty to respect one another is very exigent, in that it usually overrides other considerations and normally prohibits the dignity of one person to be traded or sacrificed for the greater well-being or dignity of others (Christiano 2008; Düwell 2014). Some defend a broadly consequentialist view and argue that one can, in special circumstances, allow for trade-offs between dignity and other normative values or between persons, yet this does not happen easily (Kerstein 2013).<sup>10</sup> Others take an absolute deontologist view and claim that the duty to respect human dignity is absolute, or categorical. They thereby follow Immanuel Kant, one of the first who elaborated a comprehensive philosophical concept of human dignity and who argued that dignity cannot be compared with nor counterbalanced by anything else (Kant AA 4, 428, 435; Kant AA 6, 435; Von Pufendorf 1934 [1672], Book II, ch. 1, §5).<sup>11</sup> This is why a person with dignity cannot be rationally replaced by or exchanged for another object of value, not even something else that possesses dignity.<sup>12</sup> Hence, the absolute deontologist view does not allow a violation of dignity even when it would safeguard the dignity of others. It is also this view on the absolute duty to respect human dignity that establishes an absolute prohibition on certain conduct, such as torture (Zylberman 2016, 204). And it is a particular understanding of human dignity as categorically overriding in this absolute deontologist sense that the present article will apply in its moral analysis of military conditioning, namely, the one put forth by Peter Schaber. Before going into detail about Schaber's dignity conception, it is important to highlight that the idea of *human* dignity, demanding recognition and a certain kind of treatment from others, while also prohibiting a range of things others may justifiably do to us, has arguably also become a bedrock of interpersonal morality more generally (Tasioulas 2013, 304).<sup>13</sup> Some theorists also take human dignity as the foundation for human rights, a claim that is reflected in current law as well: Many national constitutions around the world claim that dignity serves as the ground for their most fundamental protections and entitlements (Darwall 2006; Schaber 2010; Tasioulas 2013). The final declaration of the second International Conference of Human Rights, which has been signed by 197 states, says that "all human rights derive from the dignity and worth inherent in the human person" (Clapham 2006, 539) *Human dignity* is also noted to have been a cause of and

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<sup>9</sup> A directed duty is a duty whose breach wrongs the person against whom the duty is directed, as opposed to an undirected duty, whose breach does not necessarily wrong another person (Zylberman 2016, 202).

<sup>10</sup> Kerstein follows Nagel (2002).

<sup>11</sup> Kant 1996 [1785], 79, p 84; Kant 1996 [1797], 557–558.

<sup>12</sup> For a good interpretation of this absolute deontologist view, see, e.g., Wood (2008, 49).

<sup>13</sup> Or, as Dworkin writes, "any moral theory worth its salt needs to proceed from it ..." Dworkin (2011, 203).

justification for the establishment of the United Nations (Dicke 2002). Hence, despite the fact that some scholars also argue against the philosophical and legal importance of human dignity, it has become a key concept in the Western law, culture, and thought.<sup>14</sup>

Peter Schaber deduces his conception of human dignity via the answer to the following question: What exactly is violated when human dignity is violated? We usually say that, if we violate another person's dignity (or our own), we humiliate her (or ourselves).<sup>15</sup> Hence, *dignity* reflects the material content of that which is violated when someone is humiliated. What is it that is violated when someone is humiliated? As Peter Schaber argues, it is our self-respect.<sup>16</sup> For Schaber, human dignity is a nonwaivable moral claim-right to lead a life in self-respect.<sup>17</sup> And *to lead a life in self-respect* means to decide on my own behalf about, or to be able to exert control over, essential aspects of my own life, something that I can only do without an external influence on my will.<sup>18</sup>

Note that human dignity as a right to live a life in self-respect is not a right to a particular option in life. Rather, human dignity is a right not to be prevented by others or by certain circumstances from doing what one has chosen (Schaber 2010, 108). This presupposes respect for one's will – a will free from duress, manipulation, and deception (Schaber 2008, 192) – since without my will, I cannot choose.

Importantly, dignity is the *ultimate* claim-right because, as Schaber argues, any other moral right either secures conditions for human beings to realize a life in self-respect – such as, e.g., the right to basic goods or the right against being killed – or is a direct expression of the right to live in self-respect – such as the rights against torture and slavery. The reason for which the rights against torture and slavery are rights that *directly* protect human dignity – in other words, the reason why torture and slavery are paradigmatic examples of humiliations – will be explained in the penultimate paragraph of this section. The main point here is that the fact that human dignity is the *ultimate* claim-right that grounds any other moral right reflects

14 For arguments against dignity, see, e.g., Pinker (2008), Macklin (2003).

15 Margalit (1996, 84), was, arguably, the first to try to explain the concept of dignity in terms of nonhumiliation.

16 See also Stoecker (2003, 141).

17 A claim-right, according to Hohfeld (1919), see also Schaber (2010, 58, 106). A moral right is that upon which a moral claim rests. This is why Schaber's material conception of dignity as self-respect seems to cover Darwall's formal conception of dignity as the authority to make valid moral claims on others, because having a claim-right – to self-respect or to anything else – arguably presupposes the authority to claim precisely that right. See also Schaber (2010, appendix).

18 This may be interpreted as being in line with Pico della Mirandola's conception of dignity as a human being's self-determination in the world, which depends on the capacity for human choice. Schaber, however, regards dignity as a right to this kind of self-determination, whereas Pico della Mirandola's point was to argue that human beings *should* choose to live a very particular kind of life (Copenhaver 2016).

the *absolute* or inviolable duty to respect dignity (Schaber 2010; 103). This equally highlights why violating the human dignity of a person, for Schaber, means treating her as a being without moral rights. Moreover, it demonstrates that, like other scholars, Schaber defends the view that dignity is the ground of human rights – and thereby offers a philosophical explanation for the analogous international legal idea (Darwall 2006; Schaber 2010, 104–106; Tasioulas 2013).

Schaber's understanding of human dignity has a further important characteristic: As a claim-right, dignity creates an absolute duty for others to respect an individual as an independent being with her own will and with moral rights, *and* it also grounds a matching *duty* of respect for oneself (Hohfeld 1919). Hence, dignity imposes a limit not only on possible other-determination, but also on possible self-determination (Schaber 2010, 15). This is why, for Schaber, dignity cannot be equated with autonomy, understood as a person's capacity to deliberate and act for reasons (42–46). Respecting my dignity limits my autonomy at the point where the latter would lead me to violate my dignity as a right to live in self-respect. Autonomy allows me to make moral mistakes.<sup>19</sup> But these mistakes must not affect anyone's dignity, including mine, because dignity is absolute. This is why one's free will is at once the content and the limit of dignity as a right to live in self-respect. Moreover, it explains why the claim-right to live a life in self-respect is nonwaivable.

Since self-respect is also an absolute duty towards oneself, merely giving consent to being treated in a way that violates one's dignity as self-respect cannot make that treatment morally permissible.<sup>20</sup> In other words, a voluntary choice of having one's right to live in self-respect violated does not undo the violation of dignity. Consent or voluntariness are not relevant for the moral status of the treatment in question. Moreover, consenting to having one's dignity violated does not shift the moral responsibility of the dignity violation onto the consentee. At worst, the consentee may be causally co-responsible for having his dignity violated. However, this does not make him blameworthy.

If a person is at the mercy of another's will when it comes to essential aspects of their life and is unable to assert herself vis-à-vis others with regard to decisions and choices bearing on these essential aspects, then that person's will does not count or is broken, and their right to exercise their moral rights is therefore invalidated. This is a violation of dignity as self-respect – a humiliation.

For this reason, torture and slavery are paradigmatic conditions of humiliation: The tortured person is physically and psychologically at the torturer's mercy, to the

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<sup>19</sup> For the competing view that autonomy means to act out of the morally correct reasons, see Raz (1986, 369 ff.).

<sup>20</sup> See also Kant (AA 6: 462, Kant 1996 [1797], 579). Schaber (2020) would argue that the duty to self-respect is a consent-insensitive duty: It is wrong irrespective of whether one validly consents to its violation or not, with “validly” meaning that the consentee is competent to consent, adequately informed about the act he consents to, and is consenting voluntarily.



extent that she cannot decide about and exert control over her body. It is not primarily pain and suffering that make torture humiliating, nor must the tortured person necessarily experience humiliation for humiliation to be present. Torture is humiliating because it transforms the tortured person into someone who cannot claim a right to physical integrity (and hence many other rights), whose will does not count because it is broken and to whom this is also plainly shown (Schaber 2010, 109). Slavery is humiliating for similar reasons: Though his well-being may be provided for, an enslaved person is at the mercy of his master's will and thereby treated as a being without rights. The rights against torture and enslavement are rights to self-respect and hence rights that directly protect human dignity (109–111).

That a feeling of humiliation is not a necessary condition for humiliation is a distinguishing characteristic of Schaber's account of self-respect. Many modern theories of self-respect have in common the idea that self-respect is chiefly a psychological concept.<sup>21</sup> However, if humiliation means a violation of self-respect and if self-respect is psychological in nature, whether an act is a violation of dignity would depend on a particular individual's psychological strength, making dignity gradable and contingent. For example, Rawls's account of self-respect as a sort of confidence would allow for gradations (Rawls 1971, 440). Hill's understanding of self-respect as an individual's respect for their own standards could also cover inappropriate standards or allow for the absence of self-respect if a person has no standards. Kantian dignity, in contrast, is universal, since it is grounded solely in a person's humanity and hence does not come in different sizes and does not depend on one's changeable psychological condition. Schaber's theory of self-respect as a right accounts for these attributes and detaches it from individual perceptions, which then enables the presence or absence of self-respect to figure as a criterion when assessing social practices that involve an aggregate of different individuals.

## 4 Why MC Is a Violation of Dignity as a Claim-Right to Live a Life in Self-Respect

MC is a set of military training practices that aims to transform the body and mind of a recruit into an efficient weapon of war. Recall that, for Schaber, dignity is a right to

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<sup>21</sup> Some understand self-respect as a belief about one's self, see Rawls 1971; Thomas 1983; or Moody-Adams 1993. Taylor takes it to be necessarily interpersonal because it includes expectations about how others will react to one's own actions (1985). Telfer, Darwall, and Sachs fundamentally conceptualize it as a disposition: Telfer (1968), Darwall (1977), Sachs (1981). Margalit (1996, 24) understands self-respect as a condition of honoring oneself. Hill (1991) proposed using the term to describe respect for one's own standards.

live in self-respect – a right to decide and exert control over essential aspects of one's own life. This right presupposes respect for one's own will and capacity to assert oneself vis-à-vis others with respect to life decisions and choices. Is MC a violation of dignity thus understood?

The first issue that needs to be addressed is whether the potential act of killing other people is an essential aspect of human life. Schaber does not elaborate in great detail on what constitutes *essential aspects*. He simply writes that they cover “anything that is important in my life – for example, whom I live with, whom I marry, what profession I choose, what projects I take up, etc.” (Schaber 2014, 160).

The question of potentially killing other people seems essential for human life for two important reasons: First it is essential in a relational sense, since the fact that I do *not* kill is essential for others' staying alive and that they *not* kill is essential for my staying alive. Moreover, the first condition for choosing the lives we each individually want is that we not be killed. Hence, that we *not* kill others is a prerequisite for the potential of each to live in self-respect, that is, in dignity. Second, killing or not killing others is a moral question. Human life depends on the fact that we relate to other people in accordance with the supreme command of morality that prohibits lethal interpersonal violence, except in certain cases of necessary and proportionate self-defense against an imminent threat of attack.<sup>22</sup>

This observation implies two important interrelated points. First, there exists a moral asymmetry between killing and not killing. And, for this reason, second, to then choose between killing and not killing, or to be in control of the act of killing or not killing, presupposes our capacity to reason about what is morally right and wrong in relation to the question of killing and to regulate our conduct in light of the conclusions of this reasoning. This is what Rawls has called our *first moral power* (Rawls 2005, 47).

Two further important points follow from this: First given the necessary implication of our moral faculty in the potential act of killing others, it is not only the question whether we actually do so that is essential for human life, but also our individual moral deliberations in relation to this question. It follows that dignity understood as a right to live in self-respect would require each person to be able to exert control over their moral faculties when it comes to the potential act of taking another human being's life, *as well as* to act in accordance with what she concludes to be morally correct in this context. And, second, the moral asymmetry between killing and not killing explains the moral difference between conditioning people towards violence and killing and, e.g., violence prevention or moral enhancement. Moreover, it explains, e.g., the moral difference between a soldier's desensitization against harm and a surgeon's: The former is desensitized with the aim of potentially harming and killing the subject he engages, the latter with the aim of saving his patient's life.

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<sup>22</sup> For a good overview on the morality of self-defense, see Coons and Weber (2015).

*Physical* MC trains soldiers' bodies to engage in reflexive killing behavior. Through numerous repetitions of double kill shots to the forehead of a fake target, it aims to override our natural inhibition against real human intraspecies killing in battle. Physical subjection to MC is successful if this training is physically internalized, meaning that ongoing MC becomes redundant at the point when its rules and mechanisms have been physically integrated to the extent that the corresponding behavior occurs automatically and reflexively, i.e., in the presence of the stimuli that, due to modified neurons in the conditioned individual's brain, automatically trigger it. Drugs and technological implants accentuate this internalization.

The essence of physical conditioning is the creation of resistance-free behavior. Hence, the core idea is that, if successful, the automatic behavioral response does not leave time or space for the emergence and realization of a will to behave differently to how one has been conditioned to behave – i.e., in the case at hand, of a will to kill or not to kill. Thus, reflexive killing behavior aims to eliminate the possibility of consciously choosing to kill or not to kill. Importantly, MC thereby does not leave time or space for the individuals to assert themselves over and against their trained reflex. Soldiers' bodies are thus physically at the mercy of internalized military training mechanisms and, arguably, largely at the mercy of the military. Note that the fact that physical MC aims to remove the possibility of a conscious choice for or against killing in war is independent of the functioning of a soldier's moral faculty. He may be capable of reasoning about right and wrong, but physical MC aims to leave him no time to regulate his conduct with reference to the conclusions of this reasoning.

The crucial point is that physical MC would create a severe mental struggle for soldiers if it were not reinforced by *mental* MC, which instils the idea that physical killing reflexes are not wrong if employed against an opponent in battle. Mental MC aims to rationalize physical MC, such that these struggles are minimized. It aims to make soldiers believe that respect for human life, a benchmark peacetime value for interpersonal and social interaction, has little or no meaning in relation to military adversaries and that aggression, conquest, and dominance are what are actually important. If one starts to believe, e.g., that the repeated, reflexive killing of other people in war is not wrong per se, then one will tend to reflect less on whether it might not, in fact, be wrong. Hence, MC aims to undermine the capacity of soldiers to reason about right and wrong in relation to killing in war, thus subverting their own moral reasoning when it comes to killing opponents. In other words, it aims to remove their control over their moral faculty and thereby threatens their sense of justice in relation to killing others in battle.<sup>23</sup> In this

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<sup>23</sup> This evaluation of MC is potentially also supported by Howard (2016), who argues that respecting each other as persons requires that we do not increase the likelihood that we culpably act wrongly. Setting each other up to fail morally is an expression of disrespect towards each other as persons because it subverts our moral capacities.

sense, MC could be understood as moral education in reverse, or as *moral disenchantment*. It could also be said that mental MC aims to bring about a psychological state in soldiers that minimizes the chances that a will that potentially deviates from that of the military institution will arise, that is, of a will not to kill. As a result, soldiers may readily follow an order to attack opposing personnel with little resistance, or little desire to resist, or little regret immediately after a behavior that is arguably unnatural and was most probably also morally impossible on a personal level in their civilian lives. It is important to note that mental conditioning covers soldiers' acceptance of obedience potentially to the point of sacrificing themselves. Hence, the space in which a will differing from that of the military institution could arise is arguably reduced to the extent that soldiers renounce a claim to physical integrity and life. In sum, one might say that MC aims to put soldiers in a state where they are largely at the mercy of their conditioned "military" will.

The present analysis suggests that physical MC violates soldiers' control over their killing behavior, while mental MC subverts their moral faculty in relation to this behavior. In this way, their will with regard to killing others, which is an essential aspect of human life, is disrespected. This makes MC a systematic violation of the dignity of soldiers. It is important to note that the very essence of conditioning may disrespect the human choice to kill or not to kill in a very distinctive way that is not explicitly captured by Schaber's theory: MC is a practice in which soldiers' will to kill or not to kill is not actively broken in a way that leads to their consciously giving in or resigning themselves to the practices of MC. Rather, their will to kill or not to kill is, to some extent, "conditioned away," such that killing becomes a morally unquestioned physical reflex *tout court*. MC thus aims to ensure that soldiers remain largely unaware that their own will is being disrespected. The crucial point is that, without awareness of the disrespect with which they are being treated regarding claims over their bodies and minds, it is also hardly possible for an impulse to assert themselves over and against MC to arise.

This systematic suppression of awareness of how soldiers are treated can even be argued to aggravate the moral problem of MC: The lack of awareness on the part of the soldiers about the subversion of their moral and physical identity arguably both invites and simplifies their identification with a heroic warrior ethos. What is more, the systematic violation of their dignity through military training is actively concealed through the propagation of an aspirational heroic role for the individual cadet, as well as through the public portrayal of this role on the level of society as a whole.<sup>24</sup> The systematic violation of dignity thereby becomes respectable and desirable, both personally and socially, hindering individual and social awareness of

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24 For a profound analysis of the distorted, socio-politically shaped public image of war in European societies, see Mosse (1990).

MC's underlying moral problem. MC thus appears to be a distinctive factor that helps manipulate society into downplaying or even ignoring a serious moral problem in military training.

In sum, MC is a systematic, institutionalized, and direct violation of the dignity of soldiers. *Direct* here means that, in Schaber's terms, like torture and slavery, MC may not only be a violation of a moral right that secures the conditions for a dignified life, but a violation of dignity as the very right to live a life in self-respect. In contrast to torture and slavery though, MC aims to subvert the moral capacities of soldiers in relation to systematic killing, and it arguably does so via techniques of behavioral and moral manipulation.

Mental MC may also represent a potential violation of what Tom Douglas calls "a moral right against mental interference," which is a right that, on his view, is violated if one intentionally alters a person's mental state to a significant degree via a process that is insensitive to whether or not it alters the person's subjective or objective reasons.<sup>25</sup> It has been argued that MC aims at altering soldiers' mental states, such that potential moral scruples about killing in war are minimized. It should be noted, however, that what matters for an evaluation of whether a right against mental interference has been violated is not whether the influence reduces the responsiveness of the influence to reasons, but whether it operates via means that are insensitive to reasons. Hence, whether MC does, in fact, violate a right against mental interference, as Douglas argues, will depend on how exactly mental MC works on different human brains and whether it is effective on all soldiers, including both those who have stronger reasons not to become desensitized and those who have weaker ones. It seems quite likely that MC does have an effect on all soldiers, at least to a certain degree. However, a definitive assessment of whether soldiers' right to freedom from mental interference is violated by training requires further empirical, and potentially neuroscientific, analysis. If it is, in fact, violated, the conclusion can be drawn that MC is morally wrong in a distinctive way because it violates not only the dignity of soldiers, but also their right to freedom from mental interference.

## 5 Critical Assessment

One objection that could be raised against the conclusion that MC violates soldiers' dignity is the following: Given that it aims to increase a soldier's chance of survival in war, MC may be considered a morally permissible treatment on the grounds that it can potentially secure his life, and hence a dignified life upon his return from war. Recall, though, that a violation of an absolute deontologist account of dignity in

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<sup>25</sup> Tom Douglas, personal communication, September 21, 2022.

general, and Schaber's dignity as a claim-right, cannot be justified by any increase in value, e.g., in the value of life. As a result, the violation of dignity cannot be offset by other considerations, not even by a potential prolongation of life.<sup>26</sup> This is why, although a concern to safeguard future dignity may motivate the practice of MC, it does not make MC a practice that itself respects human dignity. Neither would a temporary contract into the US army, including MC, change the moral status of MC as violating the human dignity of the recruit. A temporary humiliation is still a humiliation (Schaber 2010).

One might also object that the duty to respect human dignity can be breached in certain circumstances. For example, it could be claimed that, faced with a threat of genocidal aggression, violating soldiers' dignity through MC is simply the lesser evil. Recall, however, that, as Schaber argues, the duty to respect dignity is absolute because dignity as a claim-right to self-respect constitutes the ultimate ground for all other human moral rights. Hence, no just war aim or supposed greater good, e.g., the defense of one's fellow citizens from genocidal aggression or the liberation of foreign nationals from an oppressive government, can justify MC. This position may seem extreme and invite the objection that, with regards MC, it is *impossible* to be an absolute deontologist and that we must accept the (serious) *pro tanto* wrong of MC. At this point, a prudential counterargument must suffice, namely, that, faced with a feared genocidal opponent, there may exist the risk of "carrying MC too far": In its purest or most effective form, MC may create killing machines that could even become unresponsive to commands from their superiors. Hence, extreme MC may subvert the very essence of the military's chain of command and capacity to direct soldiers, which could, in certain situations, encompass soldiers potentially vetoing killing for tactical reasons. However, no military has an interest in entirely uncontrollable personnel.<sup>27</sup> Furthermore, psychological studies show that the repeated use of violence can have an irreversible habituating effect on those who perpetrate it, making them more prone to brutalization and aggression in a quite general sense (Fuchs 2017). Hence, one might speculate that extremely intense MC and the experience of repeatedly killing in war could leave some veterans with a reduced inhibition against interpersonal violence during peacetime. This thought may even motivate an argument in favor of the unilateral limitation or abolishment of MC. The risk of MC in its "purest" form also highlights enormous mental tensions that soldiers must endure: They are obliged to skillfully navigate the thin border between physical and mental readiness to repeatedly kill and the prohibition on committing war

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<sup>26</sup> Schaber, personal communication, July 12, 2022.

<sup>27</sup> This is an argument analogous to one sometimes raised against the deployment of fully autonomous weapons systems.

crimes. Against this backdrop, the argument can be made that if it is not kept within strict limits and leads to legal transgressions, MC itself may be the real war crime.

In addition, one may raise the question of the moral status of MC in case a civilian deciding to voluntarily join the army already shares most of the views that mental MC aims to instill once he has joined. Would MC still disrespect his dignity? Note that the moral status of a treatment does not change with the potential previous experience of such treatment or of a part, or an aspect of it. A tortured person does not, by accepting further torture, make that further torture morally acceptable. Hence, MC would still violate the dignity of the civilian in question once recruited, and the present potential counter-scenario rather highlights the necessity of an analogous moral analysis of the instruments of social brutalization of a population as a whole irrespective of military training.<sup>28</sup>

## 6 Practical Upshot

If we accept the previous findings as well as Schaber's conception of dignity on which they are based, we can draw the following practical consequences: A state whose military practices MC engages in a systematic violation of its soldiers' dignity. Recall that consenting to be treated in a way that violates one's dignity as self-respect cannot make the resulting treatment morally permissible. Accepting or choosing to be humiliated does not undo the fact that one is humiliated. This is why a policy of voluntary enlistment would not change the moral status of MC as a violation of dignity. Moreover, given that consenting to have one's dignity violated does not shift the moral responsibility to the consentee, a voluntary enlistee who undergoes MC would not be responsible for the fact that he is being wronged by the state. At most, the enlistee may be causally co-responsible for having his dignity violated, which would not make him blameworthy.

The claim that an enlistee's valid consent has no influence on the moral status of MC could be challenged on the grounds that consenting to undergo MC is an expression of the enlistee's will. Does consent not therefore ensure that his will is still respected overall, even if MC disrespects his freedom of choice about whether to kill or not to kill during and after conditioning? Voluntary enlistees may have reasons for entering the army and undergoing MC. Bear in mind, however, that no reason – no pursuit of any interest or value and no securing of a claim-right – trumps dignity as the ultimate claim-right. Dignity limits the will in cases where the latter would violate the former: dignity trumps autonomy.

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28 A case that was already argued for in Surber (2023).

Given the exclusive focus of the present analysis on US military training, there is a need for further studies of other national military training practices. Training regimes with less or no MC, but which still prove effective in war, may require more fine-grained analysis and could also provide benchmarks for practical change. The final paragraph of this section is dedicated to one idea of how such practical change can be realized and gives a first answer to the following question: How could this article's conclusions be legally institutionalized so as to ensure that soldiers are treated more justly?

If international law is understood to have a moral foundation, MC should be proscribed by international law. Said prohibition could be codified by an additional international disarmament protocol prohibiting the physical and mental weaponization of human beings.<sup>29</sup> If systematic killing remains a condition of modern war though, one could assume that such a prohibition would make war hardly possible and, hence, modern national military institutions dispensable. In that case, states could maintain a public force with limited military capacities without MC that include, e.g., the command of air vigilance systems or tactical police forces.<sup>30</sup> The potential requirement for international peacekeeping forces could invite the “polification” of troops, as opposed to a militarization of national law enforcement agencies, as observed in the US.<sup>31</sup> The difficulty or even impossibility of systematic human killing in war resulting from a prohibition of MC could invite arguments for the increased deployment of Unmanned Aerial Vehicles (UAVs) and Autonomous Weapons Systems (AWS) by affluent states. However, US UAV operators undergo MC in the same way as regular soldiers.<sup>32</sup> It might be thought that if only AWS, and not soldiers, were used to engage human targets in war, then soldiers would not need to be conditioned to kill. However, the use of AWS arguably leads to a violation of dignity *in extremis* of opposing soldiers: For an AWS, a human soldier is information reduced to data points that can be read by its software. Arguably, humans thereby become software inputs, or “digital objects,” and the special status of soldiers as human bearers of rights – and hence also of a right to self-respect or dignity – seems lost.

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<sup>29</sup> As, e.g., under the auspices of the UN Convention on Certain Conventional Weapons.

<sup>30</sup> At present, Costa Rica, Mauritius, Panama, and Vanuatu manage with such forces.

<sup>31</sup> On the militarization of the US police, see Balko (2014), also Dobos (2020, 109–114).

<sup>32</sup> Underwood, personal communication, February 9, 2022. Moreover, evidence increasingly suggests that remote operators of drones in battle suffer from largely the same traumatic illnesses as perpetrators of direct human killing in battle. See, e.g., French, Sisk, and Bass (2018), French and Jack (2015).



## 7 Theoretical Upshot

The verdict that MC is morally wrong has an important implication for just war theories. Since these theories seek to explain why some wars, as well as the killing they involve, can be justified, they are also committed to the view that the means of creating armies capable of fighting just wars are also justified. Moreover, most just war theorists largely neglect MC and, hence, build their moral theories on the tacit acceptance of a system that, to the extent that it applies MC, arguably engages in an immoral practice.<sup>33</sup> In theory, to be a just war, a particular war must be justified with respect to both *ad bellum* (the conditions for the legitimate resort to war by a state) and *in bello* justice (rules governing how soldiers are permitted to fight). If such a war is fought by conditioned armies however, it does not matter whether their behavior is justified or not, because the mechanisms (i.e., MC) that have brought about that behavior are already morally wrong. Hence, the present argument implies that just war theories cannot be applied to wars fought by conditioned armies, and that wars are much more difficult to justify than currently thought.

## 8 Conclusions

This article has argued that MC systematically violates the dignity of soldiers. It has done so by drawing on Peter Schaber's absolute deontologist understanding of dignity as a nonwaivable claim-right to decide upon and exert control over certain essential aspects of one's life. The core thesis was the following:

The ability to decide whether to kill or not to kill other people is an essential aspect of human life, and, given that this is a moral issue, our moral faculty that bears on our potential killing of others plays an equally essential role. Dignity would then require that we exert control over our moral faculty in order to determine whether killing others may be right or wrong and to guide our practical behavior accordingly. Physical MC instills a largely automatic killing reflex that aims to minimize or even eliminate soldiers' control over the decision whether to kill or not. Mental MC practices, by contrast, aim to rationalize soldiers' killing in war and thereby subvert their moral deliberation in relation to this behavior, minimizing or removing control over their moral faculty and their capacity to distinguish between right and wrong in relation to killing. This makes MC, like torture or slavery, a direct violation of the dignity of soldiers, as this is understood in Schaber's sense. However, in contrast to torture and slavery, and given that it aims to subvert soldier's moral deliberation, MC

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33 With the exception of Ned Dobos (2020), who relies on the just war framework when discussing when and why it is justified for a state to create and maintain the potential to wage war.

also threatens soldiers' sense of justice. Thus, unlike in torture and slavery, the soldiers' ability to question whether what they undergo in training is morally problematic is potentially reduced. This reduced awareness, or even lack of awareness, of the disrespect with which soldiers are treated in military training eliminates potential impulses to assert themselves over and against the military and may foster acceptance, both on their part and that of society, of the frequently portrayed heroic role that they are assuming, which may distract from MC's moral problem. If one accepts the absolute duty not to violate human dignity as understood by Peter Schaber, to do more justice to soldiers, MC should be legally proscribed. The exclusive focus on US military training in the present analysis leaves room for further studies of other national military training practices. Training regimes that employ potentially weakened forms of MC, or lack it entirely, but which still prove effective in war, may require more fine-grained philosophical analyses and could also provide benchmarks for practical change.

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